



WESTPORT PLANNING BOARD

856 Main Road
Westport, MA 02790
508-636-1037

Planning@westport-ma.gov

*James Whitin, Chairman
Robert Daylor, Vice Chair
John Bullard, Member
Mark Schmid, Member
Manuel Soares, Member*

Short-Term Rental Bylaw for 2.20.24 Public Hearing

1. Amend **SECTION 3 DEFINITIONS** by inserting the following definition in alphabetical order:

Short-Term Rental: A short-term rental is a dwelling that is not a hotel, motel, lodging house or bed and breakfast, where at least one room or unit is rented out through the use of advance reservations not to exceed 31 consecutive days. A short-term rental includes an apartment, house, cottage, and condominium. It does not include property that is rented out through tenancies at will or month-to-month leases. It also does not include time-share property or bed and breakfast (see definition of bed and breakfast).

2. Amend **SECTION 5.1 TABLE OF USE REGULATIONS** by inserting the following use under the BUSINESS / COMMERCIAL section in alphabetical order:

X = Prohibited unless allowed in Underlying District

Y = Allowed By-Right

N = Prohibited

SPBA = Special Permit Board of Appeals

SPPB = Special Permit Planning Board

SPA-PB = Site Plan Approval Planning Board

USES	RESIDENTIAL/AGRICULTURAL	BUSINESS	UNRESTRICTED
Short-Term Rental (9.10)	Y	Y	Y

3. Add a new **SECTION 9.10 SHORT-TERM RENTAL** to read as follows:

“9.10 SHORT-TERM RENTAL

9.10.1 Purpose

The short-term rental zoning bylaw provides for administration and enforcement of Westport short-term rentals in order to protect the health, safety, and welfare of both the occupant(s) of those rental units and the general public, and to maintain the quality of life in residential neighborhoods. This bylaw provides for the orderly operation of short-term rentals, recognizing their historic role in Westport’s economy.

9.10.2. Registration

No owner(s) shall operate a short-term rental without first registering annually with the Building Department.

9.10.3 General Requirements

A short-term rental is permitted in accordance with Section 5.1 Table of Use Regulations and subject to the following requirements:

A. Guestroom(s) must be provided within a legal dwelling unit.

B. No tenant or lessee shall let or sub-let a short-term rental.

C. The owner shall adhere to applicable rules, regulations, and codes of the Commonwealth of Massachusetts and Town of Westport.

D. Contact information for a responsible local entity or individual with authority to act on behalf of the owner must be provided to the Building Inspector and be kept current at all times.

E. Dwelling units designated as affordable or otherwise income-restricted that are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law may not be used as short-term rentals.

F. Short-term rentals are for residential uses only. Commercial uses, including but not limited to event spaces or beverage promotion, are not permitted.

G. Short-term rentals shall be for a period of at least one week in the Residential/Agriculture District.

H. Sufficient parking shall be provided on the property or strictly along the property frontage if parking is allowed on the street.

I. The Zoning Board of Appeals may waive standards G and H by special permit provided the applicant demonstrates that the waiver will be not create adverse impacts upon the surrounding area.

J. The short-term rental must be registered with the Massachusetts Department of Revenue.

9.10.4 Violation Provisions

A. Violations of Section 9.10 of this bylaw will be subject to the provisions of MGL Ch. 40, sec. 21D, regarding Non-Criminal disposition, as adopted by the Town of Westport. Any owner who fails to comply with any provision of this section shall be subject to the actions identified in Section 2.1 for each offense, where each day of noncompliance is considered a separate offense.

B. Short-term rentals that are the subject of three or more negative findings, as issued by the Inspector of Buildings, of violations of this section within a six month period, or three or more violations of any municipal ordinance or state law or code relating to zoning requirements, excessive noise, improper disposal of trash, disorderly conduct, or other similar conduct within a six month period shall be ineligible for short-term rental use for a six month period immediately following the third violation.