

Fryeburg Land Use Ordinance
Section 17 – Specific Performance Standards
BB. Short Term Rental Standards

1. Purpose:
 - a) The purpose of this section is to balance the desire of property owners to safely rent their properties to short term occupants and the desire of resident to preserve the character and enjoyment of their residential neighborhood.
2. Applicability:
 - a) This section is applicable to all short-term rentals (STR), including those existing prior to enactment of the section. A dwelling unit where transient lodging is provided for compensation for 14 cumulative days or less per year will not be considered a short term rental.
 - b) The provisions of this section shall apply to all permanent and non-permanent single-family, duplex, or multi-family dwelling unit(s).
 - c) Short Term Rentals may be permitted in non-permanent structures such as tents and recreational vehicles, provided such rentals comply with all other requirements within the Land Use Ordinance (LUO).
3. Permitting:
 - a) The owner(s) of the property on which the Short Term Rental is located must obtain a permit each year with the Town of Fryeburg prior to advertising, renting, or operating any Short Term Rentals. Permit applications and associated fees will be due by January 2nd for the current calendar year.
 - b) The Annual Permit shall expire on December 31 of each year. Applications for Short-Term Rentals Permit for the new calendar year shall be accepted beginning on December 1st for the new calendar year, along with accompanying fees.
 - c) If more than one (1) Short Term Rental unit is located on a single property, a separate Annual Permit and accompanying fee shall be paid for each individual Short-Term Rental.
4. Application Procedure: The owner(s) of the property on which the Short-Term rental shall submit a Short-Term Rental Application to the Code Enforcement Officer. As part of the application the applicant must sign an Affidavit which shall certify the Performance Standards will be met and that the owner consents to an inspection of the premises by the Code Enforcement Officer at any point throughout duration of the permit.

5. Performance Standards:

a) Safety:

- 1) Smoke Alarms: A smoke alarm is required in each bedroom and each area giving access to bedrooms (i.e. hallways). A smoke alarm is also required to be on each story of the dwelling, including basements and habitable attics. The alarms shall be interconnected as much as reasonably possible.
- 2) Carbon Monoxide Alarms: A carbon monoxide alarm is required in each area giving access to bedrooms (i.e. hallways)
- 3) Fuel Gas Detectors: A fuel gas detector is required in any room containing an appliance that combusts propane, natural gas or liquified petroleum gas.
- 4) Portable Fire Extinguishers: At least one (1) portable fire extinguisher shall be mounted in a prominent location. One (1) size type 2/A is required or two (2) size type 1/A extinguishers.

- b) Egress: Windows and/or doors designated for emergency egress must be maintained in operational order. No basement space shall be used as a sleeping area unless there are properly located and sized egress windows and/or doors.

A building evacuation plan shall be posted in each room.

- c) Refuse Disposal: All waste and refuse must be disposed of in a timely manner. Dumpsters, if utilized, shall be installed on a concrete, asphalt or gravel pad and shall be screened on all sides by fencing or vegetation.
- d) Noise: Short Term Rentals shall not interfere with the neighbor's peaceful enjoyment of their property and adhere to the noise standards of Section 16.H of this ordinance.
- e) Maximum Occupancy. The maximum tenant capacity of a Short-Term Rental shall be limited to no more than two (2) tenants per bedroom, plus two (2) additional tenants or as allowed per the Maine Subsurface Wastewater disposal rules based on the subsurface wastewater disposal application on file.

6. Violations, Suspension or Revocation of Permit: Failure to comply with any requirement of these standards or other applicable sections of the Land Use Ordinance shall result in the issuance of a 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 suspend the permit and/or bring an enforcement action in the Maine District or Superior Court,

per MRSA Title 30-A Section 4452. Such enforcement action may result in civil penalties and legal fees.

Violations include, but are not limited to, using a dwelling unit for a Short-Term Rental without a valid permit and not meeting the Performance Standards which were certified to be met in the affidavit.

7. Appeal. An appeal to the Board of Appeals as an Administrative Appeal may be taken by any person aggrieved by a determination of the Code Enforcement Officer.

8. Effective Date. This section shall be effective on January 1, 2024.

Definition:

Short Term Residential Rental: A dwelling unit where transient lodging is provided for compensation for stays of between one and 29 consecutive nights, and where the dwelling unit would normally be considered a residential living unit not associated with regulated commercial activities such as a hotel, motel or bed-and-breakfast. A dwelling unit where transient lodging is provided for compensation for 14 cumulative days or less per year will not be considered a short-term rental.

9. LODGING									
9.1	Hotel, Motel	N	P	N	N	P	P	P	N
9.2	Bed and Breakfast	P	P	P	P	P	P	P	P
9.3	Yurt, cabin, cottage, or similar, rental facility	N	N	N	N	N	P	P	P
9.4	STR (Short Term Rentals)	C	C	C	C	C	C	C	C