

For public hearing to be held on January 10, 2024
Review only of changes made at 12/27/2023 public hearing as follows:

1. Revised the sentence after the in Section 3 that previously read: ‘Prior to approval for a Short-Term Rental (STR), the owner must:’ and also added Short-Term Rental at the beginning of the paragraph to not confuse with Spec Excep Appl.
2. Added verbiage to Section 3, 1st paragraph, regarding ZCO review.
3. Removed the word Parking at the beginning of Section 4.a.
4. Added location address verbiage to 4.c.i.
5. Adjusted verbiage to 4.c.iv to include time periods of stay and removed ‘if applicable.’
6. Removed Section 4.c.vi. regarding posting a notice regarding behavior.
7. Removed the words Septic System at the beginning of Section 4.d.
8. Removed Section ‘e’ regarding seasonal dwelling. The number was incorrect but we also felt it should be governed by the Seasonal Dwelling section of the Ordinance and caused too much confusion. What was ‘f & g’ are now ‘e & f.’
9. FD Stewart and Joel both say that the language we have is good and suggested no change.
10. Removed ‘a completed application’ per Town Atty from 5.a., and also removed 5.b.

U. Short-Term Rentals (STR)

1. Purpose. The use of short-term rentals is regulated to preserve the traditional character of residential neighborhoods that can be negatively impacted by this type of use and to help preserve the quality and quantity of the housing stock for year-round residential use.
2. Definition. A dwelling unit, where transient lodging may be provided for compensation for short stays (no less than two (2) and no more than thirty (30) 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, rooming/boarding/lodging house, or a bed/breakfast.
3. Application for Short-Term Rental (requires Special Exception):

Short-Term Rental Applications are submitted to the Town of Epsom Select Board’s Office and are required for all Short-Term Rentals. The Zoning Compliance Officer (ZCO) shall review the short-term rental for compliance with the General Requirements listed in Section 4, and will perform the inspection by within forty-five (45) days of a complete application submission. Short-term rentals are permitted in all zones by special exception as either primary or accessory use of the property. In addition to the special exception criteria found in Article VI.E.5; the following criteria must also be met.

The owner must comply with the following for consideration of a Short-Term Rental:

- a. Complete a “SHORT-TERM RENTAL APPLICATION” and submit, along with appropriate fees, to the Town of Epsom, Select Board’s Office. An updated application is also required to be submitted should the property change ownership.
- b. Arrange for a complete safety inspection by the Fire Department and submit the inspection report as part of the application. The inspection shall be limited to determining that the following minimum safety requirements are met:
 - i. Functional Smoke and CO detectors must be installed in areas defined by the State of NH’s adopted version of the National Fire Protection Association codes and standards.
 - ii. Windows and doors functioning as the primary and secondary means of egress shall conform to the currently adopted Life Safety Code requirements for one (1) or two (2)-family dwellings.
 - iii. No basement space shall be used as a sleeping area unless there are properly sized egress windows and/or doors.
 - iv. A functional fire extinguisher shall be visibly installed in all kitchen areas.
 - v. Safety concerns reported by lodgers or abutters may require additional inspections(s) by the Fire Department.
4. General Requirements. The following shall apply to all short-term rentals:

- a. All short-term rentals shall provide a minimum of one parking space per bedroom plus one extra space. On-street overnight parking shall not be allowed.
- b. All dwellings must be on a Class V Road or better.
- c. The following information must be posted in the STR dwelling and shall be prominently posted in a common area visible to all renters and guests.
 - i. Emergency phone numbers for Fire and Police Departments, and location address of Short-Term rental property.
 - ii. Name, address, and telephone number of a person within the state who is authorized to and responsible for addressing issues that arise at the property and who is authorized to accept service of process for any legal proceeding brought against the owner relating to the short-term rental. This information must be updated should any change occur in this information, posted in the dwelling, and provided to the Town of Epsom, Select Board's Office.
 - iii. Parking rules, including what is outlined in 4.a.
 - iv. Occupancy limits (See Section 4.f below) and time period of stay of no less than two (2) and no more than thirty (30) consecutive nights, as outlined in Section U.2. This information must also be posted on the booking website.
 - v. A copy of the safety inspection report completed by the Fire Department.
- d. Must provide documentation to the Town from a Septic System Inspector licensed by the State of New Hampshire indicating a working septic system exists and is suitable for the occupancy of the dwelling.
- e. The maximum occupancy of the short-term rental shall be two people per bedroom. Any persons under the age of 12 shall not be counted in occupancy.
- f. All owners of short-term rentals shall provide a place for renters to deposit their trash and shall arrange for trash to be removed from the property at least weekly. Owners shall further assure that all properties are maintained and kept clean of debris.

5. Pre-Existing Short-Term Rentals:

- a. For a dwelling to be considered a pre-existing short-term rental the owner must provide short-term rental documentation prior to April 1, 2023, such as evidence of payment of State Meals & Rooms Tax or a filing of Form CD-100 (Meals and Rentals Request to Update or Change License) to the State of New Hampshire, Department of Revenue Administration, in order to continue to operate without the need for a Special Exception Application.