



**RECEIVED**

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**PUBLIC MEETING NOTICE  
OFFICE OF THE EASTHAMPTON CITY CLERK**

<b>BOARD/COMMITTEE:</b>	<b>City Council Ordinance Committee</b>		
<b>DATE:</b>	<b>February 19th, 2026</b>	<b>TIME:</b>	<b>6:00 p.m.</b>

<b>BUILDING &amp; ROOM:</b>	<p><b>HYBRID</b></p> <p>Room: 50 Payson Ave, Conf. Room B (Basement)</p> <p>Meeting Link: <a href="https://meet.google.com/gwp-nmcn-zft">https://meet.google.com/gwp-nmcn-zft</a></p> <p>Join by Phone: +1 224-324-4445</p> <p>PIN: 309 187 738#</p>
<b>Clerk or board member:</b>	<p>Kiam Jamrog-McQuaid, Chair</p> <p><a href="mailto:kmcquaid@easthamptonma.gov">kmcquaid@easthamptonma.gov</a></p>

**LIST OF TOPICS TO BE DISCUSSED**

1. Public speak
2. Approval of prior meeting minutes
3. Continuing Business  
(\*\* = will discuss at a future meeting)
  - a. General City Ordinance Amendments re: Short Term Rentals
  - b. Zoning Ordinance Amendments-Definitions & Table re: Short Term Rentals
  - c. \*\*Sandwich Board Signs in City and Zoning Ordinance
  - d. \*\*Review of the Affordable & Fair Housing Partnership's zoning ordinance recommendations
  - e. \*\*Ordinance Review Committee's final report
4. New business
5. Next meeting: TBD

# Easthampton City Ordinances

## Chapter 4

### Article VI SHORT-TERM RENTAL OF RESIDENTIAL PROPERTIES

#### 4-50.1 Purpose and Intent.

Pursuant to the authority of M.G.L. c.64G and all other lawful authority, the City establishes these regulations to balance private, neighborhood, and civic interests. These regulations are intended to:

- a. Recognize the critical need for affordable housing, by balancing the benefits of short-term rentals with access to long-term housing for our residents.
- b. Continue to make the City accessible and welcoming to visitors.
- c. Ensure that Short-Term Rentals have a positive impact on quality of life for residents by appropriately managing noise levels, parking, and safety.
- d. Support the local economy and promote access to City amenities.
- e. Provide for a local registration process.
- f. Establish clear guidelines for Short-Term Rental operators and their neighbors regarding complaint procedures, and expectations for compliance to ensure there are fair and consistent enforcement mechanisms in place.

#### 4-50.2 Definitions.

For this Chapter, the following terms shall have the definitions indicated:

**Dwelling Unit** One or more living or sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities.

**Board of Health** means the Board of Health for the City of Easthampton, Massachusetts.

**Owner.** Any person who alone, or severally with others, has legal or equitable title or beneficial interest in any Dwelling Unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC or a Trust.

**Person, Local** An individual or entity designated by the Owner as responsible for day-to-day operation of a Short-Term Rental. The Local Person shall be available to respond 24 hours a day to issues arising from any Short-Term Rental and shall reside within 20 miles of the City.

**Principal Residence.** An Owner's legal place of residence as listed on their most recent tax return, state-issued ID, vehicle registration or voter registration.

**Short-Term Rental.** The rental of a whole or a portion of a primary or accessory Dwelling Unit, in exchange for consideration, as overnight accommodations for no more than twenty-eight (28) consecutive calendar days. A properly licensed Bed & Breakfast, Hotel, Motel, or Lodging House as those uses are defined and permitted under the Easthampton Zoning Ordinance shall not be considered a Short-Term Rental.

**Year, Registration:** Beginning the date a registration for a Short-Term Rental is approved and continuing for Three Hundred and Sixty-Five (365) days.

#### **4-50.3 Registration Required.**

- a. No Dwelling Unit or part thereof may be offered as a Short-Term Rental within the City unless it is registered annually with the City through an application filed with, and approved by the Board of Health in accordance with this Chapter, and registered with the Commonwealth of Massachusetts Department of Revenue in accordance with applicable laws.
- b. A registration for a Short-Term Rental shall not be approved for any property or Dwelling Unit with outstanding building, electrical, plumbing, mechanical, fire, health, housing or zoning code enforcement, including any notices of violation, notices to cure, orders of abatement, cease and desist orders or correction notices, or outstanding amounts due and owing the City, including property taxes, water or sewer fees.
- c. Registration of a Short-Term Rental shall not be transferable.
- d. The Board of Health, Building Commissioner and Fire Department shall have the authority to set reasonable fees, promulgate rules and adopt forms and procedures relative to the registration and inspection of Short-Term Rentals and the enforcement of this Ordinance.

#### **4-50.4 Standards and Limitations.**

- a. The maximum number of Short-Term Rentals permitted in the City at any given time shall be capped at 50 total Dwelling Units.
  - i. For the first 30 days this ordinance is in effect, initial applications to register a Dwelling Unit as a Short-Term Rental shall only be made available to Owners with rentals in operation as of March 31st, 2025. After the first 30 days, initial applications shall be accepted on a first-come, first-serve basis.

- ii. If the maximum number of Short-Term Rentals permitted in the City has been reached, first-time applicants shall be placed on a waiting list. As registrations become available, applicants will be notified according to their position on the waiting list.
  - iii. Once a Short-Term Rental has been successfully registered with the City of Easthampton, the Owner shall have the right to renew their annual registration, provided that they maintain compliance with all applicable regulations and provided that the Owner submits for renewal of their registration within 30 days of its expiration.
  - iv. Any Short-Term Rental Owner who fails to submit for renewal of their annual registration within 30 days of its expiration shall be treated as a first-time applicant and placed on the waitlist, if applicable.
- b. In recognition of unique circumstances and transitional periods that an Owner may face, an exception to the aforementioned Short-Term Rental cap shall be made for any Owner that wishes to apply for a one-time, provisional registration of a Short-Term Rental. A provisional registration shall be valid for one (1) Registration Year and shall not be renewed or extended.
  - i. After obtaining a provisional registration, an Owner shall be prohibited from thereafter applying for or obtaining another provisional registration for a Short-Term Rental at any time.
  - ii. An Owner wishing to continue operating a Short-Term Rental after the expiration of a provisional registration shall apply for a Short-Term Rental registration and shall be subject to the cap referenced in 4-50.4(a).
  - iii. All other requirements of this Ordinance shall apply to a Short-Term Rental operated under a provisional registration.
- c. An Owner whose Principal Residence is located in the City of Easthampton shall only be permitted to register as a Short-Term Rental one Dwelling Unit on the same parcel as their Principal Residence; and one Dwelling Unit on a separate parcel elsewhere in Easthampton.
- d. An Owner whose Principal Residence is not located in the City of Easthampton shall only be permitted to register one Dwelling Unit in the City as a Short-Term Rental.
- e. An Owner shall not be eligible to operate a Short-Term Rental unless the Owner has owned the property on which the Short-Term Rental will occur for a minimum of three hundred sixty five (365) days prior to its application for a registration

under this Ordinance, as evidenced by the recording of a deed in the Hampshire County Registry of Deeds.

- f. The limitations detailed in 4-50.4(c.), 4-50.4(d.) and 4-50.4(e.) shall not apply to Short-Term Rentals in operation prior to March 31st, 2025, provided that the Owner of the Short-Term Rental applies for registration within 30 days of this Ordinance taking effect, that the Short-Term Rental is operated continuously and that there is no subsequent lapse in registration.
- g. The number of individual bedrooms made available for Short-Term Rental within a Dwelling Unit shall not be greater than the number of lawful bedrooms in the Dwelling Unit permitted by the Sanitary Code.
- h. If the Short-Term Rental is connected to a septic system, the Board of Health may, as a condition of registration, impose a restriction on the number of occupants permitted on the premises at any one time.
- i. A Short-Term Rental located on the same parcel as the Owner's Principal Residence may be rented for an unlimited number of days per year, provided that the Owner occupies and utilizes a Dwelling Unit on the same property at the time of the rentals. In all other cases, a Short-Term Rental shall not be rented for more than two hundred and fifty (250) days per Registration Year.
- j. Short-Term Rentals shall only be rented to one party or group at a time; individual rooms in the same Dwelling Unit shall not be rented to separate, unrelated parties or groups at the same time.
- k. Short-Term Rentals are prohibited in Dwelling Units owned by a corporation. Short-term Rentals are permitted in dwelling units owned by an LLC or Trust only when every shareholder, partner, or member of the legal entity is a natural person.
- l. Short-Term Rentals are prohibited in Dwelling Units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.
- m. An Owner shall not register or offer a Dwelling Unit subject to a long-term lease as a short-term rental, nor shall a tenant offer their Dwelling Unit as a short-term rental.

#### **4-50.5 Requirements for Short-Term Rental Operations.**

- a. An Owner shall post the following information immediately inside the main entry door of any Short-Term Rental Unit:
  - i. The Owner's certificate of registration with the City;
  - ii. 24 Hour contact information for the Owner or Local Person responsible for the Short-Term rental;
- b. In every Short-Term Rental, there shall be installed an approved fire safety and protection system in compliance with the current Massachusetts Building Code, or a compliance alternative approved by the Building and Fire Departments, which shall include at minimum a whole-house smoke and carbon monoxide alarm system.
- c. The Fire Department shall have the authority to promulgate and enforce reasonable rules and requirements for the provision and maintenance of fire safety and protection systems, fire extinguishers, informational signage and materials, first aid supplies and related items in all Short-Term Rentals.
- d. Short-Term Rentals shall be subject to a mandatory joint inspection, prior to initial rental offering and annually thereafter, by the Building Department, Fire Department, and Health Department to ensure compliance with the requirements of this Ordinance and all other applicable laws, rules and regulations, including but not limited to the Massachusetts Building Code, Comprehensive Fire Safety Code, and the State Sanitary Code. Additional inspections may be required as necessary to address complaints, violations or concerns related to the safety of the property or occupants.
- e. All Short-Term Rentals shall be subject to quiet hours between 10 PM and 8 AM.
- f. Events that include amplified music or tents which would customarily require a license or permit are prohibited from occurring at the same time as any Short-Term rental period.
- g. There shall be a minimum of one off-street parking space for the Short-Term Rental and one additional off-street parking space per Dwelling Unit on the parcel. The Board of Health may waive this requirement if it finds that there are mitigating circumstances, including but not limited to the availability of on-street parking or accessibility to public transit.
- h. Signs on the parcel advertising the Short-Term Rental are prohibited.

#### 4-50.6 Compliance.

- a. Owners shall retain and make available to the City within 10 business days, upon written request, records to demonstrate compliance with this Ordinance, including but not limited to: records documenting the Owner's principal residence; records documenting all past; current and upcoming bookings including the platform used for the booking; the dates of stays; number of guests per booking; and records documenting the number of days per year that a dwelling unit is offered as a short-term rental. Owners shall retain such records for as long as they operate the short-term rental, or three years, whichever is less.
- b. The City reserves the right to monitor compliance through available third-party services, publicly available information, or by any other lawful means.
- c. Short-Term Rental Owners shall be required to provide access to the Easthampton Health Department, Fire Department and Building Department for the purpose of conducting health, fire and life safety inspections when necessary. Failure to provide access to an inspector upon request and after at least 48 hours notice (except in cases of emergency involving the safety of human life or the protection of property) may result in the immediate suspension of the registration to operate a Short-Term Rental by the inspecting authority or the Board of Health until an inspection by the appropriate authority has been conducted, and all violations have been addressed to the satisfaction of the inspecting Department and Board of Health. Failure to comply with orders to correct deficiencies may result in fines, or permanent suspension of the Short-Term Rental registration.
- d. Violations of this Ordinance shall be investigated by the appropriate City department depending on the nature of the alleged violation. If a violation is found, the Owner shall be issued a written notice of the violation.
- e. Violations of this Ordinance may be subject to suspension or termination of the Short-Term Rental registration or a civil penalty in accordance with non-criminal disposition MGL c. 40 §21D and the following schedule:

\$100 1st Offense

\$200 2nd Offense

\$300 3rd Offense and each subsequent offense

Each day that a violation exists constitutes a separate offense.

- f. In the event a Short-Term Rental registration is terminated or suspended for a violation of this Ordinance, the Board of Health shall notify the Commissioner of Revenue of the suspension or termination.

- g. An appeal of a notice of violation of this Ordinance shall in the first instance be made in writing to the Board of Health within 30 days. The Board of Health shall thereafter hold a hearing at its next regularly scheduled meeting pursuant to the rules of the Board of Health, where the Owner and City shall be afforded the reasonable opportunity to present such evidence or witnesses on their behalf as is necessary to provide due process. The Board of Health shall issue its written decision within ten (10) days of the conclusion of the hearing. If the Board of Health upholds the violation, then in accordance with M.G.L. c. 40 § 21D, violations may be appealed within 21 days of the Board's decision.
- h. Nothing in this Ordinance shall serve to limit the enforcement of any other local, state or federal law, nor shall this Ordinance limit the remedy available under any independently applicable local, state or federal law.

**4-50.7 Severability.**

If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

**4-50.8 Effective Date.**

The provisions of this Ordinance "Short-Term Rental of Residential Properties" shall take effect on June 1, 2026.

**4-50.9 Review Period**

This general ordinance shall be reviewed at least every two years by City Council.



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## **ADVISORY**

### **Easthampton Short-Term Rental Rules & Regulations**

Pursuant to Easthampton General City Ordinance Chapter 4, Article VI, this advisory outlines the rules and regulations governing the operation of short-term rentals in Easthampton, including required fire protection systems (or alternative compliance) and the applicable state codes and statutes.

#### **Eligibility & Application**

##### **Registration Requirements**

No Dwelling Unit may be offered as a Short-Term Rental (STR) without being registered annually with the City, through an application filed with and approved by the Board of Health, and registered with the Massachusetts Department of Revenue. STR registration is not transferable.

Registration will be denied if the property has:

- a. Outstanding building, electrical, plumbing, mechanical, fire, health, housing, or zoning code enforcement violations (notices of violation, cease and desist orders, etc.).
- b. Outstanding amounts due and owing to the City (e.g., property taxes, water/sewer fees).
- c. The Owner must have owned the property for a minimum of 365 days prior to the application date, as evidenced by a recorded deed.

##### **Capacity and Waitlist**

The total number of Short-Term Rentals in the City is capped at **50 Dwelling Units** at any given time.

For the first **30 days** the ordinance is in effect, initial applications are reserved for Owners with rentals operating as of March 31st, 2025. After the initial 30 days, applications are accepted on a **first-come, first-served** basis.

If the 50-unit cap is reached, first-time applicants will be placed on a waiting list and notified when registrations become available.

##### **Provisional Registration**

An Owner may apply for a one-time, provisional registration, valid for one year. A provisional registration **cannot be renewed or extended**. After its expiration, the Owner must apply for a standard STR registration and will be subject to the citywide cap and, if applicable, the waitlist. An owner may not obtain a provisional registration more than once.

## **Owner and Unit Limitations**

- a. STRs are prohibited in the following types of Dwelling Units:
  - i. Dwelling Units owned by a corporation.  
(Permitted for LLCs or Trusts where every shareholder/member is a natural person).
  - ii. Dwelling Units designated as affordable or income-restricted.
  - iii. Dwelling Units subject to a long-term lease.  
(Tenants are prohibited from subletting their unit as an STR).
- b. **Resident Owners** (Principal Residence in Easthampton): May register one unit on the same parcel as their Principal Residence and one unit on a separate parcel (maximum of two units).
- c. **Non-Resident Owners** (Principal Residence not in Easthampton): May register only one Dwelling Unit as a short-term rental in the City.

## **License & Inspections**

- a. Registration must be filed with and approved by the Board of Health.
- b. A mandatory joint inspection (Building, Fire, Health) is required prior to the initial rental offering and annually thereafter.
- c. Annual STR license renewal is required, and must be submitted within 30 days of expiration to maintain renewal right.

## **Other Rules & Operational Safety Requirements**

### **On-site Postings:**

The Owner's certificate of registration with the City and 24-hour contact information for the Owner or Local Person must be posted immediately inside the main entry door.

### **Fire Safety:**

- a. Approved fire extinguisher(s) must be installed and maintained in accordance with Fire Code.
- b. Floor plans and an emergency response plan must be submitted to the Fire Department.

### **Guest Safety:**

- a. Approved first aid kit must be readily accessible to occupants.
- b. Emergency preparedness and contact information must be posted prominently within the unit.

### **General Rules:**

- a. Quiet hours are between 10 PM and 8 AM.
- b. A minimum of one off-street parking space for the STR and one additional off-street parking space per Dwelling Unit on the parcel is required (waiver available dependent on location).

# Fire Safety & Protection System Requirements for Easthampton Short-Term Rentals

## Fire Safety & Protection System Requirements - Existing Buildings

Short-Term Rental Type (Rentals < 29 consecutive days)	Principal Use / Max Number of Days Rented	Required Fire Protection System or Approved Alternative Compliance <sup>1</sup>
<b>Existing Owner-Occupied Single-Family Home or Condo:</b> Renting room(s) to fewer than 6 individuals not within the second degree of kindred to the person conducting it.	Residential R3 (No max on days)	Whole-house automatic sprinkler system (NFPA 13D). <i>or</i> <i>Whole-house smoke alarm system with carbon monoxide detection, monitored 24/7 by third-party<sup>2</sup></i>
<b>Existing Owner-Occupied Duplex:</b> Renting out entire second unit to fewer than 6 individuals not within the second degree of kindred to the person conducting it.  Includes single-family home with attached accessory dwelling unit. (ADU)	Residential R3 (No max on days)	Whole-house automatic sprinkler system (NFPA 13D). <i>or</i> <i>Whole-house smoke alarm system with carbon monoxide detection, monitored 24/7 by third-party<sup>2</sup></i>
<b>Existing Non Owner-Occupied Single Family Home:</b> Renting entire dwelling to fewer than 6 individuals not within the second degree of kindred to the person conducting it  Includes existing detached ADUs	<180 Days Residential R3	Whole-house automatic sprinkler system (NFPA 13D). <i>or</i> <i>Whole-house smoke alarm system with carbon monoxide detection, monitored 24/7 by third-party<sup>2</sup></i>
	>180 Days (250-day max) Transient R-1	Whole-house automatic sprinkler system (NFPA 13D).
<b>Existing Lodging House:</b> Any structure (regardless of owner occupancy) renting to 6 or more unrelated individuals	Transient R-1	Whole-house automatic sprinkler system (NFPA 13D).
<b>Newly Built Owner-Occupied Single-Family Home or Condo:</b> Renting room(s) to fewer than 6 not within the second degree of kindred to the person conducting it.	Residential R3 (No max on days)	Whole-house automatic sprinkler system (NFPA 13D).

<sup>1</sup> Compliance Alternative: An alternative life-safety construction feature which meets or exceeds the requirements or intent of a specific provision of 780 CMR. For existing buildings, the building official is authorized to approve or disapprove of compliance alternatives. (Ch. 2 of the International Existing Building Code [IEBC]).

<sup>2</sup> The building official may determine eligibility for a compliance alternative by looking at a number of factors, including but not limited to the location, layout, number of rooms being rented, occupancy, and number of exits and fire safety egress. Additional requirements beyond the approved alternative listed here may apply in some cases at the discretion of the building official.

## Fire Safety & Protection System Requirements - New Buildings

Short-Term Rental Type (Rentals < 29 consecutive days)	Principal Use / Number of Days Rented as STR	Required Fire Protection System or Approved Alternative Compliance
<b>Newly Built Owner-Occupied Single-Family Home or Condo:</b> Renting room(s) to fewer than 6 not within the second degree of kindred to the person conducting it.	Residential R3 (No max on days)	Whole-house automatic sprinkler system (NFPA 13D).
<b>Newly Built Owner-Occupied Duplex:</b> Renting entire second unit to fewer than 6 persons not within the second degree of kindred to the person conducting it, Includes single-family homes with attached ADUs. <sup>3</sup>	<180 Days Residential R3	Whole-house automatic sprinkler system (NFPA 13D).
	>180 Days (No max on days) Transient R1	
<b>Newly Built Non Owner-Occupied Single Family Home:</b> Renting entire dwelling to fewer than 6 individuals not within the second degree of kindred to the person conducting it Includes detached ADUs	<180 Days (Residential R3)	Whole-house automatic sprinkler system (NFPA 13D).
	>180 Days (250-day max) Transient R1	
<b>Newly Built Lodging House:</b> Any structure (regardless of owner occupancy) renting to 6 or more unrelated individuals	Transient R-1	Whole-house automatic sprinkler system (NFPA 13D).

### Applicable Codes & Statutes

MGL Ch. 140 s. 23 (License)

MGL Ch. 148 s. 26E (Alarms)

780 CMR R314.7 (Alarms)

527 CMR 1.00 (Extinguishers)

780 CMR R313.2 (Sprinklers)

MGL Ch. 148 s. 26H (Sprinklers [Lodging Houses])

780 CMR 110.7 (Inspections)

780 CMR R110.7 (Inspections)

<sup>3</sup> New spaces within an existing building—including ADUs created within an existing dwelling—and newly constructed *attached* ADUs, are renovations or additions to an existing building and subject to compliance alternative proposals.