

DRAFT 1/4/24

West Tisbury Short-term Rental By-Law

Short-term rentals are a permissible commercial use of residential properties in West Tisbury within the parameters of this bylaw.

PURPOSE AND INTENT

1. Provide a process through which West Tisbury can continue the historic tradition of a vibrant vacation rental market by owner-occupied homes, such that they may be permitted and registered with the town of West Tisbury for lawful use as short-term rentals
2. Enable residents to earn extra money from their properties to better afford to live here, maintain their properties, and contribute to the community
3. Ensure that short-term rentals will not be detrimental to the character and livability of the town and the residential neighborhoods surrounding such short-term rentals
4. Ensure the proper regulation of commercial uses of homes in West Tisbury residential areas
5. Deter commercial interests from buying housing to use as short-term rental businesses in order to help ensure equity and sufficiency of housing stock for year-round residents
6. Protect the health and safety of renters and residents for those lawful short-term rentals
7. Enable the Town to enforce state and local health and safety laws and regulations, and to provide a method for correcting violations when conditions require immediate attention.

DEFINITION

A short-term rental is a rental that is 30 days or fewer. Seasonal rentals of 31 days or longer, year-round rentals, hotels, motels, lodging houses, and B&Bs are excluded.

REGULATIONS

1. No short-term rentals will have a rental period fewer than seven days.
2. The owner must reside at least 30 days per year in the property.
3. A short-term rental may not be rented as separate bedrooms or spaces to separate parties unless the owner is in residence.
4. A tenant in a long-term rental may not offer their rental as a short-term rental, (i.e. no sub leasing).
5. An owner is permitted to rent only one property as a short-term rental. The property may contain several units in a single registration, as long as all dwelling units covered by the registration are located on the same lot and rented to the same person or legal entity.

One structure may be rented short-term and another long-term.

If an owner owns more than one property in the town of West Tisbury, the owner must choose which one to rent. No owner shall have more than one short-term rental in the town.

6. Short-term rentals may be a primary or a secondary unit.
7. Short term rentals are permitted if owned by an LLC, S-Corp., partnership, trust, or other legal entity if every owner/member is a natural person, confirmed by documentation. One person must be designated as the "owner" at each annual registration.

REGISTRATION

All short-term rentals must be registered with the town annually.

The Selectboard shall have the authority to create a registration application form, set registration fees, and adopt rules, regulations, policies or procedures to and designate an agent to implement the provisions of this By-Law.

Short-term rentals are subject to inspection by the Town, which shall determine the maximum occupancy and the maximum number of cars permitted for the property.

EXEMPT PROPERTIES

Any rental of fewer than 14 days per calendar year

VIOLATIONS AND FINES

Penalty for violation is set by the Selectboard.

ADOPTION

This by-law will take effect upon adoption by Town Meeting and approval of the Attorney General.

Any owner with multiple short-term rentals prior to the adoption of this by-law must register them with the Town and is grandfathered as to the number. This grandfathering is personal to the owner and does not run with the property.