



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

**RECEIVED**

*By Office of the City Clerk at 11:21 am, Mar 05, 2026*

<b>BOARD/COMMITTEE:</b>	<b>City Council Ordinance Committee</b>		
<b>DATE:</b>	<b>March 12th, 2026</b>	<b>TIME:</b>	<b>6:30 p.m.</b>

<b>BUILDING &amp; ROOM:</b>	<p><b>HYBRID</b></p> <p>Room: Conf. Room B (Basement)</p> <p>Meeting Link: <a href="https://meet.google.com/vyr-wcxo-kcd">https://meet.google.com/vyr-wcxo-kcd</a>          More phone numbers: <a href="https://tel.meet/vyr-wcxo-kcd?pin=9273429663278">https://tel.meet/vyr-wcxo-kcd?pin=9273429663278</a>  <b>Join by Phone:</b> (US) +1 605-620-1313  <b>PIN:</b> 904 662 387#</p>
<b>Clerk or board member:</b>	Kiam Jamrog-McQuaid, Chair <a href="mailto:kmcquaid@easthamptonma.gov">kmcquaid@easthamptonma.gov</a>

**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. Ordinance Review Committee's final report
  - d. \*\*Sandwich Board Signs in City and Zoning Ordinance
  - e. \*\*Request to review residency requirements for membership on committees
  - f. \*\*Review of the Affordable & Fair Housing Partnership's zoning ordinance recommendations
4. New business
5. Next meeting: TBD (need to set regular meeting schedule)

# 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.

**Booking Party** All persons who occupy a Short-Term Rental under a single reservation.

**Owner.** Any person or entity 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.

**Owner Occupied Short-Term Rental. A Short-Term Rental located on the same property as the Owner's Principal Residence.**

**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 and permitted Bed & Breakfast, Hotel, Motel, or Lodging House as those uses are defined 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 parcel 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 any outstanding amounts due and owing the City, including but not limited to property taxes, water or sewer fees.
- c. Registration of a Short-Term Rental shall not be transferable.

#### **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 for Short-Term Rentals registered with the Department of Revenue 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, 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 registered with the City, the Owner shall have the right to renew their registration annually, provided that they maintain compliance with this Ordinance, state law, and all applicable regulations and provided that the Owner submits an application 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 shall be permitted to register up to two (2) Dwelling Units for Short-Term Rentals, provided that at least one of the registrations is for an Owner-Occupied Short-Term Rental. Otherwise, an Owner shall only be permitted to register one (1) Dwelling Unit as a Short-Term Rental.
- d. 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 registration under this Ordinance, as evidenced by the recording of a deed in the Hampshire County Registry of Deeds.
- e. The limitations detailed in 4-50.4(c.) and 4-50.4(d.) 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.
- f. 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 Massachusetts Sanitary Code 105 CMR 410.00 and the Massachusetts Building Code found at 780 CMR.
- g. 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 containing the Dwelling Unit at any one time.

- h. An Owner-Occupied Short-Term Rental 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 Dwelling Unit used as a Short-Term Rental shall not be rented for more than two hundred and fifty (250) days per Registration Year.
- i. Short-Term Rentals shall only be rented to one Booking Party at a time
- j. 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.

#### **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 and Fire Codes, 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. 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.
- d. Between 10 PM and 8 AM, excessive noise shall be prohibited. Excessive noise may include but is not limited to: loud music; boisterous parties; and or sounds emanating from within the rental which are audible outside the Dwelling Unit.
- e. 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.
- f. 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.

- g. Signs on the parcel advertising the Short-Term Rental are prohibited.

#### **4-50.6 Enforcement and Compliance.**

- a. The Board of Health, Building Commissioner and Fire Department shall have the authority to set reasonable fees and adopt forms and procedures relative to the implementation of this Ordinance, including but not limited to registration and inspection of Short-Term Rentals.
- b. 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.
- 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 within 48 hours of notice (except in cases of emergency).
- d. Failure to schedule or provide access to an inspector upon request shall 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. After inspection, Dwelling units found to be in violation of this Ordinance shall be issued a notice of violation.
- e. The City may monitor compliance with this Ordinance through available third-party services, publicly available information, or by any other lawful means.
- f. Notice of Violation. When the Board of Health or its designated agent determines that the Short-Term Rental not being carried out in accordance with the requirements of this Ordinance, it shall cause a written notice of violation to be served at the address listed on the Owner's current Short-Term Rental application by United States Mail, or in hand delivery.
  - i. The notice of violation shall contain:
    1. The name, and address of the Owner;
    2. The Short-Term Rental Registration Number;
    3. The address of the building, structure, or land upon which the violation is occurring;
    4. A statement specifying the nature of the violation;
    5. A description of the measures necessary to bring the Property or Dwelling Unit into compliance with this Ordinance and a time schedule for the completion of such remedial action;

6. A statement of the penalty or penalties that shall or may be assessed against the Owner under the notice of violation;
7. A statement that the violation detailed in the notice may be appealed to the Board of Health by the filing a written notice of appeal on a form provided by the Board of Health with the Clerk for the City of Easthampton and the Board of Health within ten (10) days of the mailing of the notice of violation.
- g. If the Owner fails, correct the violation detailed in the notice within the timeframe provided therein, or to appeal the violation detailed therein within ten (10) days of receipt of the notice, the Owner shall, beginning the 11<sup>th</sup> day following the mailing of the notice be subject to suspension or termination of the Short-Term Rental registration and/or a civil penalty according to the following schedule:
- \$100 1st Offense
- \$200 2nd Offense
- \$300 3rd Offense and each subsequent offense.
- h. Unless the violation is reversed or modified by the Board of Health, taking an appeal from a notice of violation shall not suspend the running of any civil penalty assessed hereunder. Each day that a violation exists shall constitute a separate offense. Providing however, that nothing in this section shall prevent by way of the issuance of a notice of violation, the immediate suspension of a Short-Term Rental Registration should the Board of Health or its agent deem it in the best interest of the City to do so.
- i. All fines imposed under this Ordinance are payable to the City of Easthampton and payable to the City Clerk within 30 days of the date of the Notice, unless otherwise stated on the Notice.
- j. In the event a Short-Term Rental registration is permanently terminated or suspended, the Board of Health shall notify the Commissioner of Revenue of the suspension or termination.
- k. Appeal. An Owner shall have a right to appeal the violation detailed in a notice to the Board of Health. Such appeal shall be taken by filing a notice of appeal on a form promulgated by the Board of Health including a statement of the grounds for the appeal and a copy of the notice of violation with the City Clerk and the Board of Health within ten (10) days of the mailing of the notice of violation. Upon receipt of an appeal, the Board of Health shall hold a hearing on the appeal at its next regularly scheduled meeting pursuant to procedural rules promulgated by the Board of Health. At such hearing the Owner and City of Easthampton 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 a written decision within ten (10) days of the conclusion of the hearing. The Board of Health shall have the power to reverse, affirm or

modify the violation detailed in the notice. The decision made by the Board of Health shall be final. The decision of the Board of Health shall be reviewable in Superior Court in an action filed in accordance with M.G.L. c. 249 § 4.

- I. This Ordinance is intended to be cumulative of all other applicable local, state, and federal laws. Nothing herein shall be construed to limit or divest any other governmental entity with concurrent jurisdiction from exercising its authority. Any notice, process, or appeal, to the extent required by such other authorities, shall proceed in accordance with their respective governing laws and process.

#### **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.