

MEMORANDUM

TO: Ordinance Committee
FROM: Maureen O'Meara, Town Planner
DATE: August 8, 2012
SUBJECT: Short Term Rental regulations

Introduction

At the August 6th workshop, Town Councilors identified several possible "tweaks" to the proposed short term rental amendments. In addition, there was a consensus that the nuisance provisions (behavior) in the Miscellaneous Offenses Ordinance may also need revisions. The Ordinance Committee has been tasked with making these adjustments before the full Town Council considers the amendments.

Short Term Rental Amendments

Councilor Sherman has prepared a list of possible adjustments to the Short term rental amendments, based on comments from councilors. I would suggest that the Ordinance Committee go through Councilor Sherman's list and make adjustments to the draft as part of your meeting discussion.

The revision with the strongest support appeared to be some kind of 3 strikes enforcement for the short term rental permit. The Disorderly House Ordinances in force in Portland and South Portland have been frequently mentioned. In preparation for this meeting, I have included copies of several ordinances.

The attached draft also includes a new section *at the end* titled Suspension and Revocation of permit, which has been drafted to move forward the discussion regarding the three strikes. This is a first draft that borrows from approaches used in other communities.

Nuisance

The Cape Elizabeth nuisance regulations are found in the Miscellaneous Offenses Ordinance. I have provided examples from other communities of nuisance, noise, and disturbing the peace provisions. While Cape Elizabeth's language is a bit vague, most other communities take the same approach. In a few cases, specific distances and quiet hour times are used.