

Ordinance Committee Minutes

October 27, 2020

Present: Councilor Asherman, Councilor Cahan, and Councilor LaFond
Staff: Nathan Poore, Town Manager and Marguerite Fleming, Administration Analyst

Chair Cahan began the meeting at 8:00 am.

1. Approve Previous Meeting Minutes.

Councilor LaFond motioned to approve the minutes; Councilor Asherman seconded. The motion carried unanimously.

2. Continuation of Short-term Rental Discussion and Presentation by Bruce McCaskill, Account Executive at Host Compliance.

Bruce McCaskill, Account Executive at Host Compliance, delivered the attached presentation. He said that a scan of the listing platforms found 113 short-term rental listings representing 88 unique rental units in Falmouth. He said that the average nightly rate was \$200. He said that 88% of the listings were for the entire house and 77% of the listings were for single-family homes. He reviewed the company's address identification feature.

Councilor LaFond asked how accessory dwelling units are identified. McCaskill said that it depends on how the owner describes the unit in the listing and on the municipality's regulation. Ms. Fleming will ask Ethan Croce, Community Development Director for additional information on how accessory dwelling units are defined and permitted.

Mr. McCaskill reviewed the company's complaint hotline, rental activity monitoring, and compliance monitoring features. He reviewed the company's pricing structure. He said that the pricing for the address identification feature is based on the number of listings but that the other features are based on the number of units. He said that the mobile enabled registration is a fixed cost. He said that most of their customer municipalities pay for the cost of using the company through registration fees.

Chair Cahan opened the public comment period; there was no public comment.

Mr. McCaskill said that trying to figure out the exact room number of short-term rental units in condo buildings can be tricky. He said that most customer municipalities start with the address identification feature and that it takes four to six weeks to get the address identification feature up and running. He said that compliance monitoring and mobile enabled registration are the features that customers usually add on next.

The Committee discussed that if the Town decided to use Host Compliance it would likely eventually need all the features.

Mr. McCaskill said that the annual renewal fee is based on the number of rental units over a ten-month average. He said that the number of listings can vary based on time of year and day of the week.

The Committee and staff members present discussed next steps. Councilor Asherman asked if staff had the bandwidth to move ahead with short-term rental regulation now. Mr. Poore asked about the Committee's plan for a process for moving forward with regulation. Councilor LaFond suggested moving forward with a phased approach and felt that short-term rentals should at least be required to register. Chair Cahan said that she would like to move forward with some kind of regulation. She liked the idea of using a compliance company. She

wanted to make sure that short-term rental operators provide emergency contacts and liked the hotline feature. Nathan suggested contracting with Host Compliance for all the features as they could be used to gather data. He did not think that registration and data gathering would overburden the Code Enforcement staff.

There was consensus amongst the Committee to move forward with developing a registration process, requiring a local contact, and gathering data. Staff will draft an ordinance for review at the December meeting.

3. Next Meeting Date.

Those present discussed the agenda items for the Committee's November and December meetings. The Committee will work on the Town/public infrastructure eminent domain policy and street acceptance review policy/process at its November 9 meeting. At the December 14 meeting, the Committee will continue working on these items if necessary and work on short-term rental regulation and the construction dust and noise ordinances.

The next meeting is scheduled for November 9 at 8:00am.

4. Adjourn.

The meeting adjourned at 9:36 am.

Draft Minutes prepared by Marguerite Fleming.