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

<b>BOARD/COMMITTEE:</b>	City Council Ordinance Committee		
<b>DATE:</b>	January 20th, 2026	<b>TIME:</b>	4:30 p.m.
<b>BUILDING &amp; ROOM:</b>	<b>HYBRID</b> Room: 50 Payson Ave, Conf. Room B (Basement) Meeting Link: <a href="https://meet.google.com/kjs-puwk-upf">https://meet.google.com/kjs-puwk-upf</a> Join by Phone: 1 732-661-8527 PIN: 975 248 811#		
<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. \*\*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. An application for the registration of a Short-Term Rental shall at a minimum require the Owner provide the Board of Health the following information: the address of the property where the Short-Term Rental is located; the Owner's name, address and telephone number or the names of all organization members if owned by a legal entity; the name and contact information including a cellular phone number for the Local Person; a statement of whether the Owner will maintain their primary residence on the same parcel as the Short-Term Rental; a statement whether the Short-Term Rental is served by municipal water and sewer; the number of bedrooms to be rented; and a copy of the deed showing ownership of the Short-Term Rental.~~

~~i. If the Short-Term Rental is served by a private wastewater system, the application for registration shall include a system pumping record completed within three years of the date of application. If the Short-Term Rental is served by an approved Title V innovative/alternative system, a valid maintenance agreement shall be provided with the application for registration.~~

~~ii.b. If the potable water source for the Short-Term Rental is a well, a flow meter shall be in place. Additionally, the application for registration shall include the results of well water testing completed within five years of the date of application which demonstrate that the water is safe for personal consumption.~~

**Commented [1]:** To be included in a separate BOH document with other application requirements.

- c. Registration of a Short-Term Rental shall not be transferable. The Board of Health shall have the authority to set reasonable fees, promulgate rules and adopt forms and procedures relative to the registration and enforcement of this Ordinance.

**4-50.4 Standards and Limitations.**

- a. The maximum number of Short-Term Rentals ~~units~~ permitted in the City at any given time shall be capped at 50 total Dwelling Units, ~~as of the date of adoption of this ordinance.~~

~~Applications and waiting list.~~

- 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 Dwelling Unit~~ 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. 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. 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). 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.

e.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. may register to use one Dwelling Unit as a Short Term Rental on the same parcel as the Owner's Principal Residence. Additionally or alternatively, an Owner may register to operate one Dwelling Unit as a Short-Term Rental on a separate parcel in Easthampton.~~

e.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.

e.f. The limitations detailed in 4-50.4(c.), 4-50.4(d.) and 4-50.4(~~e.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 subsequently registered under this Ordinance, is operated continuously and that there is no subsequent ~~failure to register under this Ordinance or a~~ lapse in registration.

f.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.

g.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.

h.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 ~~p~~Property at the time of the ~~rentals~~Short-Term Rental. In all other cases, a Short-Term Rental shall not be rented for more than two hundred and fifty (250) days per ~~R~~Registration Yyear.

~~i,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.

~~j,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.

~~k,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.

~~l,m.~~ An Owner shall not register or offer a rental unit subject to a long-term lease as a short-term rental, nor shall a tenant offer their rental unit as a short-term rental.

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

- a. An Owner shall post ~~in any Short-Term Rental unit~~ 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. Contact information for the Owner or Local Person responsible for the Short-Term rental.;~~
  - ~~iii. Signage that is laminated and near all means of egress outlining: Occupancy evacuation routes; the address of the Short-Term Rental; and "IN EVENT OF EMERGENCY-DIAL 911"; and 24-hour contact number for the local person responsible for the operation of the short-term rental if it is not the Owner.~~
  - ~~iv-ii. the location of any fire extinguishers, gas shut off valves, fire exits and fire alarms;~~
  - ~~v-iii. Instructions for recycling and waste disposal;~~
  - ~~vi-iv. Notice that dogs must be leashed when outdoors if not in a securely fenced enclosure; and~~
  - v. Notice that no excessive noise shall occur after 108:00 PM or earlier than 8:00 AM.
- b. At all points of egress, an Owner shall post a laminated sign with the following information:

- i. The address of the Short-Term Rental;
- ii. The contact information for the Owner, and the 24-hour contact information for the Local Person responsible for the Short-Term rental if it is not the Owner;
- iii. Clear instructions for evacuation in the event of a fire or other emergency;
- iv. The location of any fire extinguishers, gas shut off valves, fire exits and fire alarms; and
- vii-v. Notice that "IN EVENT OF EMERGENCY- DIAL 911".

~~b-c.~~ In addition to complying with all local rules and regulations, Any building used in whole or part as a Short-Term Rental shall comply with all applicable Massachusetts laws including but not limited to the Massachusetts Building Code, Massachusetts Comprehensive Fire Safety Code and all other health and safety laws, and shall undergo inspections as necessary or required to ensure compliance with same as determined by the authority enforcing such law. The cost of any such inspection shall be determined by the enforcement authority and charged to and solely paid by the Owner. The failure of any Short-Term Rental to submit to any required inspection shall result in the immediate suspension of the Short-Term Rental's registration by the inspecting authority or the Board of Health.

- ~~c.~~ Each Short-Term Rental shall comply with the following requirements:
- i. ~~Short Term Rentals shall be subject to a mandatory joint inspection by the Building Department, Fire Department, Health Department, and/or other duly authorized authority from the City prior to initial rental offering, and then annually thereafter.~~
  - ii. ~~There shall be at least one 5 lb ABC fire extinguisher installed and maintained in accordance with 527 CMR 1.00 and the local authority having jurisdiction (AHJ).~~
  - iii. ~~There shall be a fully stocked first aid kit that contains at a minimum: 4" x 4" gauze pads, two 8" x 10" gauze pads, a box of adhesive bandages (band-aids), one package gauze roller bandage at least 2" wide, two triangular bandages, adhesive tape and latex gloves.~~
  - iv. ~~There shall be installed a whole house smoke alarm system which shall incorporate Carbon Monoxide detection. The system shall be installed to the current Massachusetts Building Code. Such a system shall be monitored 24/7 by an approved central station monitoring company. The alarm system shall be tested and inspected by an approved authorized~~

~~licensed individual. Said report shall be sent yearly to the Easthampton Fire Department.~~

- ~~v. The owner or operator of the short term rental shall provide the fire department with an accurate floor plan of the dwelling, identifying all sleeping areas, exits, and locations of fire safety equipment. A copy of this plan shall also be displayed prominently within the rental unit for the benefit of the occupants.~~
- ~~vi. The owner or operator of the short term rental shall post emergency information in a conspicuous location within the unit. The posting shall include the property address, emergency contact information for the owner or property manager who can be reached at all times during occupancy and clear instructions for evacuation in the event of fire or other emergency.~~
- ~~vii. Any Short-Term Rentals that fall under the provisions under M.G.L. 148, Section 26H shall be equipped with an automatic sprinkler system.~~
- ~~viii. The Easthampton Fire Department shall be responsible for the enforcement of all the provisions in 4-50.5 Section C.~~

**Commented [2]:** To be included in a separate Fire Dept policy/document with registration requirements.

- d. 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.
- 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 ~~s~~Short-T~~t~~erm ~~R~~Rental and one additional off-street parking space per ~~D~~Dwelling ~~u~~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 ~~S~~short-T~~t~~erm ~~R~~Rental are prohibited.

**4-50.6 Compliance.**

- a. Owners shall retain and make available to the City within 5 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 proper notice of at least 48 hours (unless in case of emergencies involving an immediate threat to safety or 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 offenseEach 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.