

Town of Bar Harbor, ME  
Wednesday, August 8, 2012

## Chapter 190. VACATION RENTALS

[HISTORY: Adopted by the Town Council of the Town of Bar Harbor 4-18-2006 by Ord. No. 2006-01. Amendments noted where applicable.]

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### GENERAL REFERENCES

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Land use — See Ch. 125.

Taxation of time-share estates — See Ch. 178, Art. II.

#### § 190-1. Purpose.

The purpose of this chapter is to regulate the use in alignment with state laws and regulations.

#### § 190-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### VACATION RENTALS

As defined in Land Use Ordinance § 125-109.

#### § 190-3. Registration; procedure.

- A. All vacation rentals shall be registered with the Town of Bar Harbor prior to rental. Registration forms shall be filed with the building permit files under the management of the Code Enforcement Officer.
- B. Property owners with vacation rentals that qualify for a homestead exemption (36 M.R.S.A. §§ 681 through 689, respectively) shall register the use of their property under this chapter initially. All other property owners with vacation rentals must register such use under this chapter annually.
- C. Registration forms shall include the following information:
  - (1) Name and mailing address of the owner of the property;
  - (2) Physical address of the property to be rented;
  - (3) Local contact name and phone number;
  - (4) Determination of qualifications for homestead exemption status;
  - (5) Determination of Land Use Ordinance compliance.
- D. If inspection is required by this chapter, then the property shall pass inspection prior to the issuance of the registration card.
- E. A registration card shall be issued to the property owner upon submission of the completed form and payment of any fees as may be set from time to time by the Town Council. The card shall certify that the applicant has met all requirements in this chapter and the Land Use Ordinance as

attested by both the Fire Chief and the Code Enforcement Officer or his/her designee. The registration card for renewal of an unexpired vacation rental registration shall be valid for 12 months from the date of expiration of the previous registration card, regardless of the date of issuance of the renewal registration.

**[Amended 10-7-2008 by Ord. No. 2008-03]**

- F. An approved registration card shall be posted on the premises of the vacation rental unit for convenient inspection by a vacation rental occupant.
- G. Registration does not relieve the property owner from the obligation to obtain any additional permits necessary for the use.

**§ 190-4. Inspections; compliance with certain regulations.**

- A. Vacation rentals in homestead exemption properties do not require a life safety inspection.
- B. Vacation rentals in all other properties shall be inspected initially by the Fire Department for life safety requirements.
- C. Compliance with certain regulations required.
  - (1) For the purposes of this chapter, vacation rentals shall comply with the following chapters of the NFPA 101 Life Safety Code, as most recently amended and edited, and as applicable:
    - (a) Chapter 4, General.
    - (b) Chapter 6, Classifications of Occupancy and Hazard of Contents.
    - (c) Chapter 7, Means of Egress.
    - (d) Chapter 9, Building Service and Fire Protection Equipment.
    - (e) Chapter 24, One- and Two-Family Dwellings.
    - (f) Chapter 30/31, New and Existing Apartment Buildings.
  - (2) Additionally, vacation rentals shall comply with Chapter 70, Electrical Installations, of this Code, as it may be amended, edited and as applicable.

**§ 190-5. Enforcement; violations; appeals.**

- A. Enforcement authority. The provisions of this chapter shall be enforced by the Code Enforcement Officer.
- B. Violations. A violation of this chapter shall constitute a violation under the Land Use Ordinance, Chapter 125, Article X, Enforcement.
- C. Appeals. An appeal from the action of code enforcement or the Fire Department may be sought through the powers and responsibilities in the Land Use Ordinance, Chapter 125, § 125-103, Administrative appeals. *Editor's Note: Former § 190-6, Effective date, which immediately followed this section, was repealed 10-7-2008 by Ord. No. 2008-03.*