



CITY OF AMESBURY  
IN THE YEAR TWO THOUSAND TWENTY ONE

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**SPONSORED BY:** Kassandra Gove, Mayor    **BILL No.** 2021-105  
Pamela Gilday, District 1

At the meeting of the Amesbury City Council held on October 12, 2021 the following action was taken:

**An Ordinance to establish this zoning ordinance for short term rentals of residential units in the City of Amesbury.**

**Summary:** Like many communities in the Merrimack Valley and on the North Shore, Amesbury is a desirable location to visit. Individual property owners and agencies such as Airbnb and VRBO provide an “away from home” experience by offering residential units to guests as an alternative to the more traditional hotel stay. However, this practice can have a negative impact on community services such as police and fire, disrupt neighborhood peace with noise, traffic, and related issues, and erode a community’s long-term residential rental unit inventory. Therefore, the City of Amesbury shall establish zoning regulations that define the requirements that must be met by a homeowner in order to offer their residential property as a Short-Term Rental in the City of Amesbury.

**Whereas** the term *Short-term rental* is defined in MGL Chapter 64G, the City modified the definition relative to short-term rentals specifically allowed in Amesbury.

**Whereas** in addition to the zoning bylaws for Short-Term Rental Units as specified in this Short-Term Rental Unit Ordinance, an annual licensing requirement for all Short-Term Rental Units in the City of Amesbury must also be met, as specified in City Council Bill 2021-093, which is also referred to as the Short-Term Rental Unit License Ordinance.

**Be it Ordained by the City Council of the City of Amesbury assembled, and by the authority of the same as follows:**

The Amesbury City Council does hereby accept the following zoning bylaw for all residential properties applying for a Short-Term Rental Unit License in the City of Amesbury.

Section X.X.1 Purpose.

The purpose of this section is to outline the requirements necessary for residential dwellings to be registered within the City of Amesbury as Short-Term Rentals. This section is meant to provide for the orderly operation of Short-Term Rentals and ensure they follow health and safety standards.

Section X.X.2 Definitions.

Investment property: Real estate property purchased with the intention of earning a return on the investment either through rental income, the future resale of the property, or both. The property may be held by an individual investor, a group of investors, or a corporation.

Short-Term Rental: Any rental of a residential dwelling, or of a bedroom within a dwelling, in exchange for payment, as residential accommodations for a duration of less than thirty (30) consecutive days, but not a bed-and-breakfast home, investment properties, hotels/motels.

Short-term renter: Any person or persons occupying a dwelling, or a bedroom within a dwelling, as a Short-Term Rental.

Short-term rental operator: The person or persons offering a dwelling or bedroom within a dwelling, for Short-Term Rental, with the written permission of the owner, condominium association, and homeowners association where applicable.

### Section X.X.3 Requirements.

Compliance with this bylaw is required by applicants seeking to obtain and maintain a license to offer a residential unit in the City of Amesbury as a Short-Term Rental. All of the following requirements must be met in order for the Short-Term Rental to be allowed in the City of Amesbury.

1. The following criteria apply to every zoning classification and zoning district in the City of Amesbury for which residential uses are currently allowed.
2. The following dwellings may not be used as Short-Term Rentals:
  - a. Dwellings designated as affordable or otherwise income-restricted, which are subject to affordability covenants, or are otherwise subject to housing or rental assistance under local, state, or federal programs or laws;
  - b. Any dwelling in violation of the State Sanitary Code, Chapter II, 105 CMR 410.000.
  - c. Investment properties.
3. The number of bedrooms made available for rent in a licensed Short-Term Rental shall not be greater than the number of lawful bedrooms in the dwelling.
4. The Short-Term Rental can only be available to one short-term renter at a time. Separate bedrooms in a dwelling may not be rented to separate parties at the same time.
5. A Short-Term Rental cannot be sublet to a third-party, nor can a long term rental unit be used as a Short-Term Rental.
6. Renting for an hourly rate, or for durations of less than ten (10) consecutive hours, shall not be permitted.
7. The short-term rental operator must reside in the single family home or within one of the units in the duplex or 2-family home for which they own both properties, for more than half of the tax year. The homeowner must provide proof that the residential property is their primary residence.
8. The homeowner must be current with all municipal taxes and water and sewage charges.
9. All Short-Term Rentals covered by this bylaw shall be subject to an annual Fire and Safety Inspection to be conducted by a member of the Amesbury Fire Department and the Building Commissioner or designee. The inspection includes the entire dwelling, even if the Short-Term

Rental is only a bedroom within the dwelling.

10. One off-street parking space is required per lawful bedroom in the Short-Term Rental. In addition, further parking requirements may be required as specified in Amesbury's Traffic and Parking Regulations.

#### Section X.X.4 Regulations

The Inspectional Services Department shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section X.XX "Short-Term Rentals."

#### Section X.X.5 Registration

1. All dwellings, or bedrooms within a dwelling, offered for short-term rentals shall register with the City, secure a Short-Term Rental License, ensure the entire dwelling in which the unit is located meets health and safety standards, and pay all associated fees. The Short-Term Rental License shall require the short-term rental operator to abide by the requirements of this Section X.XX.
2. It is the responsibility of the short-term rental operator to renew its license annually.
3. Prior to issuing or renewing a license, the Inspectional Services Department shall conduct an inspection to verify that the dwelling, including each bedroom within a dwelling, to be rented to short-term renters meets the requirements of this Section X.XX.

Councilor Lennon moved to approve bill 2021-105 as presented and she was seconded by Councilor Gilday. The motion passed 7-2 (Kisielecki and Stanganelli no).

Witness my hand and seal for the City of Amesbury this 18<sup>th</sup> day of October, 2021

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

10-18-21  
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Date