

O-40-25**Establishing a 12-Month Moratorium on New Short-Term Rental Licenses****AMENDMENT 1 - ALDERMAN SMITH-BROWN**

Amendment Summary:

Amendment 1 establishes detailed requirements for proof of residency.

MOTION:

1. On page 3, in line 21, after “property”, insert “in the City of Annapolis.”; and on the line after “of Annapolis” insert a new paragraph as follows:

“‘Reside primarily’ is defined for the purposes of this moratorium as follows: the subject property is considered the owner’s principal residence if the owner is physically present there for more than 50% of the calendar year, which equates to 183 days in a standard year or 184 days in a leap year.”

2. On page 3, strike line 22 after “b.” and line 23 in its entirety, and insert the following new “b”:

“The owner has provided proof of residency in the Owner-Occupied building located in the City of Annapolis, pursuant to each of the following categories (the applicant must provide the required documentation from every category):

Category A — Proof of Property Ownership.

An applicant must provide proof of property ownership as verified by Maryland’s State Department of Assessments and Taxation (SDAT), which shall include, but may not be limited to:

- i. A certified copy of the recorded deed showing the applicant as the record owner of the subject property in the City of Annapolis; and
- ii. An SDAT Real Property Search printout explicitly displaying a ‘Principal Residence’ status of ‘YES’ for the subject property in the City of Annapolis; and

Category B — State or U.S. Military-issued Identification.

An applicant must provide at least one of the following:

- i. A valid Maryland Driver's License displaying the address of the subject property in the City of Annapolis; or
- ii. A Maryland Vehicle Administration Identification Card displaying the address of the subject property in the City of Annapolis; or
- iii. If the applicant is in active military status and cannot provide a valid Maryland Driver's License displaying the address of the subject property in the City of Annapolis or a Maryland Vehicle Administration Identification Card displaying the address of the subject property in the City of Annapolis, both of the following must be provided:
 - 1) A valid, unexpired Common Access Card issued by the U.S. military, and
 - 2) A 'State of Legal Residence Certificate'; and

Category C — Residency Corroboration.

An applicant must provide at least two of the following:

- i. A utility bill (electric, gas, or water) issued within the last 60 days, where both the service address and billing match the address of the subject property in the City of Annapolis; the bill must include the 12-month usage history graph; or
- ii. A copy of the most recent Maryland Resident Income Tax Return or tax transcript displaying the address of the subject property in the City of Annapolis; or
- iii. A current Maryland voter registration card displaying the address of the subject property in the City of Annapolis; or
- iv. An active Maryland Vehicle Registration displaying the address of the subject property in the City of Annapolis."

3. On page 3, strike lines 24 through 30.

Explanation Note:

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

Underlining & black means copyediting or reformatting of existing section

Underlining & blue means amendment to legislation

As the Change Would Look in the Legislation

This is solely for showing changes & is *not* part of the Amendment Motion.

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that:

1. No new licenses for short-term rentals shall be issued by any department or agency of the City of Annapolis for a period of 12 months following the effective date of this ordinance.
2. This moratorium shall not apply to the renewal of existing and valid short-term rental licenses issued prior to the effective date of this ordinance, so long as such license holder is in full legal compliance at the time of renewal.
3. Any application for a new short-term rental license submitted but not yet approved prior to the effective date of this ordinance shall not be processed or approved during the moratorium period.
4. This moratorium shall not apply to "Owner-Occupied" units, which are defined for the purposes of this moratorium as follows:
 - a. The record owner of the property must reside primarily at the licensed property in the City of Annapolis.

“Reside primarily” is defined for the purposes of this moratorium as follows: the subject property is considered the owner’s principal residence if the owner is physically present there for more than 50% of the calendar year, which equates to 183 days in a standard year or 184 days in a leap year.

- ~~b. The owner must physically occupy the licensed property for at least six out of twelve months during the licensed period;~~

“The owner has provided proof of residency in the Owner-Occupied building located in the City of Annapolis, pursuant to each of the following categories (the applicant must provide the required documentation from every category):

Category A — Proof of Property Ownership.

An applicant must provide proof of property ownership as verified by Maryland’s State Department of Assessments and Taxation (SDAT), which shall include, but may not be limited to:

- i. A certified copy of the recorded deed showing the applicant as the record owner of the subject property in the City of Annapolis; and
- ii. An SDAT Real Property Search printout explicitly displaying a “Principal Residence” status of “YES” for the subject property in the City of Annapolis; and

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Category B — State or U.S. Military-issued Identification.

An applicant must provide at least one of the following:

- i. A valid Maryland Driver's License displaying the address of the subject property in the City of Annapolis; or
- ii. A Maryland Vehicle Administration Identification Card displaying the address of the subject property in the City of Annapolis; or
- iii. If the applicant is in active military status and cannot provide a valid Maryland Driver's License displaying the address of the subject property in the City of Annapolis and/or a Maryland Vehicle Administration Identification Card displaying the address of the subject property in the City of Annapolis, both of the following must be provided:
 - 1) A valid, unexpired Common Access Card issued by the U.S. military, and
 - 2) A "State of Legal Residence Certificate"; and

Category C — Residency Corroboration.

An applicant must provide at least two of the following:

- i. A utility bill (electric, gas, or water) issued within the last 60 days, where both the service address and billing match the address of the subject property in the City of Annapolis; the bill must include the 12-month usage history graph; or
- ii. A copy of the most recent Maryland Resident Income Tax Return or tax transcript displaying the address of the subject property in the City of Annapolis; or
- iii. A current Maryland voter registration card displaying the address of the subject property in the City of Annapolis; or
- iv. An active Maryland Vehicle Registration displaying the address of the subject property in the City of Annapolis."

- ~~c. The owner has provided documentation to show residency at the licensed property in the form of:~~
 - ~~i. Driver's license and vehicle registration; and~~
 - ~~ii. Proof of property ownership as designated by the State Department of Assessments and Taxation.~~
- ~~d. If the owner is in active military status, an appropriate identification document issued by the U.S. military showing current residency.~~

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5. The City Manager or their designee shall present to the City Council findings and any recommended changes to the City Code no later than 60 days prior to the expiration of the moratorium.

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