



Tourist/Temporary Residence are only allowed in R-1, R-2, C-1 C-2 & C-3 Zoning Districts

The Applicant must complete the following information for an application to be accepted as complete for review. Please type or print all requested information on this form. It is the Applicant’s responsibility to notify the Code Enforcement Dept. of any changes to the information on this application. Failure to supply accurate information may result in revocation of the Tourist Occupancy Permit. **Please note:** These are Town zoning requirements only. There may be private restrictions and covenants affecting this use. The Applicant is solely responsible for determining and complying with such private restrictions and will do so at his/her own risk. **Permit is valid for 1 year.**

Transient Occupancy Residence Description:

Tax Parcel ID: _____ Subdivision: _____

Physical/Street Address: _____

Of Bedrooms (Per building code standards & Town Zoning Code): _____

Type of parking and number of cars allowed in each as indicated below:

Garage _____ Driveway _____ Designated Space _____

Applicant/Property Owner Information:

Name(s): _____ E-mail: _____

Mailing Address: _____
Street Address/P.O. Box City State Zip Code

Please provide the mailing address in your state of residence if different than above:

Mailing Address: _____
Street Address/P.O. Box City State Zip Code

Home No: _____ Work No: _____ Cell No: _____

Local Contact Person (Must be available 24 hours/day, 365 days/year):

Name(s): _____ E-mail: _____

Home No: _____ Work No: _____ Cell No: _____

Be sure to include the following items with your application:

- Copy of floor plan attached.
- \$100 Made Payable to the Town of Rutherfordton
- Proof of Tourism Development Authority Registration – Contact Jeanette Bosgra at 828-287-6211 or jeanette.bosgra@rutherfordcountync.gov

Town of Rutherfordton

129 N. Main St. Rutherfordton, NC 28139 828-287-3520 www.rutherfordton.net

“Service Forged at the Highest Standard”

- Please draw a floor plan of the residence, indicating all bedrooms (according to Rutherford County Building Code Standards & Town of Rutherfordton Zoning definition). Be sure to include all floors where bedrooms are located.

A large, empty rectangular box with a thin black border, intended for the applicant to draw a floor plan of their residence. The box is currently blank.

Please read the Permit conditions listed and sign below to indicate that you have read and agree to abide by these Permit conditions.

- Tourist/Temporary Residence Permit is required for each residence used for Tourist/Temporary Residence occupancy. Owners and their agents shall expressly provide in their rental agreements that the maximum number of overnight occupants shall be limited to the maximum number of overnight occupants set forth in the permit, **Overnight occupancy shall not exceed two occupants per bedroom plus two additional occupants.** The number of "bedrooms" used in calculating occupancy limits shall be taken from the Rutherford County Revenue Department property tax records. For example: a two-bedroom Tourist/Temporary Residence would have an occupancy limit of 6 (2 x 2 bedrooms = 4 + 2 additional = 6 total). Rentals of a Tourist/Temporary **Residence within the R-1 District shall be required to have a two (2) night minimum stay per rental.** **Tourist/Temporary Residence rentals not located within the R-1 District shall have no minimum stay requirements.**

- The Tourist/Temporary Residence Occupancy shall not change the residential character of the dwelling or constitute or create a public nuisance as defined within the Code of Ordinances.

- All Transient Occupancy parking shall occur in the garage, driveway, or designated parking space. There should be no more than two cars per bedroom on premise at any time. No on street parking is allowed.

- Trash containers shall be maintained in the side or rear yard and shall be screened from street view. The Owner/Operator of the Tourist/Temporary Residence shall ensure that trash pickup occurs at least once a week at the residence and as otherwise needed for additional trash.

- If the Tourist/Temporary Residence is served by a septic system, a statement attesting to the adequacy of the system to accommodate the number of bedrooms intended for occupancy pursuant to these regulations shall be submitted with the application. This requirement shall be satisfied by providing a copy of the applicable septic permit issued by the Rutherford County Health Department for the subject property. In the event a septic permit is submitted with the application, the number of bedrooms listed on the Rutherford County Health Department permit shall determine the occupancy limits established by Paragraph (i) above. If no such permit exists, the applicant shall provide a statement from a qualified licensed professional attesting to the adequacy of the system to accommodate the maximum number of guests permissible under these regulations or provide evidence that the septic system has been pumped out within one year prior to the date of application. If the Tourist/Temporary Residence is served by the Town's sewer system, a certificate from a qualified licensed professional that the connection to the Town's system is operational and free of detectable leaks shall be submitted with the application.

- All Owner/Operators of Tourist/Temporary Residence shall designate a local contact person who shall be available 24 hours a day to respond to occupants, neighbor and Town concerns or complaints.

- Owners/Operators of Tourist/Temporary Residence shall make all reasonable efforts to minimize outside noise after 10 PM. Further, all occupants of Transient Occupancy dwelling shall comply with Section 30-565 Noise of the Town of Rutherfordton, Code of Ordinances.
- The Town Manager, at their discretion, may terminate or not renew a Transient Occupancy permit if it is deemed to be in violation of this Ordinance or determined to negatively affect the adjoining neighbors.

Signature of the Applicant (owner) grants authorization to the Town of Rutherfordton Planning Department and Police Department and Rutherfordton Fire Dept. to inspect the premises of the Tourist/Temporary Residence unit prior to the issuance of the permit and at any other time after issuance of the permit. Signature also certifies that Applicant/Owner has read and examined this application and knows the same is true and correct and agrees to abide by all the above permit conditions at all times.

The Applicant agrees to indemnify and hold harmless the Town of Rutherfordton, its officials, officers and employees, from and against any and all claims, causes of action, suits, damages, costs, losses and expenses (including, but not limited to, attorney's fees) for personal injury and/or property damage which arise out of or may be related to activities, or activities related to those activities, as described in this permit, save and excepting them from any negligence of or by the Town of Rutherfordton, its officials, officers, or employees

Print Name of Owner

Owner Signature

Date