

Sec. 35-160 Short-term rental registry.

07/01/17

Talk to Kay Wilson about this

- (a) For purposes of this section only:
 - (1) "Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, license, or any other possessory capacity;
 - (2) "Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a charge for the occupancy.
- (b) An operator of a short-term rental is required to register with the commissioner of the revenue annually. The registration shall be ministerial in nature and shall require operators to provide the complete name of the operator and the address of each property in the city offered for short-term rental by the operator.
- (c) For purposes of defraying the costs of establishing and maintaining the registry set forth in subsection (b), the commissioner of the revenue shall collect a fee of fifty dollars (\$50.00). The commissioner of the revenue shall track the costs associated with establishing and maintaining the registry, and through the annual budget process, the commissioner may request the fee be adjusted to reflect such actual costs.
- (d) Registration is not required if the operator or short-term rental is exempted from registration by Code of Virginia § 15.2-983(B)(2).
- (e) The penalty for offering a property for short-term rental that is not registered in accordance with this section shall be a penal fine of five hundred dollars (\$500.00) per violation. Each day a property is offered for short-term rental that is not registered in accordance with this section is a separate violation.
- (f) Unless and until an operator pays a penalty authorized by this section and registers such property, the operator may not offer such property for short-term rental.
- (g) Upon repeated violations of this section as it relates to a specific property, an operator may be prohibited from registering and offering that property for short-term rental. Notice of such prohibition shall be sent to the specific property, and a copy may be provided to an alternate address if the commissioner believes such alternate address is the residence of the operator. The notice of prohibition is effective on the date received or three business days after mailing by the commissioner of the revenue, whichever is sooner.
- (h) An operator may be prohibited from offering a specific property for short-term rental in the city upon conviction and non-payment of fines of one or more state or local laws, ordinances, or regulations that relate to the short-term rental. The notice of prohibition shall be sent in the same manner as the notice described in subsection (g).
- (i) The commissioner of the revenue is directed to request contact information from each operator of a short-term rental that includes a person or agent designated to respond to calls

what costs make a violation

needs clarification

remove

Separate owners viol. from tenants

or complaints received by the city's 311 Service. Such person or agent should be able to respond to such calls by providing in-person assistance and remediation within thirty (30) minutes of such call for service or assistance.

- (j) The commissioner of the revenue shall monthly report to the department of planning the registry information and a list of those operators of a short-term rental that decline to provide the information described in subsection (i). The department of planning shall provide such information to the planning commission to assist in the development of appropriate land use controls for short-term rentals.

(Ord. No. 3461, § 1, 8-16-16; Ord. No. 3507, §§ 1—3, 6-20-17, eff. 7-1-17)