

## Transient rental property

(1) A rental dwelling or dwelling unit occupied by persons other than the owner or a family member of the owner and for which rent is received by the owner, directly or indirectly, in exchange for such rental occupation for a period of less than 28 nights. For the purposes of this chapter, the term "transient rental property" shall mean all non-owner-occupied dwelling units rented for a period of less than 28 nights and shall not include:

(a) Properties used exclusively for nonresidential commercial purposes in any zoning district; or

(b) Any legally operating hotel/motel business operating exclusively and catering to transient clientele; that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel business.

(2) Presumption of dwelling unit as transient rental property.

(a) The presence of the following shall create a presumption that a dwelling unit is being used as a transient rental property:

(i) The dwelling unit or any room therein is offered for lease on a short-term rental website, including Airbnb, Home Away, VRBO and the like for a period of less than 28 days: or

(ii) The dwelling is offered for lease in any medium for a period of less than 28 nights.

(b) The foregoing presumption may be rebutted by evidence presented to the Code Enforcement Official that the dwelling unit is not a transient rental property.

(3) No property located in Residence A, Residence B, Residence C, and Residence D Districts shall be occupied, used, rented and/or leased as a transient rental property.