

No. 11,790-2

An ordinance to amend Section 3,
entitled "Building Code" by inserting
after section 3-49.7 the following
Sections 3-50.1 through 3-50.3.

IN CITY COUNCIL

February 14, 2023

VOTED to pass to a second reading and
publish as required by law.

Attest, Lisa Hall Blackburn
President

Joshua Vallins
City Clerk

IN CITY COUNCIL

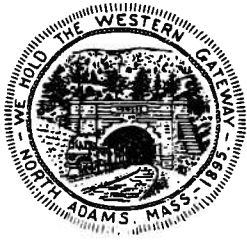
February 28, 2023

VOTED: by roll call to adopt the
ordinance; 7 yeas, 2 nays.

Attest, Lisa H Blackburn
President

Joshua Vallins
City Clerk

Henry G. Mackay
Mayor



City of North Adams

In City Council

BE IT ORDAINED by the City Council of the City of North Adams as follows:

That Section 3, entitled "Building Code" be and is hereby amended by inserting after section 3-49.7, the following Sections 3-50.1 through 3-50.3:

3-50.1. Short-Term Rentals-Registration

(1) All dwelling units offered for short-term rental shall register with the Department of Inspection Services for a local certificate of registration. As part of the registration application, short-term rental operators shall provide the Department of Inspection Services with:

(a) Proof that the dwelling unit to be offered as a short-term rental unit or one of the dwelling units within the building containing the unit to be offered as a short-term rental unit is the operator's primary residence or that there is a local agent in charge within a twenty-five (25) mile radius of the short-term rental unit to manage the short-term rental unit. Such proof shall include:

(i) An affidavit signed under the pains and penalties of perjury stating that the applicant either owns or has the legal ability to operate a short-term rental unit at the address.

(ii) If the unit is not owner-occupied or owner-adjacent, a copy of a contract or other legal agreement between the owner and the local agent in charge that is contracted to provide management services to the unit.

(b) If the short-term rental unit is located within a condominium project, written approval from the appropriate condominium association officer or manager for operation of a short-term rental at that location.

(c) A copy of the operator's Certificate of Registration with the Massachusetts Department of Revenue, as required by MGL c.64G s.6.

(2) Prior to issuance or renewal of a local certificate of registration the Department of Inspection Services shall conduct an inspection to verify that each dwelling unit and/or bedroom to be offered as a short-term rental unit:

(a) Is compliant with all code requirements for occupancy.

(b) Is compliant with all other requirements of this §10.13 "Short-term Rentals" and any and all regulations promulgated by the Department of Inspection Services.

(3) The local certificate of registration shall expire one year from the date of issuance. Renewal of the local certificate of registration shall require an inspection conducted by the Department of Inspection Services. It is the responsibility of the short-term rental operator to renew the certificate of registration.

(4) Operation of a short-term rental unit without a valid local certificate of registration constitutes a violation of this ordinance.

3-50.2. Procedural requirements.

(1) The following information shall be posted in a conspicuous location within short-term rental units:

(a) An emergency exit diagram in all bedrooms and on all egresses from the dwelling unit.

(b) The local certificate of registration for the short-term rental unit.

(c) If a professionally-managed short-term rental: the name and contact information of the local agent in charge.

(2) The following information shall be provided to short-term renters:

(a) Phone numbers for the North Adams Police Department, the North Adams Fire Department, and Emergency Medical Services in case of emergency.

(b) A description of regulations, if any, relative to on-street parking at the address and fines for parking violations.

(c) The contact information for the short-term rental operator and a local contact available for response to complaints and non-emergency issues.

3-50.3. Taxes, fees, and penalties.

(1) All short-term rental units shall be subject to the state and local taxes set forth by M.G.L. c.64G §3A.

(2) Short-term rental units shall be subject to the Community Impact Fee authorized by M.G.L. c.64G, §3d upon an affirmative vote of such by the City Council.

(3) All short-term rental units shall be subject to fees for inspections as determined by the Department of Inspection Services and approved by the North Adams City Council.

(4) Failure to comply with any provision of this §3-50 will result in a fine as proscribed in c.29, §2 of the Revised Ordinances of the City of North Adams.