

TOWN OF SWAN'S ISLAND  
SHORT-TERM RENTAL LICENSING ORDINANCE

I. Purpose

Short-term rentals are an important part of Swan's Island economy. It is the purpose of this ordinance to maintain the Island's unique character for all property owners, residents, visitors and businesses. This will be accomplished by a licensing program that enables the Town to monitor and track the number of short-term rentals within its borders and includes modest performance standards intended to protect property owners, renters and neighbors.

II. Applicability

- A. Permitted short-term rental. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of short-term rental license for the premises in accordance with the requirements of this ordinance.
- B. Prohibited short-term rental. No person may offer for rent, operate, or otherwise use any residential dwelling unit in the Town of Swan's Island for short-term rentals if such person has not secured and maintained a valid short-term rental licenses for the premise.

III. Validity and Severability

If any section, subsection, clause or phrase of this ordinance shall be found invalid or unconstitutional, such invalidity shall not affect the remaining provisions of this chapter and, to that end, the provisions of this chapter are hereby declared severable.

IV. Definitions

- A. As used in this chapter, the following terms shall have the following meanings:
- B. OWNER — Person(s) or entity(ies) that is/are owners of record of real property as shown by documents recorded at the Hancock County, Maine, Registry of Deeds.
- C. RESIDENTIAL DWELLING UNIT as defined in the Town of Swan's Island Land Use Ordinance.

- D. **SHORT-TERM RENTAL**— The rental of a dwelling unit, or portion thereof, for occupancy for dwelling, sleeping or lodging purposes for fewer than twenty-eight (28) nights, for compensation, directly or indirectly, excluding motels, hotels, bed-and-breakfasts, boarding houses, and inns. Additionally, a short-term rental does not include: dwelling units that are rented for less than a total of 15 days in a calendar year; or when relatives and friends stay for no monetary compensation.
- E. **SHORT-TERM RENTER** —Any person who rents, licenses, occupies or has right to occupy a dwelling unit as a short-term rental.

## V. Requirements

- A. License required. No short-term rental shall be advertised, rented, or operated without the owner first obtaining a short-term rental license. No short-term rental license shall be issued to an owner unless and until the short-term rental is in compliance with the requirements of this ordinance.
- B. A short-term rental license shall be valid only for the calendar year in which the license is issued (i.e. all short-term rental licenses expired on December 31 of each year).
- C. License Procedure.
1. All applications, and associated fees, for short-term rental licenses shall be filed with the Town on forms provided for that purpose.
  2. Applicants shall provide all of the information requested on the short-term rental registration application form.
  3. A proposed short-term rental may only be licensed by the owner of the proposed short-term rental unit.
  4. A non-refundable fee of \$100 for a short-term rental license/license renewal. Such fee must be submitted with the license form at the time of applicators and/or renewal of the license.
  5. A license number will be given to each dwelling unit licensed. Licenses are limited to the dwelling unit for which they are issued, and shall not be transferable to a different dwelling unit(s).

## VI. Standards

At the time of issuance of a short-term rental license, and at all times during the continuance of a short-term rental license, all short-term rentals shall, in addition to being in compliance with all ordinances of the Town, be in compliance with the following standards.

- A. Street numbers, if applicable, shall be compliant with Rowan 911 standards, and posted in a visible location within the rental.
- B. Smoke alarms. Smoke alarms shall be installed in each bedroom, outside each separate area used for sleeping, and on each story of the short-term rental unit (including in basements and in habitable attics).
- C. Carbon Monoxide Detectors. Carbon monoxide detectors shall be installed in compliance with Title 25 of the Maine Revised Statutes, as may be amended from time to time (25 M.R.S. § 2468, as amended).
- D. Evacuation Plans. All property owners are required to create an evacuation plan and post in a visible location in the short-term rental property in case of emergency.
- E. Portable fire extinguishers. At least one appropriately sized portable fire extinguisher shall be mounted in a prominent location within the short-term rental unit.
- F. Solid waste disposal. The owner and renters must adhere to the standards of the Swan's Island Transfer Station.

## VII. Violations, Enforcement

- A. Violation of operating without a registration. It shall be a violation of this ordinance for any person to rent, or operate a short-term rental without a valid license and the Code Enforcement Officer will determine whether there is a violation and, if so, will provide a notice of violation to enforce the violation.
- B. Appeals

In accordance with the process outlined in the Board of Appeals Ordinance, the Board of Appeals may, upon written application of an aggrieved party received by the Town within 30 days of any decision or enforcement action which interprets this Ordinance, hear an appeal from such a decision.