

An Ordinance Changing the Town Clerk and Tax Collector Positions from Elected Officials to Appointed Position(s)

BE IT ORDAINED by the electors of the Town of Canterbury at a duly warned meeting:

1. Pursuant to the authority conferred by Connecticut General Statutes Sec. 9-185 and Sec. 9-189, the Town Clerk and the Tax Collector positions shall hereby be appointed by the Board of Selectmen, rather than elected.
2. The first person so appointed to the Town Clerk/Tax Collector position shall be appointed upon the expiration of the term of office of the official in office at the effective date of this ordinance or the occurrence of a vacancy in said office, whichever first occurs.
3. Any vacancy shall be filled by appointment by the Board of Selectmen. During the period of any vacancy in the office of the Town Clerk or Tax Collector, the Board of Selectmen may appoint an interim Town Clerk/Tax Collector to serve until the Board of Selectmen appoints a person to fill the position(s).
4. The Town Clerk/Tax Collector shall have such duties as are prescribed by the General Statutes, and such additional duties as the Board of Selectmen may prescribe from time-to-time.
5. The Board of Selectmen shall enter into an agreement with the Town Clerk/Tax Collector setting out the terms of the duties, compensation, performance standards, and termination.
6. The Board of Selectmen may combine into one office the duties of the Town Clerk and Tax Collector.
7. This ordinance shall be effective fifteen (15) days after publication in accordance with Connecticut General Statutes.

Passed at Annual Town Meeting May 18, 2023
Published in Turnpike Buyer May 31, 2023

ORDINANCE
REGULATING SHORT-TERM RENTALS IN THE
TOWN OF CANTERBURY

Be it ordained by the Town of Canterbury:

SECTION 1 PURPOSE

This Ordinance shall be known as the "Short-Term Rental Ordinance."

It is the intent of this Ordinance to accommodate the desire of some property owners to rent their residential dwelling on a short-term basis but to establish appropriate requirements to mitigate the disruption that short-term owner-occupied and vacation rental dwellings may have on neighboring properties and a neighborhood.

It is found that all types of Short-Term Rentals may be rented under appropriate measures so as to make them of low intensity and not generate a nuisance to any neighbor or cause any detrimental impact to the surrounding residential neighborhood.

SECTION 2 DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have the meaning respectively ascribed to them:

Dwelling Unit: Any single unit providing complete independent living facilities for one or more persons, with permanent provisions for living, cooking, sleeping, bathing, and sanitary facilities. Excluding Commercial Accessory Dwelling Units.

Off-Street Parking Area: An area located entirely within the real property upon which the STR is situated. The area may be within or outside of a building or structure and shall be designed and used for the parking of motor vehicles. The area may include all-weather surfaced off-street parking spaces, garages, or private driveways.

Property Owner ("Owner"): Each and every record title owner of the subject property and improvements thereon.

Short Term Rental ("STR"): The use of a dwelling unit, in whole or in part, for transient lodging for compensation by Renters, for no more than twenty-seven (27) consecutive days.

Short-Term Rental Guests ("Renters"): Persons who rent an STR.

Town: The Town of Canterbury

SECTION 3 REGISTRATION

- A. The Owner of STR must register annually with the Town on a form or platform specified by the Town. Registration is required for each STR.
- B. STR registration must include the following information about the STR:
 - 1. Name of the Property Owner(s). If the Owner is a business entity, the name of the statutory agent.
 - 2. Address of the STR.
 - 3. Phone number and email address of the Owner or Owner's agent who has the authority and responsibility to respond to complaints in person, over the phone, or by email at any time of the day.
 - 4. Sworn statement from the Owner that the STR will contain at all times operating smoke and carbon monoxide detectors.
 - 5. A plot plan depicting the Off-Street Parking Area to be used by Renters.
- C. The Town will provide a STR registration number for each STR registered by an Owner.
- D. If there is a change in the information required in subsection B of this section, the Owner must complete a new STR registration within ten days.
- E. The Owner of the STR must display the phone number and email address of the Owner or Owner's agent who has authority and responsibility to respond to complaints in person, over the phone, by email, or text at any time of the day. The information required under this subsection must be displayed in a conspicuous place within ten feet of the primary entrance inside of the STR.
- F. The Owner must pay the annual registration fee in full at the time of application. If an application is denied the fee shall not be reimbursable. The fee shall be established by resolution of the Town Council from time-to-time.

SECTION 4 STANDARDS

- A. The following information shall be made available at the STR by the Owner and provided to the Renter in writing:
 - 1. Information on maximum occupancy, which shall not be more than two (2) persons per bedroom, excluding children under the age of 12.
 - 2. Applicable noise and use restrictions.
 - 3. Location(s) of off-street parking.

4. Location of trash receptacles and not be stored within public view, except within proper containers for the purpose of collection, and information concerning the trash collection schedule.
 5. Contact information for the Owner or agent.
 6. Emergency information, including but not limited to, police and fire contacts and phone numbers (emergency and non-emergency); Directions to nearest medical facilities such as hospitals & urgent care centers.
 7. A statement that the Renter shall not trespass on private property or create disturbances.
 8. The Town short-term registration number.
- B. Renting, or offering for rent, an STR without complying with the registration requirement in Section 3 is prohibited.
- C. When requested by a constable or police officer, the Owner or Owner's agent whose name appears on the STR registration must be on the STR premises, or be available over the phone or text, within 60 minutes after receiving a request. Failure of the Owner or Owner's agent to be on the STR premises, or be available on the phone or text, within 60 minutes after receiving the request by the police officer is a violation of this Ordinance.
- D. For purposes of this Section, the online lodging marketplace is not responsible for any violation committed by an online lodging operator that advertises on the online lodging marketplace's platform.

SECTION 5 PENALTIES

- A. The remedies herein are cumulative, and the Town may proceed under one or more such remedies.
- B. Any Owner, agent, or Renter who causes, permits, facilitates, aids, or abets any violation of any provision of this Ordinance or who fails to perform any act or duty required by this Ordinance is subject to a civil sanction as follows:
1. First offense on the property, written warning sent by certified mail, personal service, or first-class mail.
 2. Second offense within 12-month period, \$500.00 per offense.
 3. Third offense within 12-month period, \$1000.00 per offense.
 4. Fourth and subsequent offence within 12-month period, \$2,500.00 per offense.

- C. Notwithstanding any other provisions of this code, the STR Owner, agent, or Renter who causes, permits, facilitates, aids, or abets the use of the STR in violation of any provision of this Ordinance shall have committed a public nuisance.
- D. Notwithstanding any provision in this Ordinance, a STR Owner is not liable for any violation of this Ordinance if the Owner: (1) identified on the STR registry an online lodging operator who will be responsible for complying with all applicable requirements of the Town code; and (2) submitted to the Town a signed agreement with an online lodging operator who will be responsible for complying with all applicable requirements of this Ordinance. The online lodging operator who signs the agreement will be liable for any violation relating to any violation of this Ordinance.

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