

**CHAPTER 390**  
**SHORT-TERM RENTAL ORDINANCE**  
**TOWN OF GRAY MAINE**

*Short-term Rental Ordinance Adopted September 6, 2022 / Effective Date October 6, 2022*

**SECTION 1 – GENERAL ADMINISTRATION**

**SECTION 1.1 – PURPOSE**

The Town of Gray seeks to balance the desire of property owners to rent their properties to short-term tenants and the desire of residents to preserve the character of their residential neighborhoods. The purpose of this ordinance is to minimize the negative impacts of short-term occupation on adjacent residents, to maintain housing availability for long-term residents and to protect the public safety of visitors and residents. This ordinance is applicable to all short-term rentals (STR), including those existing prior to enactment of the ordinance and those that are new.

**SECTION 1.2 – EFFECTIVE DATE**

The effective date of this Ordinance shall be October 6, 2022.

**SECTION 1.3 – APPLICABILITY**

The provisions of this Ordinance shall apply to all permanent single-family, duplex or multi-family dwelling unit(s) at which one or more overnight accommodations are available to rent for a tenancy of less than thirty (30) consecutive calendar days, excluding campgrounds, motels, hotels, and bed and breakfasts. STR's may be permitted in non-permanent structures such as tents and recreational vehicles, provided that such rentals comply with the requirements of this Ordinance.

**SECTION 1.4 – APPEALS**

Decisions of the town staff under this ordinance shall be appealed to the Town Council within thirty (30) calendar days of the date of the decision. Appeals shall be filed with the Town Clerk and shall include a summary of the decision from which the appeal is taken and a summary of the issues for which review is sought.

**SECTION 1.5 – SEVERABILITY**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other article, section, or provision of this Ordinance.

**SECTION 1.6 – CONFLICTS WITH OTHER ORDINANCES**

This Ordinance shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other rule, regulation, permit, or provision of law. Whenever the requirements of this Ordinance are in conflict with the requirements of any other lawfully adopted rules, regulations, Ordinances, deed restrictions, or covenants, the most restrictive shall govern.

**SECTION 2 – REQUIREMENTS**

**SECTION 2.1 – REGISTRATION**

- A. The owner(s) of the property on which the short-term rental is located must register each year with the town prior to advertising, renting or operating any STR unit. Registration forms will be available via the Town website or at the Town Clerk's office and must be submitted to the Town

Clerk, together with the registration fee, on an annual basis, due by January 2 for the current calendar year.

- B. The annual registration shall expire December 31 of each year. Registrations and accompanying fees for the next calendar year shall be accepted beginning December 1 for the subsequent year's registration.
- C. The annual registration fee will be established by order of the Town Council. The town will charge a penalty fee, not to exceed double the registration fee, for properties in violation of the STR ordinance, for those properties not registered by March of the calendar year in which the STR is operating.
- D. If more than one short-term rental unit is located on a single property, a separate registration and accompanying fee shall be paid for each individual STR unit.
- E. The registration form will require property owners to submit and affirm the following information for STR operation:
  - 1. location, including street address and Town of Gray assessing map/lot;
  - 2. the maximum number of people that may be staying overnight in the STR;
  - 3. if there is more than one (1) STR on one property, the number of additional STR's available for rental on the subject property;
  - 4. period of rental availability during the calendar year;
  - 5. 24/7 contact information, including a cell phone number and/or land-line, for the property owner(s) and/or manager for use by public safety personnel in the event of an emergency; and
  - 6. affirmation that the STR complies with applicable building and fire safety codes as well as all applicable federal, state, and local statutes, laws, ordinances, rules and regulations.

## **SECTION 2.2 – PERFORMANCE STANDARDS**

- 1. The property owner(s) shall be responsible for complying with applicable building and fire safety codes.
- 2. The property owner(s) shall be responsible for complying with all applicable federal, state, and local statutes, laws, ordinances, rules and regulations.
- 3. The property owner(s) shall be responsible for ensuring that emergency contact information is clearly and conspicuously posted in all rental units and shall include the name(s), 24-hour phone number(s), and email address(es) of the property owner(s) and/or manager(s). The property owner shall also be responsible for ensuring that the Town Clerk is given current emergency contact information for each STR.
- 4. In accordance with State-mandated building and plumbing code requirements, STR's in permanent structures are required to have access to adequate bathroom facilities.
- 5. STR's may be permitted in non-permanent structures such as tents and recreational vehicles, provided that the requirements of this Ordinance are met for such non-permanent structures.
- 6. The code enforcement officer is authorized to inspect the STR property upon receipt of any code violation complaint.

## **SECTION 2.3 –VIOLATIONS AND ENFORCEMENT**

Failure to comply with any requirement of this Ordinance shall result in the issuance of a notice of violation from the code enforcement officer or other authorized official of the Town. If the violation is not addressed within the time period established in the notice of violation, the Town may bring an enforcement action in the Maine District or Superior Court. Each violation shall be subject to a minimum fine of \$100. Each day that the violation continues shall be considered a separate violation. In the event that the Town is successful in proving a violation, it shall be entitled to recover its attorney's fees and costs in bringing the enforcement action.