

## August Meeting Minutes

Date: 8/3/2023

Time:

Meeting Type: Burkittsville Planning & Zoning

Attendees: Kevin Cromer, Rachel Carballo, Jamee Robinson, Paul Gilligan, Jeanette DeLude.

Meeting called to order at 7:13PM,

Approval of June minutes - Gilligan made a motion to approve the June minutes. Cromer seconded.

Approval of July minutes - Cromer made a motion to approve the July minutes.

Cromer mentioned the need to make sure that Planning and Zoning follows through on ensuring presentations made to P and Z are authentic. Gilligan wanted to clarify that the following was unclear - "Find out what the county's rules are pertaining to collecting identity information. The group agrees that a license or some form of identity should be collected by the renters, for safety purposes." Burgoyne then seconded the minutes, all approved.

Robinson briefly gave a run down on the SMC subdivision - no communication has happened.

Gilligan presented his statement of purpose for the rental ordinance. Robinson briefly mentioned adding a part to include that the purpose of the ordinance was for the "general welfare" of the town. The rest of the committee did not think this was necessary.

Burgoyne wanted to divide the ordinance into sections for short and long term rentals. Gilligan disagreed that this was necessary. Cromer and Robinson agreed it would be necessary.

The following notes about the discussion apply to the corresponding parts of the ordinance.

1. Gilligan wanted to remove the term transient as it is archaic - the committee agreed. Changed the word "registration" to "license" to maintain consistency.
2. Gilligan asked where the limit of 2 residences came from. Robinson said that this proposed ordinance was adopted from another and that was probably the origin. The committee agreed that leaving it as is would have no adverse effect on the town residents.
3. Discussion as to what entailed a "Burkittsville resident." The committee wanted to make accommodations for those who maintained a residence in town, but was not currently residing there. Robinson looked up a few definitions for resident and the committee agreed that the intent to reside in town, coupled with owning a property in town, could

contend as residency. The committee also agreed to add the term “emergency contact” to not limit property owners solely to management organizations.

4. Gilligan questioned whether the phrase “if overdue taxes, fines, or fees are owed to the Town” should remain in the ordinance. Burgoyne and Robinson maintained that it should as property owners should not make money from renting their properties if they have incurred fees to the town.
5. Robinson added the language “may” to allow the town flexibility in extreme situations. Gilligan questioned whether the Town Clerk or the Town Council would be responsible for the revocation. Burgoyne said this would be the duty of the Town Clerk with the responsibility for reinstatement to be up to the Town Council.
6. Robinson proposed to strike 6 since this would be hard for the town to enforce. Committee agreed.
7. Cromer and Gilligan questioned this section. Gilligan wanted to know what the purpose was and Cromer wanted to know what responsibility the town might have in the event of a criminal investigation. Robinson and Burgoyne did not think this would be the town’s responsibility to maintain these records. Burgoyne and Robinson did not think this language was necessary and it was agreed to be stricken.
8. Gilligan questioned whether identification was necessary. Robinson said it would be useful to include so the town could have it on the license application. Burgoyne and Cromer said that this was standard procedure for renting properties. Gilligan questioned whether it should be a passport or driver’s license - Robinson changed language to government-issued ID.
9. Gilligan proposed that a \$100 fine was too much. Robinson proposed that it was too little - it should be increased to have some incentive to the property owner to comply. Burgoyne and Cromer agreed. It was emphasized that the fine would only apply if a property was rented without going through a licensing procedure and Robinson added a note that allowed the property owner could resolve the issue after the first infraction without penalty within 60 days.
10. No consequential changes were made, except cleaning up language. Gilligan questioned whether this would have different applications for short versus long term rentals - Burgoyne and Robinson said that there was really nothing in the ordinance that delineated between long and short term rentals. It was agreed that definitions for each should be included in the ordinance. Robinson said she would research definitions for the next meeting.

Robinson noted that the July meeting notes called for discussing how to evict a squatter. Robinson said that this was not a town matter and would be handled by local courts.

Gilligan and Cromer proposed that the minimum rental requirements be removed. Robinson noted that the International Property Maintenance Code would cover these items and that this seemed to be an improper placement on the proposed ordinance.

Cromer motioned to move Septic Ordinance and International Property Code to the September meeting. Burgoyne seconded. All approved.

Robinson briefly mentioned the Community Survey. She will send it out to the group again to ask for additional feedback and then discuss how to distribute.

Robinson briefly mentioned the FEMA letter. Burgoyne explained that Burkittsville had previously been covered by county regulations. Robinson mentioned that passing the IPMC would cover Burkittsville.

Meeting adjourned at 8:27 PM.