

4263--A

2011-2012 Regular Sessions

I N S E N A T E

March 25, 2011

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- 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:

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

4 (3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT
5 FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCON-
6 SISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESI-
7 DENCE PURPOSES IF:

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

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

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

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

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

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

18 15-A. "VACATION RENTAL UNIT" IS A CLASS A MULTIPLE DWELLING UNIT THAT
19 IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS.
20 ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPRO-
21 PRIATELY.

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

LBD10513-03-1

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

3 ARTICLE 7-D
4 VACATION RENTALS

5 SECTION 288. DEFINITIONS.

6 289. LICENSE REQUIRED.

7 290. LICENSE APPLICATION.

8 291. LICENSE FEE.

9 292. LICENSE RENEWAL.

10 293. LICENSE DENIAL OR REVOCATION.

11 294. STANDARD OF OPERATION.

12 295. VIOLATIONS.

13 S 288. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:

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

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

22 (A) IS DESIGNATED FOR SERVICE OF PROCESS; AND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 S 4. Subparagraph (a) of paragraph 8 of subdivision a of section
 13 27-2004 of the administrative code of the city of New York is amended by
 14 adding a new clause 3 to read as follows:

15 (3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT
 16 FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCON-
 17 SISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESI-
 18 DENCE PURPOSES IF:

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

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

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

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

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

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

30 14-A. VACATION RENTAL UNIT IS A CLASS A MULTIPLE DWELLING UNIT THAT
 31 IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS.
 32 ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPRO-
 33 PRIATELY.

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

37 ARTICLE 2
 38 VACATION RENTALS

39 SECTION 27-2004.1. DEFINITIONS.

40 27-2004.2. LICENSE REQUIRED.

41 27-2004.3. LICENSE APPLICATION.

42 27-2004.4. LICENSE FEE.

43 27-2004.5. LICENSE RENEWAL.

44 27-2004.6. LICENSE DENIAL OR REVOCATION.

45 27-2004.7. STANDARD OF OPERATION.

46 27.2004.8. VIOLATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 S 7. This act shall take effect immediately.