S T A T E O F N E W Y O R K

8175--A

2011-2012 Regular Sessions

I N A S S E M B L Y

June 3, 2011

Introduced by M. of A. MENG -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the multiple dwelling law and the administrative code of the city of New York, in relation to clarifying certain provisions relating to occupancy of class A multiple dwellings

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph a of subdivision 8 of section 4 of the multiple dwelling law is amended by adding a new subparagraph 3 to read as follows:

(3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCONSISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESIDENCE PURPOSES IF:

(A) SUCH DWELLING UNIT DOES NOT PROVIDE SINGLE ROOM OCCUPANCY AS DEFINED BY SUBDIVISION SIXTEEN OF THIS SECTION;

(B) SUCH DWELLING UNIT CONTAINS A BATHROOM AND A KITCHEN;

(C) WORKING SMOKE DETECTORS ARE LOCATED IN EACH ROOM OF THE UNIT;

(D) THE DWELLING UNIT HAS SUFFICIENT FIRE, HAZARD, AND LIABILITY INSURANCE TO COVER THOSE PERSONS USING THE UNIT FOR SUCH OCCUPANCY; AND

(E) THE OWNER OR LEASEHOLDER OF THE UNIT HOLDS A VALID LICENSE IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE SEVEN-D OF THIS CHAPTER.

S 2. Section 4 of the multiple dwelling law is amended by adding a new subdivision 15-a to read as follows:

15-A. "VACATION RENTAL UNIT" IS A CLASS A MULTIPLE DWELLING UNIT THAT IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS. ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPROPRIATELY.

S 3. The multiple dwelling law is amended by adding a new article 7-D to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD03515-05-1

ARTICLE 7-D
VACATION RENTALS

SECTION 288. DEFINITIONS.
289. LICENSE REQUIRED.
290. LICENSE APPLICATION.
291. LICENSE FEE.
292. LICENSE RENEWAL.
293. LICENSE DENIAL OR REVOCATION.
294. STANDARD OF OPERATION.
295. VIOLATIONS.

S 288. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:

1."APPLICANT" MEANS ANY INDIVIDUAL THAT OWNS OR LEASES A VACATION RENTAL UNIT, AS DEFINED BY SUBDIVISION FIFTEEN-A OF SECTION FOUR OF THIS CHAPTER, AND RENTS SUCH UNIT OUT TO TRANSIENT GUESTS FOR FEWER THAN THIRTY CONSECUTIVE DAYS CONSISTENT WITH STANDARDS SET FORTH UNDER SUBPARAGRAPH THREE OF PARAGRAPH A OF SUBDIVISION EIGHT OF SECTION FOUR OF THIS CHAPTER.

2."LOCAL CONTACT PERSON" MEANS A PERSON AUTHORIZED AS AN AGENT OF THE APPLICANT WHO:

(A) IS DESIGNATED FOR SERVICE OF PROCESS; AND

(B) IS AUTHORIZED BY THE APPLICANT TO TAKE REMEDIAL ACTION AND RESPOND TO ANY VIOLATION OF THIS TITLE.

3. "TRANSIENT OCCUPANCY" MEANS ANY OCCUPANCY ON A DAILY OR NIGHTLY BASIS, OR ANY PART THEREOF, FOR FEWER THAN THIRTY CONSECUTIVE DAYS.

S 289. LICENSE REQUIRED. NO APPLICANT SHALL RENT OR LEASE A CLASS A DWELLING UNIT AS A VACATION RENTAL UNIT WITHOUT FIRST HAVING OBTAINED A VACATION RENTAL LICENSE. A SEPARATE LICENSE IS REQUIRED FOR EVERY MULTI-DWELLING BUILDING THAT HOLDS A UNIT OR UNITS USED BY THE APPLICANT AS A VACATION RENTAL UNIT. A LICENSEE UNDER THIS ARTICLE SHALL NOT BE REQUIRED TO OBTAIN ANY OTHER CITY LICENSE TO CONDUCT THE ACTIVITIES DESCRIBED IN THIS ARTICLE. THE LICENSE SHALL BE VALID ONLY TO THE INDIVIDUAL TO WHOM IT WAS ISSUED AND IT SHALL NOT BE SUBJECT TO SALE, ASSIGNMENT, OR TRANSFER, VOLUNTARY OR INVOLUNTARY, NOR SHALL THE LICENSE BE VALID FOR ANY PREMISES OTHER THAN THAT FOR WHICH IT WAS ORIGINALLY ISSUED. THE LICENSE SHALL BE DISPLAYED IN A CONSPICUOUS PLACE IN THE VACATION RENTAL. A LICENSE SHALL NOT BE REQUIRED FOR THOSE UNITS WHICH PROVIDE TRANSIENT OCCUPANCY FOR FIFTEEN OR FEWER DAYS PER YEAR.

S 290. LICENSE APPLICATION. 1. THE APPLICATION SHALL INCLUDE THE LOCATION OF THE VACATION RENTAL UNIT, THE TOTAL NUMBER OF SLEEPING ROOMS, AN ATTESTATION INDICATING THAT THE INDIVIDUAL HAS POSSESSION OF THE VACATION RENTAL UNIT AND THE NAME AND ADDRESS OF A LOCAL CONTACT PERSON.

2. THE APPLICATION SHALL INCLUDE THE NAME, ADDRESS, AND CONTACT INFORMATION FOR A LOCAL CONTACT PERSON AND ATTACHED TO THE APPLICATION SHALL BE AN AFFIDAVIT FROM THE LOCAL CONTACT PERSON ATTESTING THAT THE PERSON (A) IS DESIGNATED FOR SERVICE OF PROCESS; AND (B) IS AUTHORIZED BY THE APPLICANT TO TAKE REMEDIAL ACTION AND RESPOND TO ANY VIOLATION OF THIS TITLE.

3. AS A CONDITION OF THE LICENSE, THE LICENSEE SHALL KEEP ALL INFORMATION CURRENT. ANY CHANGE IN REQUIRED INFORMATION SHALL BE REPORTED TO THE DEPARTMENT WITHIN THIRTY DAYS AFTER THE CHANGE.

S 291. LICENSE FEE. THE FEE FOR A VACATION RENTAL SHALL BE TWO HUNDRED DOLLARS.

S 292. LICENSE RENEWAL. ALL LICENSES ISSUED UNDER THIS ARTICLE SHALL BE RENEWED EVERY TWO YEARS FOR A FEE OF TWO HUNDRED DOLLARS.

S 293. LICENSE DENIAL OR REVOCATION. 1. A LICENSE OR A RENEWAL OF A LICENSE SHALL BE DENIED OR REVOKED FOR ANY OF THE FOLLOWING REASONS:

(A) THE APPLICANT DOES NOT HAVE POSSESSION OF THE VACATION RENTAL UNIT;

(B) A LICENSE ISSUED UNDER THIS ARTICLE FOR THE VACATION RENTAL UNIT HAS BEEN REVOKED FOR CAUSE WITHIN TWO YEARS OF THE DATE OF APPLICATION;

(C) THE APPLICANT MAKES ANY FALSE, MISLEADING OR FRAUDULENT STATEMENT OR MISREPRESENTS ANY FACT IN THE LICENSE APPLICATION, OR USES ANY SCHEME FOR THE PURPOSE OF EVADING ANY PROVISION OF THIS ARTICLE;

(D) THE VACATION RENTAL UNIT HAS HAD AT LEAST TWO SUBSTANTIATED COMPLAINTS ISSUED ON IT WHICH LED TO A FINDING OF AT LEAST TWO VIOLATIONS OF THIS TITLE, AND THEREFORE A DETERMINATION OF DENIAL OR REVOCATION IS DETERMINED TO BE IN THE PUBLIC'S BEST INTEREST. FOR PURPOSES OF THIS PARAGRAPH, COMPLAINTS MUST HAVE BEEN FILED ON OR AFTER THE EFFECTIVE DATE OF THIS ARTICLE; OR

(E) IT IS DETERMINED THAT THE OWNER OF THE CLASS A MULTIPLE DWELLING BUILDING IN WHICH THE VACATION RENTAL UNIT IS LOCATED, RECEIVES A TAX EXEMPTION, CREDIT, REDUCTION OR REFUND PURSUANT TO A PUBLIC HOUSING OR AFFORDABLE HOUSING PROGRAM AND ALLOWING SUCH UNIT TO BE USED AS A VACATION RENTAL UNIT WILL CAUSE SUCH BUILDING TO BE IN VIOLATION OF SUCH PROGRAM.

2. IN CLASS A MULTIPLE DWELLINGS WITH MORE THAN TWENTY UNITS, FORTY-NINE PERCENT OR LESS OF THE UNITS MAY BE USED FOR VACATION RENTAL UNIT PURPOSES.

S 294. STANDARD OF OPERATION. 1. NO LICENSEE SHALL: (A) RENT OR LEASE ANY VACATION RENTAL UNIT BY THE HOUR OR FOR ANY PERIOD OF FEWER THAN FORTY-EIGHT CONSECUTIVE HOURS; (B) RENT OR LEASE ANY VACATION RENTAL UNIT MORE THAN ONCE WITHIN ANY CONSECUTIVE TWENTY-FOUR HOUR PERIOD MEASURED FROM THE COMMENCEMENT OF ONE RENTAL TO THE COMMENCEMENT OF THE NEXT; OR (C) ADVERTISE AN HOURLY RATE OR ANY OTHER RATE FOR A VACATION RENTAL UNIT BASED ON A RENTAL PERIOD OF FEWER THAN TWENTY-FOUR CONSECUTIVE HOURS.

2. THE LICENSEE SHALL MAINTAIN CURRENT GUEST REGISTRATION RECORDS WHICH CONTAIN THE FOLLOWING INFORMATION ABOUT EACH GUEST: THE GUEST'S NAME, ADDRESS, SIGNATURE AND DATES OF ACCOMMODATION. THE REGISTRATION RECORDS SHALL BE KEPT ON FILE FOR THREE YEARS AND MADE AVAILABLE FOR INSPECTION.

3. NO LICENSEE SHALL PERMIT ANY CRIMINAL ACTIVITY OR PUBLIC NUISANCE TO TAKE PLACE IN THE VACATION RENTAL UNIT. IF A LICENSEE KNOWS OR SUSPECTS THAT ANY CRIMINAL ACTIVITY OR PUBLIC NUISANCE IS TAKING PLACE IN THE VACATION RENTAL, THAT PERSON SHALL IMMEDIATELY NOTIFY AND COOPERATE WITH APPROPRIATE LAW ENFORCEMENT OFFICIALS.

4. IF A LICENSEE OPERATES A WEBSITE TO PROMOTE SUCH VACATION RENTAL UNIT, THE LICENSEE SHALL PRINT ITS LICENSE NUMBER ON THE WEBSITE.

5. THE MAXIMUM NUMBER OF GUESTS IN A VACATION RENTAL UNIT SHALL BE NO MORE THAN ONE PERSON PER ONE HUNDRED SQUARE FEET OF FLOOR AREA OF THE DWELLING UNIT FOR WHICH THE LICENSE IS ISSUED. THE OCCUPANCY LIMITATIONS SET FORTH IN THIS SUBDIVISION ARE ABSOLUTE MAXIMUMS, AND THE ACTUAL ALLOWED CAPACITY SHALL BE BASED ON THE APPLICABLE PROVISIONS OF THE BUILDING CODE.

6. THE VACATION RENTAL UNIT SHALL BE CLEANED AND SANITIZED BETWEEN GUESTS AND ALL FOOD, BEVERAGES AND ALCOHOL SHALL BE THROWN OUT. ALL DISHES, UTENSILS, POTS, PANS AND OTHER COOKING UTENSILS SHALL BE CLEANED AND SANITIZED BETWEEN GUESTS.

7. THE NAME AND PHONE NUMBER OF THE LOCAL CONTACT PERSON AND THE VACATION RENTAL UNIT LICENSE SHALL BE POSTED IN A CONSPICUOUS PLACE NEAR THE ENTRANCE OF THE VACATION RENTAL UNIT.

8. AN EVACUATION DIAGRAM IDENTIFYING ALL MEANS OF EGRESS FROM THE VACATION RENTAL UNIT AND THE BUILDING IN WHICH IT IS LOCATED SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE INSIDE ENTRANCE DOOR OF EACH VACATION RENTAL UNIT.

S 295. VIOLATIONS. ANY INDIVIDUAL THAT VIOLATES ANY PROVISION OF THIS ARTICLE SHALL BE SUBJECT TO A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS PER VIOLATION, AND SHALL ALSO BE SUBJECT TO LICENSE SUSPENSION OR REVOCATION, OR BOTH.

S 4. Subparagraph (a) of paragraph 8 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new clause 3 to read as follows:

(3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCONSISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESIDENCE PURPOSES IF:

(A) SUCH DWELLING UNIT DOES NOT PROVIDE SINGLE ROOM OCCUPANCY AS DEFINED BY SUBDIVISION SEVENTEEN OF THIS SECTION;

(B) SUCH DWELLING UNIT CONTAINS A BATHROOM AND A KITCHEN;

(C) WORKING SMOKE DETECTORS ARE LOCATED IN EACH ROOM OF THE UNIT;

(D) THE DWELLING UNIT HAS SUFFICIENT FIRE, HAZARD, AND LIABILITY INSURANCE TO COVER THOSE PERSONS USING THE UNIT FOR SUCH OCCUPANCY; AND

(E) THE OWNER OR LEASEHOLDER OF THE UNIT HOLDS A VALID LICENSE IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE TWO OF THIS SUBCHAPTER.

S 5. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 14-a to read as follows:

14-A. VACATION RENTAL UNIT IS A CLASS A MULTIPLE DWELLING UNIT THAT IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS. ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPROPRIATELY.

S 6. Subchapter 1 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new article 2 to read as follows:

ARTICLE 2
VACATION RENTALS

SECTION 27-2004.1. DEFINITIONS.
27-2004.2. LICENSE REQUIRED.
27-2004.3. LICENSE APPLICATION.
27-2004.4. LICENSE FEE.
27-2004.5. LICENSE RENEWAL.
27-2004.6. LICENSE DENIAL OR REVOCATION.
27-2004.7. STANDARD OF OPERATION.
27.2004.8. VIOLATIONS

S 27-2004.1 DEFINITIONS. A. FOR PURPOSES OF THIS CHAPTER:

1. "APPLICANT" MEANS ANY INDIVIDUAL THAT OWNS OR LEASES A VACATION RENTAL UNIT, AS DEFINED BY PARAGRAPH FOURTEEN-A OF SUBDIVISION A OF SECTION 27-2004 OF THIS SUBCHAPTER, AND RENTS SUCH UNIT OUT TO TRANSIENT GUESTS FOR FEWER THAN THIRTY CONSECUTIVE DAYS CONSISTENT WITH STANDARDS SET FORTH UNDER CLAUSE THREE OF SUBPARAGRAPH (A) OF PARAGRAPH EIGHT OF SUBDIVISION A OF SECTION 27-2004 OF THIS SUBCHAPTER.

2. "LOCAL CONTACT PERSON" MEANS A PERSON AUTHORIZED AS AN AGENT OF THE APPLICANT WHO: (A) IS DESIGNATED FOR SERVICE OF PROCESS; AND (B) IS

AUTHORIZED BY THE APPLICANT TO TAKE REMEDIAL ACTION AND RESPOND TO ANY VIOLATION OF THIS ARTICLE.

3. "TRANSIENT OCCUPANCY" MEANS ANY OCCUPANCY ON A DAILY OR NIGHTLY BASIS, OR ANY PART THEREOF, FOR FEWER THAN THIRTY CONSECUTIVE DAYS.

S 27-2004.2 LICENSE REQUIRED. NO APPLICANT SHALL RENT OR LEASE A CLASS A DWELLING UNIT AS A VACATION RENTAL UNIT WITHOUT FIRST HAVING OBTAINED A VACATION RENTAL LICENSE. A SEPARATE LICENSE IS REQUIRED FOR EVERY MULTI-DWELLING BUILDING THAT HOLDS A UNIT OR UNITS USED BY THE APPLICANT AS A VACATION RENTAL UNIT. A LICENSEE UNDER THIS ARTICLE SHALL NOT BE REQUIRED TO OBTAIN ANY OTHER CITY LICENSE TO CONDUCT THE ACTIVITIES DESCRIBED IN THIS ARTICLE. THE LICENSE SHALL BE VALID ONLY TO THE INDIVIDUAL TO WHOM IT WAS ISSUED AND IT SHALL NOT BE SUBJECT TO SALE, ASSIGNMENT, OR TRANSFER, VOLUNTARY OR INVOLUNTARY, NOR SHALL THE LICENSE BE VALID FOR ANY PREMISES OTHER THAN THAT FOR WHICH IT WAS ORIGINALLY ISSUED. THE LICENSE SHALL BE DISPLAYED IN A CONSPICUOUS PLACE IN THE VACATION RENTAL. A LICENSE SHALL NOT BE REQUIRED FOR THOSE UNITS WHICH PROVIDE TRANSIENT OCCUPANCY FOR FIFTEEN OR FEWER DAYS PER YEAR.

S 27-2004.3 LICENSE APPLICATION. A. THE APPLICATION SHALL INCLUDE THE LOCATION OF THE VACATION RENTAL UNIT, THE TOTAL NUMBER OF SLEEPING ROOMS, AN ATTESTATION INDICATING THAT THE INDIVIDUAL HAS POSSESSION OF THE VACATION RENTAL UNIT AND THE NAME AND ADDRESS OF A LOCAL CONTACT PERSON.

B. THE APPLICATION SHALL INCLUDE THE NAME, ADDRESS, AND CONTACT INFORMATION FOR A LOCAL CONTACT PERSON AND ATTACHED TO THE APPLICATION SHALL BE AN AFFIDAVIT FROM THE LOCAL CONTACT PERSON ATTESTING THAT THE PERSON 1. IS DESIGNATED FOR SERVICE OF PROCESS; AND 2. IS AUTHORIZED BY THE APPLICANT TO TAKE REMEDIAL ACTION AND RESPOND TO ANY VIOLATION OF THIS TITLE.

C. AS A CONDITION OF THE LICENSE, THE LICENSEE SHALL KEEP ALL INFORMATION CURRENT. ANY CHANGE IN REQUIRED INFORMATION SHALL BE REPORTED TO THE DEPARTMENT WITHIN THIRTY DAYS AFTER THE CHANGE.

S 27-2004.4 LICENSE FEE. THE FEE FOR A VACATION RENTAL LICENSE SHALL BE TWO HUNDRED DOLLARS.

S 27-2004.5 LICENSE RENEWAL. ALL LICENSES ISSUED UNDER THIS ARTICLE SHALL BE RENEWED EVERY TWO YEARS FOR A FEE OF TWO HUNDRED DOLLARS.

S 27-2004.6 LICENSE DENIAL OR REVOCATION. A. A LICENSE OR A RENEWAL OF A LICENSE SHALL BE DENIED OR REVOKED FOR ANY OF THE FOLLOWING REASONS:

1. THE APPLICANT DOES NOT HAVE POSSESSION OF THE VACATION RENTAL UNIT;

2. A LICENSE ISSUED UNDER THIS ARTICLE FOR THE VACATION RENTAL UNIT HAS BEEN REVOKED FOR CAUSE WITHIN TWO YEARS OF THE DATE OF APPLICATION;

3. THE APPLICANT MAKES ANY FALSE, MISLEADING OR FRAUDULENT STATEMENT OR MISREPRESENTS ANY FACT IN THE LICENSE APPLICATION, OR USES ANY SCHEME FOR THE PURPOSE OF EVADING ANY PROVISION OF THIS ARTICLE;

4. THE VACATION RENTAL UNIT HAS HAD AT LEAST TWO SUBSTANTIATED COMPLAINTS ISSUED ON IT WHICH LED TO A FINDING OF AT LEAST TWO VIOLATIONS OF THIS ARTICLE, AND THEREFORE A DETERMINATION OF DENIAL OR REVOCATION IS DETERMINED TO BE IN THE PUBLIC'S BEST INTEREST. FOR PURPOSES OF THIS PARAGRAPH, COMPLAINTS MUST HAVE BEEN FILED ON OR AFTER THE EFFECTIVE DATE OF THIS ARTICLE; OR

5. IT IS DETERMINED THAT THE OWNER OF THE CLASS A MULTIPLE DWELLING BUILDING IN WHICH THE VACATION RENTAL UNIT IS LOCATED, RECEIVES A TAX EXEMPTION, CREDIT, REDUCTION OR REFUND PURSUANT TO A PUBLIC HOUSING OR AFFORDABLE HOUSING PROGRAM AND ALLOWING SUCH UNIT TO BE USED AS A VACATION RENTAL UNIT WILL CAUSE SUCH BUILDING TO BE IN VIOLATION OF SUCH PROGRAM.

B. IN CLASS A MULTIPLE DWELLINGS WITH MORE THAN TWENTY UNITS, FORTY-NINE PERCENT OR LESS OF THE UNITS MAY BE USED FOR VACATION RENTAL UNIT PURPOSES.

S 27-2004.7 STANDARD OF OPERATION. A. NO LICENSEE SHALL: 1. RENT OR LEASE ANY VACATION RENTAL UNIT BY THE HOUR OR FOR ANY PERIOD OF FEWER THAN FORTY-EIGHT CONSECUTIVE HOURS; 2. RENT OR LEASE ANY VACATION RENTAL UNIT MORE THAN ONCE WITHIN ANY CONSECUTIVE TWENTY-FOUR HOUR PERIOD MEASURED FROM THE COMMENCEMENT OF ONE RENTAL TO THE COMMENCEMENT OF THE NEXT; OR 3. ADVERTISE AN HOURLY RATE OR ANY OTHER RATE FOR A VACATION RENTAL UNIT BASED ON A RENTAL PERIOD OF FEWER THAN TWENTY-FOUR CONSECUTIVE HOURS.

B. THE LICENSEE SHALL MAINTAIN CURRENT GUEST REGISTRATION RECORDS WHICH CONTAIN THE FOLLOWING INFORMATION ABOUT EACH GUEST: THE GUEST'S NAME, ADDRESS, SIGNATURE AND DATES OF ACCOMMODATION. THE REGISTRATION RECORDS SHALL BE KEPT ON FILE FOR THREE YEARS AND MADE AVAILABLE FOR INSPECTION.

C. NO LICENSEE SHALL PERMIT ANY CRIMINAL ACTIVITY OR PUBLIC NUISANCE TO TAKE PLACE IN THE VACATION RENTAL UNIT. IF A LICENSEE KNOWS OR SUSPECTS THAT ANY CRIMINAL ACTIVITY OR PUBLIC NUISANCE IS TAKING PLACE IN THE VACATION RENTAL, THAT PERSON SHALL IMMEDIATELY NOTIFY AND COOPERATE WITH APPROPRIATE LAW ENFORCEMENT OFFICIALS.

D. IF A LICENSEE OPERATES A WEBSITE TO PROMOTE SUCH VACATION RENTAL UNIT, THE LICENSEE SHALL PRINT ITS LICENSE NUMBER ON THE WEBSITE.

E. THE MAXIMUM NUMBER OF GUESTS IN A VACATION RENTAL UNIT SHALL BE NO MORE THAN ONE PERSON PER ONE HUNDRED SQUARE FEET OF FLOOR AREA OF THE DWELLING UNIT FOR WHICH THE LICENSE IS ISSUED. THE OCCUPANCY LIMITATIONS SET FORTH IN THIS SUBDIVISION ARE ABSOLUTE MAXIMUMS, AND THE ACTUAL ALLOWED CAPACITY SHALL BE BASED ON THE APPLICABLE PROVISIONS OF THE BUILDING CODE.

F. THE VACATION RENTAL UNIT SHALL BE CLEANED AND SANITIZED BETWEEN GUESTS AND ALL FOOD, BEVERAGES AND ALCOHOL SHALL BE THROWN OUT. ALL DISHES, UTENSILS, POTS, PANS AND OTHER COOKING UTENSILS SHALL BE CLEANED AND SANITIZED BETWEEN GUESTS.

G. THE NAME AND PHONE NUMBER OF THE LOCAL CONTACT PERSON AND THE VACATION RENTAL UNIT LICENSE SHALL BE POSTED IN A CONSPICUOUS PLACE NEAR THE ENTRANCE OF THE VACATION RENTAL UNIT.

H. AN EVACUATION DIAGRAM IDENTIFYING ALL MEANS OF EGRESS FROM THE VACATION RENTAL UNIT AND THE BUILDING IN WHICH IT IS LOCATED SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE INSIDE ENTRANCE DOOR OF EACH VACATION RENTAL UNIT.

S 27.2004.8 VIOLATIONS. ANY INDIVIDUAL THAT VIOLATES ANY PROVISION OF THIS ARTICLE SHALL BE SUBJECT TO A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS PER VIOLATION, AND SHALL ALSO BE SUBJECT TO LICENSE SUSPENSION OR REVOCATION, OR BOTH.

S 7. This act shall take effect immediately.