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H.685

Introduced by Representative O'Sullivan of Burlington

Referred to Committee on

Date:

Subject: Health; food and lodging establishments; short-term rentals

Statement of purpose of bill as introduced: This bill proposes to require the registration of short-term rentals and that registrants of short-term rentals self-certify compliance with certain health and safety provisions.

An act relating to the registration of short-term rentals

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. chapter 85 is amended to read:

CHAPTER 85. FOOD AND LODGING ESTABLISHMENTS

* * *

Subchapter 7. Short-Term Rentals

§ 4466. REGISTRATION OF SHORT-TERM RENTALS

(a) A person shall not operate or maintain a short-term rental unless he or she registers with the Department and obtains and holds a valid certificate of compliance.

1 (b) Prior to offering for rent a short-term rental, a person shall register with
2 the Commissioner by completing forms published by the Department and
3 paying a registration fee as provided in section 4469 of this title.

4 (c) A person registering shall certify on the registration forms published by
5 the Department that the short-term rental is in compliance with the following
6 provisions:

7 (1) The unit is in compliance with relevant State and local fire, life
8 safety, and zoning laws and rules.

9 (2) Each guest room is free of any evidence of insects, rodents, and
10 other pests.

11 (3) All water from a nonpublic water supply system meets Vermont's
12 water supply rules.

13 (4) All sewage is disposed of through an approved facility, including
14 either:

15 (A) a public sewage treatment plant; or

16 (B) an individual sewage disposal system that is constructed,
17 maintained, and operated according to the Department of Environmental
18 Conservation's rules and otherwise meets all applicable sanitation
19 requirements.

20 (5) All occupancy taxes on the short-term rental unit required pursuant
21 to 32 V.S.A. chapter 225 are paid in a timely manner.

1 (d)(1) The prospective registrant shall submit a registration application to
2 the Department not fewer than 14 calendar days prior to offering a short-term
3 rental for occupancy.

4 (2) The Department shall award an initial certificate of compliance
5 upon receipt of the applicant's completed registration application and
6 registration fee. The certification of compliance shall state that the registrant
7 has self-certified compliance with health and safety laws and regulations and
8 that the Department has not licensed or inspected the property.

9 (e) All certificates of compliance shall be displayed in a manner so as to be
10 easily viewed by the public.

11 (f) Any prospective registrant aggrieved by a decision of the Department
12 may appeal to the Board of Health pursuant to subsection 4351(e) of this title.

13 § 4467. TERM; CERTIFICATE OF COMPLIANCE

14 A certificate of compliance shall expire one year after its date of issuance
15 and may be renewed upon the payment of a new registration fee if the
16 certificate holder is in good standing with the Department.

17 § 4468. INSPECTION

18 (a) The Commissioner may inspect through his or her duly authorized
19 officers, inspectors, agents, or assistants, at all reasonable times, a short-term
20 rental and the registrant's records related to the short-term rental.

1 (b) Whenever an inspection demonstrates that the short-term rental is not
2 operated in accordance with the provisions of this chapter, the officer,
3 inspector, agent, or assistant shall notify the registrant of the conditions found
4 and shall direct necessary changes.

5 § 4469. FEES; REGISTRATION

6 The following fee shall be paid to the Department at the time of registration
7 or registration renewal:

8 Short-term rental — \$130.00.

9 § 4470. ENFORCEMENT

10 (a) If a person is found to be in violation of this subchapter, the
11 Commissioner shall issue a written notice and an order requiring both
12 abatement of the violation and compliance with this subchapter within a
13 reasonable period of time.

14 (b) A person upon whom the notice and order are served shall have an
15 opportunity for a hearing at which he or she may show cause for vacating or
16 amending the order. If it appears that the provisions of this chapter have not
17 been violated, the Commissioner shall immediately vacate the order without
18 prejudice. Conversely, if it appears that the provisions of this chapter have
19 been violated and the person fails to comply with the order issued by the
20 Commissioner, the Commissioner shall revoke, modify, or suspend the

1 person's certificate of compliance or enforce a civil penalty pursuant to section
2 4309 of this title, or both.

3 Sec. 2. EDUCATIONAL MATERIALS; SHORT-TERM RENTALS

4 The Commissioner of Health shall prepare and publish on the Department's
5 website educational materials for short-term rental registrants, including
6 information regarding liability insurance.

7 Sec. 3. EFFECTIVE DATE

8 This act shall take effect on July 1, 2018.