

# Newburyport Short-Term Rental Unit Guide

## 1. Understanding the Basics

### Overview

A Short-Term Rental Unit (STRU) refers to the use of a dwelling unit, or any bedroom within, for residential occupancy for a period of fewer than 30 consecutive days. STRUs are allowed within certain parameters and there are rules and regulations you must follow to legally rent out your residence as a STRU. See section V-G of the Newburyport Zoning Ordinance. First, you must meet the eligibility requirements.

### Are you eligible?

The **operator** of a short-term rental unit must be the owner of the STRU and:

-The operator must live in the STRU as a primary residence for at least 183 days a year or in an adjacent unit to said primary residence that is under the same ownership.

OR

-The unit must be located within the Plum Island Overlay District

OR

-The Unit must have been registered with the State of Massachusetts' Public Registry of Lodging Operators as of February 27, 2023. If this is the case and the unit meets all of the other criteria then a Special Permit from the Zoning Board must be obtained before a license can be sought. This Special Permit will expire on June 30, 2027 and shall not be extended or renewed.

## 2. Terms and Eligibility\*

A residential **dwelling unit** is house, apartment, or condo where a single family resides. An in-law apartment is NOT considered a separate dwelling unit *under the Newburyport Zoning Ordinance*.

A short-term rental unit **operator** is a natural person who meets the criteria set forth in the Zoning Ordinance who is offering the dwelling unit or portion thereof for short-term rental.

In both an Owner-Occupied and in Investor Short-Term Rental Units you can offer a **maximum of 3 bedrooms for a total of 6 guests maximum**. To qualify as an **Owner-Occupied** unit the operator must live there for at least 183 days a year.

The dwelling unit or bedrooms offered as a STRU must comply with State Building, Fire, and Sanitary code requirements for occupancy. This includes ceiling height, room size, adequate light and ventilation, life safety devices, egress from the building, dwelling unit, and bedrooms, and other applicable codes.

Except within the Plum Island Overlay District (PIOD) an operator may **only register 1 short-term rental unit**. There is no limit within the PIOD.

There are several types of **ineligible dwelling units**: units designated as below market rate, In-law units, a unit within the Smart Growth Overlay District, a condominium or similar unit where the use has been prohibited, and structures such as campers, tents, lean-tos or other similar permanent or non-permanent structures.

Tenants are not permitted to sublease a unit as a Short-Term Rental Unit.

\*A Short-Term Rental Unit must comply with all applicable provisions of the City of Newburyport Zoning Ordinance including but not limited to those listed here.

## 3. Getting Started

Any Short-Term Rental Unit offered more than 14 days in a year must be licensed through the Newburyport Licensing Commission.

The fee to obtain a STRU License and Registration number is **\$250**. You will pay the fee after it is determined that your unit is eligible for registration, but before inspections can be scheduled. Renewal applications will be subject to the same fees as a new application.

### Application

File a Short-Term Rental Unit Application online through the City's online permitting portal at [www.cityofnewburyport.com](http://www.cityofnewburyport.com) and include the required supporting documents.

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## Supporting Documents Required for Short-Term Rental Unit Applications

- a) **Proof of operator's primary residence** such as a valid Massachusetts driver's license, State issued ID, or valid vehicle registration, current voter registration card, or current census listing.
- b) If a unit is within a condominium, an **affidavit of approval from the condominium association**.
- c) **Proof of liability insurance**
- d) **Interior floor plan(s)** indicating bedrooms designating use as STRU or other, kitchen and bathroom facilities.
- e) For **owner-occupied** units OR units on Plum Island, attach a **site plan** that indicates: Existing structures, location of proposed STRU, off street parking spaces
- f) For **investor-owned** units, attach a **certified plot plan** that indicates: existing structures, location of proposed STRU, off street parking spaces, pools, fences etc.
- g) For **investor-owned** attach **proof of registration with State of Massachusetts Public Registry of Lodging Operators**. Unit must have been registered as of February 27, 2023.
- h) Other documentation listed in the application or requested by the commission.

## 4. Inspections and Registration

### Scheduling an Inspection

Once your application fee has been paid, you will need to contact the City as directed on the application in order to schedule the required inspections. A sample **Inspection Checklist** is available at [www.cityofnewburyport.com/stru](http://www.cityofnewburyport.com/stru).

The following information must be posted in all Short-Term Rental Units and provided to all Short-Term renters at the time of rental:

- a) **Instructions for disposal of waste** per City of Newburyport regulations;
- b) **Emergency exit diagram** posted in each bedroom used as a short-term rental and on all egresses from the dwelling unit;
- c) **Local Contact** in addition to the operator must be listed and made available to renters;
- d) Current **STRU License** must be posted within the unit.

### STRU License and Registration Number

Upon satisfactory inspections and review by the Licensing Commission, an application for Short-Term Rental Unit will be issued a Registration Number and a STRU License. **You may now advertise and offer the unit for short-term rental** using this registration number.

## 5. Ongoing

The **STRU License** is typically valid for one (1) year and may be eligible for renewal if applied for prior to the expiration date shown on the certificate. A license also expires upon change of ownership or residence status.

All Short-Term Rental Unit operators are subject to the City of Newburyport's **parking and trash regulations**. It is the responsibility of the STRU operator to inform their guests of these and other city regulations and their role therein.

**Violations** of the Short-Term Rental Ordinance and License will be subject of fines of up to \$300/day.

**Complaints** regarding occupancy conditions or other potential violations of the Short-Term Rental Ordinance shall be filed online as a **Short-Term Rental Enforcement** request. This form can be found in the Licensing Commission section of the City's online permitting portal, which can be found at [www.cityofnewburyport.com](http://www.cityofnewburyport.com).