

1 **.. Title**

2 **Rental Unit and Short-Term Residential Rental Licenses** – For the purpose of mitigating
3 significant dislocation of neighborly residential blocks; supporting the City’s experience, visitor
4 and tourist-based local economy by leveraging the sharing economy; ensuring applicable tax
5 collection and remittances; encouraging fair competition; updating and amending the regulation
6 of residential rental properties generally; creating operating license requirements governing the
7 short-term rental of residential dwellings and dwelling units above nonresidential uses; defining
8 certain terms; allowing a delayed effective date for current licensees; and matters generally relating
9 thereto.

10 **.. Body**

11
12 **CITY COUNCIL OF THE**
13 *City of Annapolis*

14
15 **Ordinance 26-19**

16
17 **Introduced by: Alderman Arnett and Alderwoman Finlayson**

- 18
19 **Referred to**
20 **Economic Matters Committee**
21 **Finance Committee**
22 **Public Safety Committee**
23 **Rules and City Government Committee**

24
25 **AN ORDINANCE** concerning

26
27 **Rental Unit and Short-Term Residential Rental Licenses**

28
29 **FOR** the purpose of mitigating significant dislocation of neighborly residential blocks;
30 supporting the City’s experience, visitor and tourist-based local economy by leveraging the
31 sharing economy; ensuring applicable tax collection and remittances; encouraging fair
32 competition; updating and amending the regulation of residential rental properties
33 generally; creating operating license requirements governing the short-term rental of
34 residential dwellings and dwelling units above nonresidential uses; defining certain terms;
35 allowing a delayed effective date for current licensees and matters generally relating
36 thereto.

37
38 **BY** repealing and re-enacting with amendments the following portion of the Code of the City
39 of Annapolis, 2019 Edition:
40 Chapter 17.44

41
42
43 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
44 **COUNCIL** that Chapter 17.44 of the Code of the City of Annapolis shall be repealed in its entirety
45 and amended to read as follows:

1
2 **TITLE 17 – BUILDINGS AND CONSTRUCTION**

3 **Chapter 17.44 – Rental Unit Licenses**

4
5 **17.44.010 – LICENSE REQUIRED.**

6
7 A. A CURRENT RENTAL OPERATING LICENSE APPROVED AND ISSUED BY THE
8 DEPARTMENT IS REQUIRED BEFORE A PERSON SHALL RENT FOR OCCUPANCY
9 OR USE ANY OF THE FOLLOWING TYPES OF PREMISES, AS THESE TYPES ARE
10 DEFINED IN CHAPTER 21.72 OF THE CODE:

11
12 1. DWELLINGS, INCLUDING:

- 13 A. SINGLE-FAMILY ATTACHED AND DETACHED DWELLINGS;
14 B. MULTIPLE AND TWO-FAMILY DWELLINGS;
15 C. MULTIFAMILY DWELLINGS; AND
16 D. DWELLINGS ABOVE THE GROUND FLOOR OF COMMERCIAL AND
17 MARITIME USES;
18 2. DWELLING UNITS, INCLUDING EFFICIENCY UNITS;
19 3. BED AND BREAKFAST HOMES; AND
20 4. HOTELS, MOTELS AND INNS.

21
22 B. A PERSON WHO RENTS OR CONTINUES TO RENT FOR OCCUPANCY OR USE ANY
23 UNLICENSED PREMISES UPON CONVICTION IS GUILTY OF A MUNICIPAL
24 INFRACTION AND SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF
25 THE CITY COUNCIL. SUCH FINE SHALL BE ASSESSED ON A PER UNIT PER DAY
26 BASIS, AFTER AN INITIAL FIFTEEN CALENDAR DAY NOTIFICATION PERIOD TO
27 THE OWNER, UNTIL A RENTAL OPERATING LICENSE HAS BEEN OBTAINED,
28 REISSUED OR REVALIDATED.

29
30 **17.44.020 - POSTING OF UNLICENSED PREMISES.**

31
32 A. UPON THE RENTING FOR OCCUPANCY OR USE OF AN UNLICENSED PREMISES,
33 OR UPON THE SUSPENSION, REVOCATION, DENIAL, OR EXPIRATION OF A
34 RENTAL OPERATING LICENSE FOR A PREMISES, THE DIRECTOR SHALL HAVE
35 THE AUTHORITY TO CAUSE NOTICES TO BE POSTED ON THE PREMISES WHICH
36 SHALL STATE AS FOLLOWS:

37
38 OCCUPANCY OF ANY DWELLING UNIT IN THIS BUILDING NOW VACANT OR
39 BECOMING VACANT IS UNLAWFUL UNTIL A RENTAL OPERATING LICENSE
40 HAS BEEN OBTAINED AND IS DISPLAYED ON THE PREMISES.

41
42 B. IT IS THE RESPONSIBILITY OF THE OWNER TO MAINTAIN THE NOTICES POSTED
43 ON THE PREMISES PURSUANT TO SUBSECTION A UNTIL A RENTAL OPERATING
44 LICENSE HAS BEEN OBTAINED, REISSUED OR REVALIDATED. ANY
45 DEFACEMENT OR REMOVAL OF THE NOTICE SHALL SUBJECT THE OWNER TO A
46 FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

1
2 **17.44.030 – RENTAL OPERATING LICENSE TYPES.**
3

4 A. PROVIDED THAT THE PREMISES MEETS ALL OF THE APPLICABLE
5 REQUIREMENTS PURSUANT TO CHAPTER 17.40 AND THIS CHAPTER, THE
6 DIRECTOR MAY ISSUE THE FOLLOWING TYPES OF RENTAL OPERATING
7 LICENSES.
8

9 1. A STANDARD RENTAL OPERATING LICENSE MAY BE APPLIED FOR AND
10 ISSUED FOR ANY DWELLING UNIT OR THE ENTIRE PREMISES RENTED FOR
11 OCCUPANCY OR USE PURSUANT TO AN AGREEMENT, WRITTEN OR ORAL,
12 WHERE THE DWELLING UNIT OR THE ENTIRE PREMISES IS RENTED FOR UP
13 TO ONE OR MORE YEARS.
14

15 2. A SHORT-TERM RENTAL OPERATING LICENSE MAY BE APPLIED FOR AND
16 ISSUED FOR ANY DWELLING UNIT OR PREMISES THAT IS RENTED, IN ITS
17 ENTIRETY OR PARTIALLY, FOR OCCUPANCY OR USE PURSUANT TO AN
18 AGREEMENT, WRITTEN OR ORAL. THE NUMBER OF OVERNIGHT
19 OCCUPANTS IS SUBJECT TO THE LIMITATIONS SPECIFIED IN CHAPTER 17.40.
20 A SHORT-TERM RENTAL OPERATING LICENSE IS NOT REQUIRED FOR
21 PREMISES RENTED EXCLUSIVELY ON ONLY THOSE DAYS EACH YEAR
22 COINCIDING WITH ANNUAL UNITED STATES NAVAL ACADEMY
23 GRADUATION CEREMONIES AND WITH ACTIVITIES ASSOCIATED WITH THE
24 SPRING AND FALL SAILBOAT AND POWERBOAT SHOWS HELD IN THE CITY
25 OF ANNAPOLIS; OR WITH ANY OTHER EVENT AS SPECIFIED BY RESOLUTION
26 OF THE CITY COUNCIL.
27

28 3. A BED AND BREAKFAST RENTAL OPERATING LICENSE MAY BE APPLIED FOR
29 AND ISSUED FOR THOSE PREMISES OPERATING AS A BED AND BREAKFAST
30 HOME. A SHORT-TERM RENTAL OPERATING LICENSE SHALL NOT BE
31 REQUIRED FOR A BED AND BREAKFAST HOME, IRRESPECTIVE OF
32 ADVERTISEMENT THROUGH INTERNET-BASED HOSTING PLATFORMS THAT
33 FACILITATE SHORT-TERM GUEST RESERVATIONS.
34

35 4. A HOTEL, MOTEL AND INN RENTAL OPERATING LICENSE MAY BE APPLIED
36 FOR AND ISSUED FOR THOSE PREMISES OPERATING AS A HOTEL, MOTEL OR
37 INN. A SHORT-TERM RENTAL OPERATING LICENSE SHALL NOT BE
38 REQUIRED FOR A HOTEL, MOTEL OR INN, IRRESPECTIVE OF
39 ADVERTISEMENT THROUGH INTERNET-BASED HOSTING PLATFORMS THAT
40 FACILITATE SHORT-TERM GUEST RESERVATIONS.
41

42 B. A RENTAL OPERATING LICENSE FEE FOR EACH TYPE OF RENTAL OPERATING
43 LICENSE SHALL BE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL
44 ANNUALLY PER PREMISES OR DWELLING UNIT, AS APPLICABLE, WHICH SHALL
45 BE PAYABLE IN ADVANCE OF ISSUANCE OR RENEWAL OF ANY RENTAL
46 OPERATING LICENSE.

1
2 **17.44.040 - APPLICATION.**
3

- 4 A. UPON RECEIPT OF AN APPLICATION IN ACCORDANCE WITH THIS SECTION, THE
5 DIRECTOR MAY ISSUE A NEW RENTAL OPERATING LICENSE OR RENEW AN
6 EXISTING RENTAL OPERATING LICENSE, IN THE NAME(S) OF THE
7 APPLICANT(S). NO RENTAL OPERATING LICENSE SHALL BE ISSUED OR
8 RENEWED BY THE DIRECTOR UNLESS THE PREMISES FOR WHICH THE RENTAL
9 OPERATING LICENSE IS SOUGHT IS FOUND, AFTER INSPECTION AND
10 DEPARTMENT REVIEW, TO MEET ALL APPLICABLE REQUIREMENTS OF
11 CHAPTER 17.40 AND THIS CHAPTER.
12
- 13 B. ALL RENTAL OPERATING LICENSES SHALL BE ISSUED OR RENEWED ON AN
14 ANNUAL BASIS, EXCEPT THAT A MULTI-FAMILY DWELLING CONSISTING OF
15 FIFTY OR MORE UNITS THAT EMPLOYS A FULL-TIME MAINTENANCE STAFF OF
16 THREE OR MORE EMPLOYEES ON-SITE MAY HAVE ITS RENTAL OPERATING
17 LICENSE INITIALLY ISSUED OR RENEWED FOR A TWO-YEAR PERIOD UNLESS
18 THE DIRECTOR, WITH CAUSE, REQUIRES AN ANNUAL RENTAL OPERATING
19 LICENSE.
20
- 21 C. NO RENTAL OPERATING LICENSE SHALL BE ISSUED OR RENEWED BY THE
22 DIRECTOR UNLESS THE APPLICANT HAS SUBMITTED AN APPLICATION ON A
23 FORM PROVIDED BY THE DIRECTOR. SUCH FORM SHALL REQUIRE, AT A
24 MINIMUM, THE APPLICANT'S TRACKING NUMBER WITH THE MARYLAND
25 DEPARTMENT OF THE ENVIRONMENT LEAD RENTAL REGISTRY; A MARYLAND
26 SALES AND USE TAX ACCOUNT NUMBER WITH THE COMPTROLLER OF
27 MARYLAND; AND THE APPLICANT'S HOTEL OCCUPANCY TAX ACCOUNT
28 NUMBER WITH ANNE ARUNDEL COUNTY, IF THE COLLECTION AND
29 REMITTANCE OF THE TAX IS APPLICABLE AND REQUIRED BY THE ANNE
30 ARUNDEL COUNTY CODE. THE DIRECTOR SHALL DEVELOP THE FORM AND
31 MAKE IT AVAILABLE TO THE PUBLIC.
32
- 33 D. NO RENTAL OPERATING LICENSE SHALL BE RENEWED UNLESS AN
34 APPLICATION HAS BEEN MADE AT LEAST THIRTY DAYS PRIOR TO THE
35 EXPIRATION OF THE CURRENT RENTAL OPERATING LICENSE, AND A PENALTY
36 FEE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL SHALL
37 ACCOMPANY ANY APPLICATION FILED LESS THAN THIRTY DAYS PRIOR TO
38 EXPIRATION.
39
- 40 E. NO RENTAL OPERATING LICENSE SHALL BE ISSUED OR RENEWED UNTIL THE
41 APPLICATION FEE ESTABLISHED BY THE CITY HAS BEEN PAID IN FULL.
42
- 43 F. FRAUD, MISREPRESENTATION, FALSE STATEMENT OR MATERIAL
44 INACCURACIES ON AN APPLICATION FOR A RENTAL OPERATING LICENSE
45 SHALL BE GROUNDS FOR DENIAL OR NON-RENEWAL OF AN APPLICATION.
46

1 **17.44.050 - INSPECTION**

2
3 NO RENTAL OPERATING LICENSE SHALL BE ISSUED OR RENEWED UNLESS THE
4 APPLICANT AGREES TO AN INSPECTION AS REQUIRED BY THE DIRECTOR, AND
5 THAT INSPECTION TO DETERMINE THAT THE PREMISES FOR WHICH THE RENTAL
6 OPERATING LICENSE IS SOUGHT IS IN COMPLIANCE WITH ALL APPLICABLE
7 REQUIREMENTS OF CHAPTER 17.40 AND THIS CHAPTER, INCLUDING, BUT NOT
8 LIMITED TO COMPLIANCE WITH THE MINIMUM STANDARDS FOR SAFE AND
9 SANITARY MAINTENANCE AS SET OUT IN CHAPTER 17.40.

10
11 **17.44.060 — COMPLAINTS, SUSPENSION AND REVOCATION.**

12
13 A. FRAUD, MISREPRESENTATION, FALSE STATEMENT OR A MATERIAL
14 INACCURACY IN AN APPLICATION FOR A RENTAL OPERATING LICENSE
15 DISCOVERED AFTER ISSUANCE OR RENEWAL SHALL BE GROUNDS FOR
16 IMMEDIATE REVOCATION OF THE RENTAL OPERATING LICENSE BY THE
17 DIRECTOR.

18
19 B. IF ANY POLICE DEPARTMENT MAKES THREE OR MORE DOCUMENTED CALLS
20 FOR SERVICE IN A THIRTY DAY PERIOD TO A PREMISES IN RESPONSE TO A
21 COMPLAINT OF DISORDERLY CONDUCT, AS DEFINED BY SECTION 11.12.010, OR
22 DISTURBING THE PEACE, AS DEFINED BY SECTION 11.12.020, OR IF A PREMISES
23 OR THE OWNER OF A PREMISES VIOLATES ANY PROVISION OF CHAPTER 17.40
24 OR 17.44, THE DIRECTOR MAY ORDER THE OWNER, BY WRITTEN NOTICE SENT
25 BY CERTIFIED MAIL TO THE OWNER'S ADDRESS OF RECORD, TO SHOW CAUSE
26 BEFORE THE BUILDING BOARD OF APPEALS WITHIN THIRTY DAYS OF SAID
27 NOTICE WHY THE APPLICABLE RENTAL OPERATING LICENSE FOR THE
28 PREMISES SHOULD NOT BE SUSPENDED. IF THE LICENSEE SHALL FAIL TO
29 SHOW CAUSE TO THE SATISFACTION OF THE BOARD WITHIN THE STIPULATED
30 TIME, THE BOARD SHALL ISSUE AN ORDER SUSPENDING THE RENTAL
31 OPERATING LICENSE AND STATING THE VIOLATIONS IN NEED OF
32 CORRECTION. IF THE VIOLATIONS CAUSING THE SUSPENSION ARE CORRECTED
33 TO THE SATISFACTION OF THE DIRECTOR WITHIN THIRTY DAYS OF THE
34 BOARD'S ORDER OF SUSPENSION, THE SUSPENSION IMPOSED UNDER THIS
35 SUBSECTION SHALL BE VACATED BY THE DIRECTOR.

36
37 C. A SUSPENSION IMPOSED UNDER SUBSECTION B OF THIS SECTION SHALL
38 EXPIRE AND, IN ITS PLACE, THE RENTAL OPERATING LICENSE SHALL BE
39 REVOKED THIRTY DAYS AFTER THE ORDER OF SUSPENSION UNLESS, DURING
40 THAT THIRTY DAY PERIOD, THE VIOLATIONS CAUSING THE SUSPENSION HAVE
41 BEEN CORRECTED TO THE SATISFACTION OF THE DIRECTOR. THE DIRECTOR
42 SHALL SEND TO THE OWNER WRITTEN NOTICE BY CERTIFIED MAIL OF ANY
43 SUCH REVOCATION. THE NOTICE SHALL INFORM THE OWNER OF THE RIGHT
44 TO APPEAL THE REVOCATION PURSUANT TO SECTION 17.44.100 AND SHALL SET
45 FORTH THE GROUNDS FOR THE REVOCATION.

46

- 1 D. A RENTAL OPERATING LICENSE REVOKED PURSUANT TO EITHER SUBSECTION
2 A OR C OF THIS SECTION SHALL NOT BE REVALIDATED OR RENEWED.
3 HOWEVER, NOTHING CONTAINED HEREIN SHALL PRECLUDE THE OWNER OF
4 ANY SUCH PREMISES FROM FILING AN APPLICATION FOR A NEW RENTAL
5 OPERATING LICENSE FOR SUCH PREMISES PURSUANT TO THIS CHAPTER.
6
- 7 E. THE DEPARTMENT, UNDER THE DIRECTION OF THE DIRECTOR, SHALL
8 ENFORCE THE PROVISIONS OF THIS SECTION. UPON A RECOMMENDATION BY
9 THE CHIEF OF POLICE TO TAKE ACTION UNDER THIS SECTION, THE DIRECTOR
10 OR HIS OR HER DESIGNEE SHALL OBTAIN SUCH INFORMATION AS NECESSARY
11 TO DETERMINE WHETHER TO PROCEED UNDER SUBSECTION B OF THIS
12 SECTION.
13
- 14 F. IF ANY PERSONS, OTHER THAN THE OWNER(S), ARE OCCUPYING THE PREMISES
15 AT THE TIME OF A SUSPENSION OR REVOCATION OF A RENTAL OPERATING
16 LICENSE, THE DIRECTOR SHALL POST A NOTICE ON THE FRONT DOOR OF THE
17 PREMISES INDICATING THAT ALL PERSONS, OTHER THAN THE OWNERS(S)
18 MUST VACATE AS OF THE DATE OF THE POSTING OF THE NOTICE. AT ANY TIME
19 AFTER THE POSTING OF THE NOTICE, THE OWNER OR AN AUTHORIZED AGENT
20 SHALL PERMIT AN INSPECTION OF THE PREMISES BY THE DEPARTMENT TO
21 VERIFY THE PREMISES HAS BEEN VACATED.
22
- 23 G. A PERSON WHO VIOLATES THIS SECTION UPON CONVICTION SHALL BE GUILTY
24 OF A MUNICIPAL INFRACTION AND SUBJECT TO A FINE SET BY RESOLUTION OF
25 THE CITY COUNCIL.
26

27 **17.44.070 - LICENSE SUSPENSION OR REVOCATION; REVALIDATION,**
28 **REINSPECTION AND REISSUANCE PROCEDURE.**
29

- 30 A. REISSUANCE OF A RENTAL OPERATING LICENSE THAT HAS BEEN REVOKED OR
31 DENIED UPON APPLICATION FOR RENEWAL SHALL BE SUBJECT TO PAYMENT
32 OF THE FULL AMOUNT OF THE ANNUAL RENTAL OPERATING LICENSE FEE
33 SPECIFIED IN SECTION 17.44.040. AT THE DISCRETION OF THE DIRECTOR, THE
34 RENTAL OPERATING LICENSE MAY BE REISSUED ON A SIX-MONTH BASIS,
35 INSTEAD OF AN ANNUAL BASIS, WITH FEES PAID IN ACCORDANCE WITH THIS
36 SECTION. AT THE END OF THOSE SIX MONTHS, THE PREMISES MAY BE PLACED
37 ON A REGULAR ANNUAL LICENSING SCHEDULE ONLY IF DEPARTMENT
38 INSPECTION(S) CONFIRM THAT THE PREMISES IS BEING MAINTAINED IN
39 ACCORDANCE WITH CHAPTER 17.40 AND THIS CHAPTER. PAYMENT OF THE
40 APPLICATION FEE SHALL BE DUE PRIOR TO SUCH PLACEMENT. IF THE
41 PREMISES FAILS ANY INSPECTION DURING SUCH SIX MONTHS, THE RENTAL
42 OPERATING LICENSE MAY EXPIRE OR BE RE-ISSUED ON ANOTHER SIX-MONTH
43 BASIS IN THE DISCRETION OF THE DIRECTOR.
44
- 45 B. THE FEE FOR SIX-MONTH LICENSES ISSUED AS A RESULT OF ACTIONS TAKEN
46 UNDER THE PROVISIONS OF SECTION 17.44.070(A) SHALL BE THE SAME AS THE

1 FEE FOR AN ANNUAL RENTAL OPERATING LICENSE AND SHALL DOUBLE,
2 PROGRESSIVELY, FOR ANY SUBSEQUENT PERIOD THAT THE PROJECT IS BEING
3 LICENSED AND INSPECTED ON A SIX MONTH BASIS.

4
5 C. A FEE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL MUST BE PAID
6 BEFORE ANOTHER INSPECTION IS MADE IF, FOR THE ORIGINAL INSPECTION,
7 ONE OR MORE OF THE FOLLOWING OCCURRED:

- 8
9 1. REQUESTING PARTY CALLED OR WAS SCHEDULED FOR INSPECTION, BUT
10 WORK WAS NOT READY OR VIOLATIONS WERE NOT ABATED;
11 2. REQUESTING PARTY, EITHER OWNER, AGENT OR TENANT, WAS NOT ON
12 SITE;
13 3. PREMISES OR DWELLING UNIT WAS LOCKED.

14
15 D. A SUSPENDED LICENSE MAY ONLY BE REVALIDATED UPON MEETING THE
16 REQUIREMENTS OF THIS CHAPTER AND PAYMENT OF AN AMOUNT
17 EQUIVALENT TO FIFTY PERCENT OF THE ANNUAL RENTAL OPERATING
18 LICENSE FEE.

19
20 **17.44.080 - REVOCATION, VACATING PREMISES AND CONDEMNATION**
21 **PENALTIES.**

22
23 IN ADDITION TO THE PROCEDURE DESCRIBED IN SECTION 17.44.020, AND UPON
24 ISSUING A REVOCATION ORDER OR CONDEMNATION DESIGNATION, THE
25 DIRECTOR MAY ORDER THE FOLLOWING:

- 26
27 A. THAT THE OWNER SHALL BE LIABLE FOR REASONABLE COSTS INCURRED BY
28 THE AFFECTED TENANTS IN SECURING ADEQUATE SUBSTITUTE HOUSING
29 WITHIN THE CORPORATE LIMITS OF EITHER THE CITY OR ANNE ARUNDEL
30 COUNTY;
31
32 B. A PERSON WHO FAILS TO VACATE OR CAUSE TO VACATE THE PREMISES AFTER
33 DUE NOTICE BY THE DIRECTOR IS UPON CONVICTION GUILTY OF A MUNICIPAL
34 INFRACTION AND SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF
35 THE CITY COUNCIL;
36
37 C. THAT THE OWNER UPON CONVICTION IS GUILTY OF A MISDEMEANOR AS
38 ESTABLISHED IN SECTION 17.40.890;
39
40 D. THAT IN THE EVENT VIOLATIONS REMAIN UNCORRECTED FOR THIRTY DAYS
41 AND THAT THE OWNER OR OTHER RESPONSIBLE PARTY FAILS TO COMPLY
42 WITH THE LAWFUL ORDER OF THE DIRECTOR TO MAKE SAFE AND HEALTHY
43 AN UNSAFE AND UNHEALTHY STRUCTURE, TO CORRECT A DANGEROUS
44 CONDITION OR TO ELIMINATE AN INFESTATION OF RODENTS, VERMIN OR
45 INSECTS, THE DIRECTOR MAY PROCEED WHEN, IN HIS OR HER OPINION,
46 EMERGENCY ACTION IS REQUIRED TO ABATE UNSAFE CONDITIONS OR

1 INFESTATIONS BY WHATEVER MEANS THE DIRECTOR DEEMS APPROPRIATE.
2 THE MEANS MAY INCLUDE BUT SHALL NOT BE LIMITED TO DEMOLITION,
3 SUBSTANTIAL REHABILITATION, OR PEST EXTERMINATION. THE DIRECTOR
4 MAY USE PUBLIC AND PRIVATE RESOURCES REQUIRED AND AVAILABLE. ALL
5 COSTS INCURRED FOR THE EMERGENCY ACTION SHALL BE RECOVERED FROM
6 THE OWNER BY WHATEVER APPROPRIATE ACTION IS NECESSARY INCLUDING
7 BUT NOT LIMITED TO CERTIFICATION OF A TAX LIEN ON THE PROPERTY AND
8 COLLECTIBLE IN THE SAME MANNER AS DELINQUENT TAXES.
9

10 **17.44.090 - SHORT-TERM RENTALS.**

- 11
- 12 A. A SHORT-TERM RENTAL OPERATING LICENSE MAY BE APPLIED FOR BY AND
13 ISSUED AND RENEWED TO EITHER AN INDIVIDUAL PERSON HAVING A
14 PRINCIPAL RESIDENCE, AS FURTHER DEFINED IN SECTION 17.44.110, IN THE
15 CITY, OR A PERSON OWNING OR RENTING A PREMISES WITH DWELLING UNITS
16 ABOVE COMMERCIAL OR MARITIME USES ON THE GROUND FLOOR.
17
- 18 B. A SHORT-TERM RENTAL OPERATING LICENSE DOES NOT TRANSFER ON THE
19 SALE OR ANY OTHER OWNERSHIP TRANSFER OF A PREMISES OR DWELLING
20 UNIT.
21
- 22 C. AN OWNER HAVING A PRINCIPAL RESIDENCE IN THE CITY SHALL NOT BE
23 ISSUED OR RENEWED MORE THAN ONE SHORT-TERM RENTAL OPERATING
24 LICENSE FOR A PREMISES NOT ITSELF THE OWNER'S PRINCIPAL RESIDENCE. A
25 LEGAL ENTITY HAVING A PRINCIPAL OFFICE IN THE CITY, AS REGISTERED
26 WITH THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND TAXATION,
27 SHALL NOT BE ISSUED OR RENEWED MORE THAN ONE SHORT-TERM RENTAL
28 OPERATING LICENSE FOR A PREMISES NOT ITSELF THE OWNER'S PRINCIPAL
29 OFFICE.
30
- 31 D. NO SHORT-TERM RENTAL OPERATING LICENSE SHALL BE ISSUED OR
32 RENEWED UNLESS THE OWNER OF THE PREMISES IS REGISTERED WITH THE
33 STATE COMPTROLLER FOR THE COLLECTION OF THE STATE'S SALES AND USE
34 TAX, AND THAT OWNER SHALL ENSURE THAT ALL APPLICABLE TAXES ARE
35 COLLECTED AND REMITTED TO THE PROPER COLLECTING AUTHORITIES. AN
36 OWNER OF THE PREMISES, AS APPLICABLE, SHALL BE REGISTERED WITH ANNE
37 ARUNDEL COUNTY FOR THE REMITTANCE OF HOTEL OCCUPANCY TAXES IF
38 COLLECTION AND REMITTANCE IS REQUIRED BY THE ANNE ARUNDEL
39 COUNTY CODE.
40
- 41 E. IN ADDITION TO THE REQUIREMENTS OF 17.44.050, NO SHORT-TERM RENTAL
42 OPERATING LICENSE SHALL BE ISSUED OR RENEWED WITHOUT A
43 DEPARTMENT INSPECTION OF ALL ROOMS AND DWELLING UNITS IN THE
44 PREMISES WITHOUT REGARD TO WHICH ROOMS COMPRISE PART OF THE
45 DWELLING UNIT OR PREMISES BEING RENTED, AND WITHOUT A

1 DETERMINATION BY THE DEPARTMENT OF THE PREMISES' FULL COMPLIANCE
2 WITH CHAPTER 17.40 AND THIS CHAPTER.

3
4 F. NO SHORT-TERM RENTAL OPERATING LICENSE SHALL BE APPROVED OR
5 ISSUED UNLESS IT IS IN ACCORDANCE WITH THE RULES OF ANY APPLICABLE
6 CONDOMINIUM, HOMEOWNERS, COMMUNITY OR OTHER SIMILAR
7 ASSOCIATION HAVING AUTHORITY OVER THE USE OF THE PREMISES, AND IF
8 CONSENT IS REQUIRED BY SUCH RULES, IT SHALL BE PROVIDED TO THE
9 DIRECTOR IN THE MANNER REQUIRED BY THE BYLAWS OF SUCH
10 ASSOCIATION. FAILURE TO ADHERE TO THE RULES OF ANY APPLICABLE
11 ASSOCIATION SHALL BE A BASIS FOR REVOCATION OF A SHORT-TERM RENTAL
12 OPERATING LICENSE.

13
14 G. IN ADDITION TO THE REQUIREMENTS OF CHAPTER 17.40 AND THIS CHAPTER,
15 THE FOLLOWING APPLY TO ANY RENTAL OF A PREMISES PURSUANT TO A
16 SHORT-TERM RENTAL OPERATING LICENSE:

17
18 1. NO PERSON SHALL RENT A DWELLING UNIT OR THE ENTIRE PREMISES
19 PURSUANT TO A SHORT-TERM OPERATING LICENSE:

20
21 A. WITHOUT THERE BEING AT LEAST ONE OCCUPANT OVER THE ENTIRE
22 RENTAL TERM THAT IS OVER THE AGE OF TWENTY-ONE YEARS;

23 B. FOR GREATER THAN 120 CUMULATIVE DAYS PER YEAR WHERE THE
24 ENTIRE PREMISES OR DWELLING UNIT IS RENTED WITH THE
25 ABSENCE FROM THE PREMISES OF THE OWNER;

26 C. FOR GREATER THAN THREE MONTHS TO ANY SINGLE TENANT; AND

27 D. WITHOUT PUBLISHING IN A CONSPICUOUS MANNER THE SHORT-
28 TERM RENTAL OPERATING LICENSE NUMBER IN ALL WRITTEN AND
29 ELECTRONIC ADVERTISING AND LISTING OF THE AVAILABILITY OF
30 THE DWELLING UNIT OR PREMISES FOR SHORT-TERM RENTAL,
31 INCLUDING ON INTERNET-BASED HOSTING PLATFORMS THAT
32 FACILITATE SHORT-TERM GUEST RESERVATIONS.

33
34 2. THE OWNER RENTING A DWELLING UNIT OR PREMISES PURSUANT TO A
35 SHORT-TERM RENTAL OPERATING LICENSE SHALL MAINTAIN RECORDS
36 INDICATING THE NAME(S), ADDRESS(ES), AND PHONE NUMBER(S) OF ALL
37 TENANT(S) DURING THE TERM OF THE LICENSE, WHICH SHALL BE MADE
38 AVAILABLE TO THE DIRECTOR UPON REQUEST.

39
40 H. THE OWNER RENTING A DWELLING UNIT OR THE ENTIRE PREMISES PURSUANT
41 TO A SHORT-TERM RENTAL OPERATING LICENSE SHALL ENSURE THAT THE
42 ENTIRE PREMISES, INCLUDING BUT NOT LIMITED TO ANY LICENSED
43 DWELLING UNIT, IS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND CODES
44 OF THE CITY, ANNE ARUNDEL COUNTY AND THE STATE OF MARYLAND,
45 INCLUDING BUILDING, RESIDENTIAL MAINTENANCE, ELECTRICAL AND
46 PLUMBING CODES, AND LAWS, REGULATIONS AND GUIDANCE CONCERNING

1 SMOKE DETECTORS, CARBON MONOXIDE DETECTORS AND LEAD-BASED
2 PAINT. NO SHORT-TERM RENTAL OPERATING LICENSE SHALL BE ISSUED
3 UNTIL THE PREMISES IS IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS
4 AND CODES.

- 5
6 I. A PERSON RENTING A DWELLING UNIT OR THE ENTIRE PREMISES PURSUANT
7 TO A SHORT-TERM RENTAL OPERATING LICENSE IS NOT SUBJECT TO THE
8 LEASE TERM REQUIREMENTS OF SUBSECTIONS B AND D OF SECTION 18.04.010
9 OF THE CODE.

10
11 **17.44.100 - APPEALS.**

12
13 ANY PARTY AGGRIEVED BY A DECISION OF THE DIRECTOR TO DENY ISSUANCE,
14 DENY RENEWAL, SUSPEND OR REVOKE A RENTAL OPERATING LICENSE MAY
15 APPEAL THE DECISION TO THE BUILDING BOARD OF APPEALS ACCORDING TO THE
16 PROVISIONS OF SECTION 17.40.880.

17
18 **17.44.110 - DEFINITIONS.**

19
20 FOR PURPOSES OF THIS CHAPTER, THE FOLLOWING DEFINITIONS SHALL APPLY.
21 ANY TERMS NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS
22 SPECIFIED IN CHAPTERS 17.04 AND 17.40.

23
24 **PRINCIPAL RESIDENCE.**

25 “PRINCIPAL RESIDENCE” MEANS THE PREMISES DESIGNATED BY A PERSON FOR
26 THE LEGAL PURPOSES OF VOTING, OBTAINING A DRIVER'S LICENSE OR
27 MARYLAND IDENTIFICATION CARD, AND FILING INCOME TAX RETURNS. IN
28 DETERMINING THE PRINCIPAL RESIDENCE, THE DIRECTOR MAY RELY ON THE
29 LISTING OF A PREMISES AS A PRINCIPAL RESIDENCE ON THE ACCOUNT
30 ASSOCIATED WITH THE PROPERTY AS MAINTAINED BY THE MARYLAND STATE
31 DEPARTMENT OF ASSESSMENTS AND TAXATION. FOR PURPOSES OF CHAPTER
32 17.44, A PERSON MAY ONLY HAVE ONE PRINCIPAL RESIDENCE IN THE CITY OF
33 ANNAPOLIS. FOR PURPOSES OF THIS DEFINITION, “PERSON” SHALL ONLY MEAN
34 AN INDIVIDUAL, AND SHALL NOT INCLUDE THE FEDERAL GOVERNMENT, THE
35 STATE, ANY COUNTY, MUNICIPAL CORPORATION OR OTHER POLITICAL
36 SUBDIVISION OF THE STATE, OR ANY OF THEIR UNITS, OR A RECEIVER, TRUSTEE,
37 GUARDIAN, EXECUTOR, ADMINISTRATOR, FIDUCIARY OR REPRESENTATIVE OF
38 ANY KIND, OR ANY PARTNERSHIP, FIRM, ASSOCIATION, PUBLIC OR PRIVATE
39 CORPORATION, OR ANY OF THEIR AFFILIATES, OR ANY OTHER ENTITY.

40
41 **RENTAL OPERATING LICENSE.**

42 “RENTAL OPERATING LICENSE” MEANS A LICENSE REQUIRED PURSUANT TO
43 SECTION 17.44.010 FOR A PREMISES, INCLUDING EACH AND ALL OF THE TYPES
44 SPECIFIED IN SECTION 17.44.030.

45
46 **UNLICENSED PREMISES.**

1 “UNLICENSED PREMISES” MEANS A PREMISES THAT IS REQUIRED TO BE LICENSED
2 PURSUANT TO SECTION 17.44.010, BUT FOR WHICH THE OWNER OR OTHER PERSON
3 HAS NOT OBTAINED OR RENEWED A VALID RENTAL OPERATING LICENSE.
4

5
6 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
7 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage
8 except that licensees having current short-term licenses on the date of this Ordinance’s passage
9 shall have two years from that date to comply with Chapter 17.44, as enacted. Failure to comply
10 shall result in revocation of the rental license, in addition to other action and penalties permitted
11 by law.
12

13 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
14 **ANNAPOLIS CITY COUNCIL** that the provisions of this Ordinance are hereby declared to be
15 severable; and, if any provision of this Ordinance or the application thereof to any person or
16 circumstance is held invalid for any reason or unconstitutional by a court of competent jurisdiction,
17 the invalidity or unconstitutionality does not affect other provisions or any other application of this
18 Ordinance that can be given effect without the invalid provision or application, since the same
19 would have been enacted without the incorporation in this Ordinance of any such invalid or
20 unconstitutional provisions.
21

22
23 **Explanation:**

24 UPPERCASE indicates matter added to existing law.

25 ~~Strikethrough~~ indicates matter stricken from existing law.

26 Underlining indicates amendments.
27