

## Meeting Information

Date: 7/6/23

Location: Burkittsville Visitor's Center

Time: 7:04PM

Note Taker: Rachel Carballo

Meeting Type: Burkittsville Planning and Zoning Commission

Attendees: Kevin Cromer, Rachel Carballo, Deb Burgoyne, and Paul Gilligan.

### Agenda Items, Decisions, and Details

Meeting called to order at 7:04 pm by Vice Chair Rachel.

Rachel moved to edit the agenda, so the workshop will focus on the AirBnb ordinance and IPMC. Kevin seconded.

Approval of June minutes was postponed.

### AirBNB ordinance

Combine long-term and short-term rentals

Fine for not getting a license

Rachel suggested we include long-term rentals in our ordinance and follow something akin to Frederick's rental ordinance.

Paul suggested that we only allow residents of the town to rent the property.

The group agreed to remove AirBnb and just refer to it as the short-term rental.

The group discussed that in northern VA people using tiny homes or buildings turned them into short-term rentals and the traffic between homes - over yards became an issue

We need to add the purpose to the ordinance. We should add that we are a no growth town.

Paul will write the purpose.

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.

The group also agrees that we do not need to limit the number of days that renters can stay.

The group agrees that the owner of the building has to be a resident of the town. We need to think more about this.

We are going to make this general enough to apply to short-term and long-term rentals and not put a limit on it.

They don't need to provide the Mayor with the hosting platform and therefore doesn't need to provide their registration number to the hosting platform. They don't need to display a sign.

The license/registration should include their emergency contact - who will host while they are out of town.

We should add if there are violations of any town ordinances or state laws by renters the license is at risk.

We need to decide on fines for not having a license and how long will the license be revoked.

We need to look into how to evict a squatter.

Include a grandfather clause to allow existing rentals to stay as of the enactment of this ordinance who are not current residences.

If there is an infraction that causes the revocation of the license, once remedied, the council must vote to reinstate the license.

We will fine the homeowner when a violation occurs, \$100 per incident and license revoked after three times.

Strike keeping the records for three years.

We'll ask Jeanette to weigh in on doing what Frederick does and citing the IPMC, instead of citing specific health and safety rules.

#### International Property Maintenance Code

Rachel read the email from Jeanette. See below:

I reviewed the IPMC and compared it to your town code. They are very similar. In fact, I would say the person who wrote your code copied almost word for word the IPMC. The main differences I found that we need to discuss before adoption would be as follows:

1. You need to insert the height you want for grass. Your code says 12" , the IPMC is silent on this as each town is different so they just say insert jurisdictions regulations. Most towns I deal with are 10" but at least one is as low as 8" so it really does just depend on the town's preferences.

2. The IPMC does not address "non-runnable" tires. We can add this to the IPMC at time of adoption if you want to keep that in your code.

3. Historic vehicles are also not addressed in the IPMC, again its easily added to the IPMC at time of adoption if you wish to keep that in place.

4. Vehicle repairs - The Town allows people to repair vehicles for 1 day on a public street or for up to 10 days on private property. The IPMC essentially focuses on junk , inoperable, unregistered vehicles. They do not allow any on the property unless they are tagged and operable. They are not really referring to someone fixing their everyday car, its mainly to keep someone from stockpiling junk cars on their property.

5. Sidewalks maintenance is not addressed in the IPMC. This is in important topic because the Town states it is the property owners responsibility to maintain sidewalks so if that is what the Town wishes to continue doing and I would assume they do, we need to add that to the IPMC at time of adoption.

Other than that I would say the two are very similar and there shouldn't be any concern adopting the IPMC with the amendments. The benefit for the Town is that this is the same code the State of Maryland and most jurisdictions use, it is fully legally vetted so it will hold up in court if we had to do that and because it's what the state uses the courts understand it very well and it is easily enforceable. I would highly recommend adopting this with the few amendments.

<https://codes.iccsafe.org/content/IPMC2018P2/chapter-3-general-requirements>

#### Next steps

We will discuss the ordinance one more time before we let people know that we are going to open the ordinances to public comment.

The next P&Z meeting will be August 3rd, 2023 location TBD at 7pm.

The next Town meeting will be August 14th at 7:30pm.

Rachel motioned to adjourn and Paul seconded.