

ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM RENTALS

TOWN OF WOODSTOCK, VERMONT
VILLAGE OF WOODSTOCK, VERMONT
31 The Green
Woodstock, VT 05091

1 **Sec. 1. AUTHORITY**

2 Under the authority granted in 24 V.S.A. § 2291(29) and §§1971 *et seq.*, the Selectboard of the
3 Town of Woodstock (“Selectboard”) and the Board of Village Trustees for the Village of
4 Woodstock (“Trustees”) hereby adopt the following civil ordinance requiring the annual
5 registration and regulation of all short-term rentals advertising or operating within the Town and
6 Village of Woodstock, Vermont.

7 **Sec. 2. PURPOSE**

8 (A) The purpose of this ordinance is to enact simple, appropriate, and enforceable mechanisms
9 that:

10 (1) Promote and protect the public health, safety, welfare, and convenience of Woodstock’s
11 residents and visitors;

12 (2) Preserve Woodstock’s sense of place;

13 (3) Allow a limited number of short-term rentals to contribute to the local tourism economy
14 in a way that does not adversely impact the availability of long-term rental housing;

15 (4) Balance the needs and rights of property owners and neighbors; and

16 (5) Incentivizes the conversion of short-term housing to long-term housing.

17 **Sec. 3. SHORT TITLE**

18 This ordinance shall be known and may be cited as the “Short-Term Rental Ordinance.”

19

1 **Sec. 4. DEFINITIONS**

2 As used in this ordinance:

3 (A) “Accessory dwelling unit” means a building that is clearly subordinate to a residential
4 building and has facilities for independent living, including sleeping, food preparation, and
5 sanitation.

6 (B) “Advertising” means any method used to promote the existence or availability of a short-
7 term rental. Advertising includes but is not limited to the use of websites, short-term rental
8 platforms, search engines, emails, signs, displays, radio and television broadcasts,
9 newspapers, periodicals, direct mail, other printed forms, and any electronic media.

10 (C) “Bed and breakfast” means a building that offers lodging for transient occupancy with at
11 least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed
12 a total of sixteen (16) sleeping spaces within the building. Bed and breakfasts must:

13 (1) Be licensed by the Vermont Department of Health to operate a food and/or lodging
14 facility;

15 (2) Provide breakfast for guests in a common dining area;

16 (3) Not provide individualized cooking facilities for guests; and

17 (4) Have a caretaker who resides on-site.

18 (D) “Building” means a structure whose use or occupancy requires the construction or
19 modification of a potable water supply or wastewater system.

20 (E) “Department” means the Woodstock Planning & Zoning Department.

21 (F) “Dwelling unit” means a building or the part of a building that is used as a home, residence,
22 or sleeping space by one or more persons and has facilities for independent living, including

1 sleeping, food preparation, and sanitation. This definition does not include hotels, inns,
2 motels, or bed and breakfasts.

3 (G) “Existing permit holders” means any short-term rental operator who applied for and received
4 a zoning permit prior to September 1, 2023, as determined by the Short-term Rental Officer.

5 (H) “Existing registration holders” means any short-term rental operator who has an active and
6 in good standing Short-term Rental Registration at the time of renewal for the upcoming
7 short-term rental year.

8 (I) “Hotels,” “Inns,” and “Motels” means any business establishments that offer furnished
9 lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and
10 individually rentable units.

11 (J) “Initial short-term rental year” means the initial period under this ordinance which runs from
12 January 1, 2025, to December 31, 2025.”

13 (K) “Issuing Municipal Official” means the Short-term Rental Officer, Municipal Manager,
14 Village of Woodstock Police Officers, or the Town of Woodstock Fire Chief.

15 (L) “Maximum occupancy” means the maximum number of short-term rental guests allowed per
16 unit as determined by the certificate of occupancy, issued by the State of Vermont Fire
17 Marshal.

18 (M) “Natural person” means a living human being as distinguished from a person created by
19 operation of law.

20 (N) “Multi-household parcel” means a parcel that has five or more distinct and individually
21 rentable dwelling units on the same parcel and no unit is an accessory dwelling unit.

22 (O) “Non-owner-occupied” means any property that is not considered a Vermont “homestead,”
23 as determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

1 (P) “Owner” means the person who is the owner of record of real property as documented by
2 deed or other document evidencing ownership recorded in the Woodstock Land Records.

3 (Q) “Owner-occupied” means any parcel that meets the definition of a Vermont “homestead” as
4 determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

5 (R) “Person” means a natural person, partnership, association, company, corporation, limited
6 liability company, organization, or a member, manager, agent, owner, director, officer, or
7 employee thereof.

8 (S) “Preexisting multiple unit operator” means any existing permit holder who is in good
9 standing and has continuously owned and operated more than one short-term rental prior to
10 September 1, 2023.

11 *For guidance on how to qualify, please contact the Planning & Zoning Department.*

12 (T) “Preexisting rural operator” means any short-term rental owner whose property is in the
13 Forest Reserve or Residential Five Acre Zoning District who has never applied for or
14 received a zoning permit because under the previous zoning regulations, the short-term rental
15 was considered a legal preexisting nonconforming use.

16 *For guidance on how to qualify, please contact the Planning & Zoning Department.*

17 (U) “Short-term rental” or “STR” means a furnished house, condominium, other dwelling unit,
18 or sleeping space within a dwelling unit that is rented to the transient, traveling, or
19 vacationing public for a period of fewer than 30 consecutive days and for more than 14 days
20 per calendar year.

21 *The short-term rental of a dwelling unit in a building qualifies the building as a “public building” subject to the*
22 *jurisdiction of the State of Vermont Division of Fire Safety, pursuant to 30 V.S.A. §2730(a)(1)(D).*

23 (V) “Short-term rental guest” means any person who rents, licenses, occupies or has the right to
24 occupy a dwelling unit, in whole or in part, for less than 30 consecutive days, such definition

1 is to be interpreted broadly to prohibit subleases, occupancies or assignments designed to
2 circumvent the purposes of this Ordinance.

3 (W) “Short-term rental operator” means the person designated to manage the short-term rental
4 property and communications.

5 *This person could be the property owner, short-term rental registrant, employee of a management company, or*
6 *independent contractor.*

7 (X) “Short-term rental registrant” means a natural person who is authorized by law to receive
8 service of process and can attest that the property owner does not operate more than one (1)
9 short-term rental in the Town or Village of Woodstock under the pains and penalties of
10 perjury.

11 (Y) “Short-term rental year” means a calendar year (January 1 to December 31) in which a
12 registered short-term rental is permitted to operate in accordance with this Ordinance.

13 *For example, the 2025 Short-term rental year is January 1, 2025, to December 31, 2025. The 2026 Short-term*
14 *rental year is January 1, 2026, to December 31, 2026.*

15 (Z) “Sleeping space” means a space that is designed or designated to sleep one person.

16 *For example, a single or twin bed equals one sleeping space, and a double bed equals two sleeping spaces.*

17 **Sec. 5. ADMINISTRATION.**

18 (A) The Short-term Rental Officer is the administrator of the Short-Term Rental Ordinance in the
19 Town of Woodstock and the Village of Woodstock.

20 (B) Appointment. The Selectboard and Trustees shall appoint a Short-term Rental Officer. Unless
21 and until the Selectboard and Trustees appoint a Short-term Rental Officer, the Town and
22 Village Administrative Officer serves as the Short-term Rental Officer.

23 (C) Removal. The Short-term Rental Officer may be removed for cause at any time by action of
24 the Selectboard and Trustees.

- 1 (D) In the administration of and in accordance with this Ordinance, the Short-term Rental Officer
2 is expressly authorized to:
- 3 (1) Issue, revoke, or suspend Short-term Rental Registrations;
 - 4 (2) Establish rules and forms; and
 - 5 (3) Conduct or delegate inspection and enforcement authority to Department staff or other
6 Municipal Issuing Officials.

7 **Section 6. SHORT-TERM RENTAL ANNUAL REGISTRATION.**

8 (A) Short-Term Rental Registry. There is hereby established a short-term rental registry.

9 Effective January 1, 2025, the advertisement or operation of a short-term rental requires a
10 Short-Term Rental Registration. No person may advertise or operate a short-term rental in the
11 Town or Village of Woodstock without a Short-term Rental Registration, issued by the Short-
12 term Rental Officer.

13 (1) A Short-Term Rental Registration:

14 (a) Is valid for one short-term rental year and must be renewed annually in accordance
15 with subsection (6)(D) of this Ordinance; and

16 (b) Attaches to an individual owner and cannot be assigned upon the transfer of the
17 property.

18 (2) Only one (1) Short-Term Rental Registration is allowed per short-term rental registrant
19 unless the registrant qualified as a “preexisting multiple unit operator” prior to September
20 1, 2023.

21 (3) Only one (1) Short-Term Rental Registration is allowed per property unless:

22 (a) The registrant qualified as a “preexisting multiple unit operator” prior to September 1,
23 2023; or

1 (b) The parcel has more than five (5) distinct and individually rentable dwelling units. No
2 more than 15% of the total number of units on any multi-household parcel may be
3 registered as short-term rentals.

4 (4) The Short-term Rental Officer is only authorized to issue:

5 (a) Fifty-five (55) Owner-occupied Short-Term Rental Registrations per short-term rental
6 year;

7 (b) Fifty-five (55) Non-owner-occupied Short-Term Rental Registrations per short-term
8 rental year.

9 (5) The Short-term Rental Officer is authorized to issue Short-Term Rental Registrations that
10 do not count toward the limitations established by Section (6)(A)(4) if the short-term
11 rental registrant qualified as a “preexisting multiple unit operator” prior to September 1,
12 2023, or qualifies as a “preexisting rural operator” prior to July 31, 2024.

13 (B) Application.

14 A Short-term Rental Registration application is deemed complete once the Short-term Rental
15 Officer receives the following:

16 (1) A completed Short-term Rental Registration application form, signed by all persons and
17 entities that have an ownership interest in the property. This form must include the name,
18 address, telephone number, mailing address, and email address of the person or company
19 designated as the short-term rental operator;

20 (2) The accurate Short-term Rental Registration fee according to the duly adopted Short-term
21 Rental Fee Schedule;

22 (3) Building floor plan, specifying the location of all proposed sleeping spaces and fire exits,
23 including egress windows;

- 1 (4) Current photographs of short-term rental unit that matches or will match any
2 advertisement of the property as a short-term rental;
- 3 (5) A site plan showing the proposed guest parking areas, specifying the number of available
4 on-site parking spaces;
- 5 (6) Self-certification of compliance affidavit, signed by the short-term rental registrant,
6 attesting that the property owner does not own or operate more than one (1) short-term
7 rental in the Town or Village of Woodstock, Vermont, under the pains and penalties of
8 perjury;
- 9 (7) A valid change of use permit and certificate of occupancy, issued by the State of Vermont
10 Fire Marshal;
11 *For existing permit holders, a change of use permit and certificate of occupancy is considered valid if*
12 *issued after May 1, 2023.*
- 13 (8) Proof of registration of a Vermont Meals and Rooms Tax account;
14 *If the operator uses an internet platform which has an agreement with the Vermont Department of Taxes to*
15 *collect and remit tax on behalf of its operators (i.e. Airbnb), then the short-term rental registrant must*
16 *provide the proof of registration as provided by the platform.*
- 17 (9) Proof of short-term rental insurance or homeowners' insurance with short-term rental
18 endorsement; and
- 19 (10) A statement of knowledge and compliance, signed by the short-term rental registrant,
20 attesting that the owner, short-term rental registrant, and short-term rental operator agrees
21 to manage the short-term rental in compliance with this Ordinance and acknowledge that
22 non-compliance may result in civil penalties, revocation of an existing Short-term Rental
23 Registration, or the disallowance to apply for a Short-term Rental Registration pursuant
24 to Section 10 of this Ordinance.

1 (C) Procedure Upon Filing a Complete Application.

2 (1) Within sixty (60) days of receiving a completed Short-term Rental Registration
3 application, the Short-term Rental Officer must provide written notification of decision to
4 the applicant of record.

5 (2) In reviewing the application for compliance with this Ordinance, the Short-term Rental
6 Officer may:

7 (a) Inspect the property and short-term rental unit, after obtaining the express consent of
8 the owner, short-term rental registrant, or short-term rental operator;

9 (b) Attach reasonable conditions as deemed necessary to fulfill the intent of this
10 Ordinance;

11 (c) Deny a Short-term Rental Registration application for any of the following reasons:

12 (1) The application is deemed incomplete because information required by subsection
13 (6)(B) of this Ordinance was not included with the application;

14 (2) The applicant failed to pay the full permit fee, in an acceptable form of payment,
15 within 15 days of the request for payment as required by the duly adopted Short-
16 term Rental Fee Schedule;

17 (3) Within the previous twelve (12) months, the Short-term Rental Officer has
18 revoked a Short-term Rental Registration from any of the owners associated with
19 the application for cause; or

20 (4) The owner, short-term rental registrant, or short-term rental operator denies the
21 Short-term Rental Officer, the Fire Marshal, or their designee access to the
22 property for the purposes of an inspection.

23 (D) Short-Term Rental Registration Application Windows.

1 (1) Initial Short-term Rental Year Application Windows.

2 (a) Application Window One (1). This application window opens on August 1, 2024, and
3 closes September 15, 2024. This application window includes the following short-
4 term rental pool of applicants:

5 (1) “Existing permit holders;”

6 (2) “Preexisting rural operators;” and

7 (3) “Preexisting multiple unit operators.”

8 (b) Application Window Two (2). This application window opens on November 1, 2024,
9 and closes on June 30, 2025, or until the authorized number of registrations has been
10 issued. This application window includes any short-term rental applicant that did not
11 receive a determination of qualified status as an “existing permit holder,” “preexisting
12 rural operator,” or “preexisting multiple operator” prior to August 1, 2024.

13 (2) Ongoing and Renewal of Short-term Rental Application Windows. Following the initial
14 short-term rental year, the application windows will be as follows:

15 (a) Application Window One (1). This application window is for all “existing registration
16 holders” that are in good standing and applying to renew their Short-term Rental
17 Registration. After the initial short-term rental year, this application window opens
18 annually on August 1 and closes on August 31.

19 (b) Application Window Two (2). This application window opens annually on November
20 1 and closes on June 30, or until the authorized number of registrations has been
21 issued. This application window includes any short-term rental operator that does not
22 qualify as an “existing registration holder” prior to June 30 of the previous short-term
23 rental year.

1 **Sec. 7. OPERATING STANDARDS AND RULES.**

2 The operation or advertisement of a short-term rental is only allowed if it complies with the
3 following operating standards and rules:

4 (A) Maximum Occupancy. The advertised or actual operating occupancy must not exceed the
5 maximum occupancy, as determined by the State of Vermont Fire Marshal;

6 (B) Tax Remittance. The owner, short-term rental registrant, or their registered platform must
7 collect and remit all applicable state and municipal taxes, including, but not limited to the
8 State of Vermont 9% Meals and Rooms Tax and the 1% local options tax on every short-term
9 rental reservation;

10 (C) Fire and Life Safety. Every registered short-term rental unit must:

11 (1) Display a valid certificate of occupancy, issued by the State of Vermont Fire Marshal,
12 in a conspicuous place inside the dwelling unit; and

13 (2) Complete a fire & life safety inspection at least every five (5) years.

14 *Any change of ownership, occupancy, or construction requires a new fire & life safety inspection from*
15 *the Vermont Fire Marshal.*

16 (D) Parking. The Property must provide at least one (1) on-site parking space for every four (4)
17 permitted short-term rental guests, as determined by the maximum occupancy.

18 *For example, if the maximum occupancy for a short-term rental unit is eight (8), the Property must be able*
19 *to provide at least two (2) 9' X 18' on-site parking spaces.*

20 (E) All registered short-term rentals must designate a short-term rental operator. Short-term
21 rental operators must be able to respond to incidents and provide interior and exterior access
22 to the short-term rental within thirty (30) minutes.

23 (F) Good Neighbor Policy. Display a completed copy of the “Good Neighbor Policy,” signed by
24 the short-term rental registrant.

1 **Sec. 8. PROHIBITED ACTIVITIES.**

2 The following activities are prohibited under this Ordinance:

3 (A) The advertisement or operation of a short-term rental without a valid Town-issued Short-
4 term Rental Registration Number included in the advertisement;

5 (B) The sublease, sublicense or assignments of any or all portions of the short-term rental by
6 the short-term rental guests to another person during the rental period;

7 (C) Use of the short-term rental where the number of vehicles parked off site exceeds or is
8 reasonably anticipated to exceed the maximum allowable number of short-term guests;
9 and

10 (D) The preparation or service of food to any short-term rental guests by the short-term rental
11 operator that would require a license to operate as a food service establishment, according
12 to the Vermont Department of Health.

13 **Sec. 9. FEES.**

14 The Selectboard and Trustees may, from time to time, establish and adopt fees related to the
15 administration of this Ordinance, including STR registration and renewal fees, and may
16 incorporate all such fees into a duly adopted fee schedule, which may be amended at the sole
17 discretion of the Selectboard and Trustees.

18 **Sec. 10. VIOLATION AND ENFORCEMENT.**

19 Any person who violates any provision of this Ordinance is subject to a civil penalty of not more
20 than \$800 per day for each day that such violation continues. Each day the violation continues is
21 a separate offense.

22 (A) Issuing Municipal Officials. The Short-term Rental Officer, Municipal Manager, Village
23 of Woodstock Police Officers, and the Town of Woodstock Fire Chief are designated and

1 authorized to act as Issuing Municipal Officials to issue and pursue civil penalties before
2 the Vermont Judicial Bureau, or other court having jurisdiction over a municipal
3 complaint.

4 (B) Civil Penalties. An Issuing Municipal Official is authorized to issue citations to recover
5 civil penalties up to the following amounts for each violation:

6 (1) The advertisement or operation of a short-term rental without a valid Short-term
7 Rental Registration number – \$800 per offense.

8 (2) All other violations:

9 (a) First offense – \$500

10 (b) Second offense – \$500, plus the Short-term Rental Officer must provide a written
11 warning that the existing registration and the future eligibility to apply or operate
12 a short-term rental under this Ordinance may be revoked.

13 (c) Third offense – \$800, plus the Short-term Rental Officer may revoke any existing
14 Short-term Rental Registration and institute up to a twelve (12) month ban on the
15 eligibility to apply for a Short-term Rental Registration under this Ordinance.

16 (d) Fourth and subsequent offenses – \$800, plus the Short-term Rental Officer may
17 revoke any existing Short-term Rental Registration and institute up to a twenty-
18 four (24) month ban on the eligibility to apply for a Short-term Rental
19 Registration under this Ordinance.

20 **Sec. 11. SEVERABILITY.**

21 If any provision of this Ordinance is deemed by a court of competent jurisdiction to be
22 unconstitutional, invalid, or unenforceable, that provision shall be severed from the Ordinance

1 and the remaining provisions that can be given effect without the severed provision shall
2 continue in effect.

3 **Sec. 12. EFFECTIVE DATE.**

4 Unless a petition is filed in accordance with 24 V.S.A. §1973, this Ordinance shall become
5 effective 60 days after the date of its adoption, or at such time following the expiration of 60 days
6 from the date of its adoption as is determined by the legislative body.

ADOPTED at Woodstock, Vermont, this 2nd day of May 2024 by the Town of Woodstock Selectboard:

Selectboard members who voted in the affirmative were:

Ray Bourgeois, Chair

Keri Cole

Greg Fullerton

Laura Powell

Selectboard member absent and not voting was:

Susan Ford, Vice Chair

ADOPTED at Woodstock, Vermont, this 2nd day of May 2024 by the Woodstock Village Board of Trustees:

Trustee members who voted in the affirmative were:

Seton McIlroy, Chair

Jeffrey Kahn, Vice Chair

Frank Horneck

Lisa Lawlor

Trustee member who recused themselves from voting was:

Brenda Blakeman