

ARTICLE – SHORT-TERM RENTAL CERTIFICATE REQUIREMENTS (DRAFT)
City of Franklin

Sect 11-36. – Definitions.

Accessory short-term rental means an accessory use to a single-family detached dwelling that is offered for a fee for less than 30 consecutive days at a time.

Owner means the legal owner(s) of the property or designated agent for the owning entity.

Owner in Residence (OIR) means property owner is residing on the property during the time of the short-term rental.

Owner Not in Residence (ONIR) means a property owner not residing on the property during the time of the short-term rental.

Sec. 11-37. – Application procedures and requirements.

- a) All property owners intending to utilize the property as a Short-Term Rental must apply for and obtain a certificate from the city before any property is rented.
- b) Detached, single-family dwellings are eligible to apply for a certificate.
- c) Short-Term Rental certificates are valid for one year from the date the certificate is issued. Applications are available on the city's website.
- d) Applications must include all the required information including:
 1. Application fee of \$400;
 2. Plot plan;
 3. NH DES Operational Approval for septic system;
 4. Special Exception from the Zoning Board of Adjustment or determination the Short-Term Rental is a pre-existing non-conforming use.
 5. 24-hour point of contact available to be on-site within 2 hours; and
 6. Rooms and meals tax ID
- e) An Owner in Residence property is limited to 120 cumulative Short-Term Rental days per year. An Owner Not in Residence property is limited to 90 cumulative Short-Term Rental days per year.
- f) Overnight occupancy is limited to 2 people per bedroom plus an

additional 2 people.

- g) Daytime occupancy from dawn to dusk is limited to overnight occupancy plus 50% additional people.
- h) Overnight, off-street parking shall be provided and is limited to one vehicle per bedroom.

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- i) Trash shall be removed or secured on the renter's day of departure.
- j) Completion of a life safety inspection and Short-Term Rental Checklist by the Franklin Fire Department.
- k) A certificate is valid for 1 year from the date of issuance. A new application is required to be submitted annually.

Sec. 11-38. – Fees.

The annual certificate fee is \$ 400

Sect. 11-39 – Violations and penalties.

- a) The owner of any Short-Term Rental that fails to secure a certificate will be subject to the following penalties:

First offense: Written warning issued to the property owner

Second offense, after 15 days since the mailing of the first offense:
Written warning issued to the property owner

Third offense, after 15 days from the mailing of the second written warning and failure to secure a certificate: \$500 per day of uncertified short-term rental activity

- b) The owner of any certified Short-Term Rental that fails to comply with the Regulations adopted herein or the terms of the certificate, will be subject to the following penalties:

First offense: Written warning issued to the registered property owner identified on the application

Second offense, after allowing 15 days to come into compliance since the mailing of the first offense: \$250

Third offense, after allowing 15 days to come into compliance since the mailing of second offense: \$500

Fourth offense, after allowing 15 days to come into compliance since the mailing of third offense: \$750 and revocation of certificate

- c) Any certificate under this section may be suspended or revoked for any of the following reasons: misrepresentation in the application; violation of the proceeding
Regulation requirements for which the certificate was issued; operating a short-term rental in such a way as to create a public nuisance or to pose a threat to public health, safety, or welfare or in violation of any health.
- d) Applicants may appeal any violation or penalty within 10 days of receiving it to the Board of Adjustment, who at their next scheduled meeting for which a public hearing notice can be noticed, will conduct a public hearing to review the violation or penalty.
- e) The decision of the Board of Adjustment shall be in writing, include the factual basis for upholding, modifying or reversing the violation or penalty, and shall be sent via mail to the applicant. An aggrieved party may appeal from the decision of the Board of Adjustment to the Superior Court as provided by the laws of the State of New Hampshire.