



**City of South Portland
Office of the City Clerk**

25 Cottage Road

South Portland, ME 04106

207-767-7628

**Registration of Short-Term
Rental Checklist**

Applicant Name: _____

Date: _____

If this is a RENEWAL: Have there been any changes from your last application?

-
- _____ Registration Fee
 - _____ Registration Application
 - _____ Inspection & Approval by Fire Chief (*inspection required for all new applications and as deemed necessary by Fire Chief for renewals*)
 - _____ Self-Inspection Safety Checklist (*this is what the Fire Department will use upon inspection of the unit(s)*)
 - _____ Floor Plan Sketch attached -- must identify all areas accessible to guests
 - _____ Parking Sketch attached -- must supply off-street parking equal to the number of dwelling units to be registered
 - _____ Photographs of rental unit attached
 - _____ Proof of Insurance
 - _____ Certificate of Occupancy (*if authorized ADU*)
 - _____ Proof of Homestead Exemption (*if Hosted Home Stay*)
 - _____ A copy of property's condominium/homeowners/unit owners association by-laws and any legal agreement including amendments relating to ownership rights and responsibilities AND written approval signed by each of the current unit owners in the building consenting to operation of STR (*for Non-Hosted Stay applications for Multi-Owner Dwelling Unit Structure or Multi-Owner Mixed Use Structure*)

***** All of the above must be received and complete to the satisfaction of the Clerk prior to issuance****

All real estate taxes must be paid on the property

*****Please allow up to two weeks for processing*****

Once registration is processed, City Clerk staff will mail to applicant:

- _____ Proof of registration to display on premise
- _____ Disclaimer to be posted (add in registrant name and registration number)
- _____ "Notice to Rental Owners" – reminder of posting requirements
- _____ "Good Neighbor Brochure" – 1 copy (additional copies available for print or download on City website)

CODE ENFORCEMENT OFFICE REVIEW OF SHORT-TERM RENTAL REGISTRATION APPLICATION CHECKLIST

Name of Applicant: _____

Street Address of Property to be Registered: _____

Tax Map Reference of Property to be Registered: Map ____, Lot ____

Type of Requested Registration (check one):

- Hosted Home Stay: _____
- Hosted Home Stay (14-Day Non-Hosted): _____
- Non-Hosted Home Stay: _____

Zoning District of Property to be Registered: _____

If requested registration is for a Non-Hosted Home Stay, is the property in a nonresidential zoning district (circle one)? YES NO

Type of Structure for Requested Registration (see Definitions in Sec. 14-801 of applicable ordinance) (check all that apply and provide detail):

Type of Structure	Applicant representation	City assessment records	City Planning/CEO Department records
Single Family Dwelling Unit			
Authorized Accessory Dwelling Unit			
Two-Family Dwelling Unit			
Three-Family Dwelling Unit			
Four-Family Dwelling Unit			
Multi-Owner Dwelling Unit Structure			
Multi-Owner Mixed Use Structure			
Authorized Mixed Use Structure			
Other (describe):			

Completed by: _____

Code Enforcement Officer

Date



**City of South Portland
Office of the City Clerk
25 Cottage Road
South Portland, ME 04106
207-767-7628**

Application for Short Term Rental Registration

Valid _____ to _____
§14-800 to §14-814

New
Renewal

Zoning District of Property: _____ (check with Code Enforcement office if unsure)

Type of Registration (see defined terms on attached)

Check One: Hosted Home Stay

(one rental in a one-, two-, three-, or four-family dwelling unit, or authorized accessory dwelling unit)

Hosted Home Stay – 14 days Non-Hosted
(must register as Hosted Home Stay)

Non-Hosted Home Stay

(one family detached dwelling unit or authorized ADU or two, three, or four family dwelling unit, or Multi-Owner Dwelling Unit Structure, Multi-Owner Mixed Use Structure, or Authorized Mixed-Use Structure)
Prohibited in all residential zoning districts.

Type of Structure (see defined terms on attached)

Check One: 1-2 Dwelling Unit(s)

Authorized Accessory Dwelling Unit

Multi-Owner Mixed Use Structure

3-4 Dwelling Units

Multi-Owner Dwelling Unit Structure

Authorized Mixed-Use Structure

Describe/Specify Unit to be Registered (attach photographs & floor plan sketch):

Physical Address (and Unit #) of Short Term Rental:

Owner of Short Term Rental Property:

Owner Mailing Address (if different from above):

Owner Contact Number:	Owner Email Address:
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Emergency Contact Name (must be available 24/7):	Emergency Contact Telephone Number:
	Emergency Contact E-mail Address:

Is there a swimming pool on the premises? Yes No

Is there an outdoor fire pit on the premises? Yes No

Is this property the owner's *primary residence*? Yes No

How many total parking spaces (on-site) are allotted for this property? _____

How many parking spaces (on-site) are available to guests? _____

(This number must be equal to or greater than the total number of dwelling units available for guest occupation. On street parking for guests is not allowed.)

License Fee:	\$200.00 for Hosted Home Stay \$400.00 for Non-Hosted Home Stay
Fire Inspection Fee:	\$100.00 (required for all new applications and as deemed necessary by Fire Chief)
Processing Fee:	\$20.00
Total:	_____

Applicant, by signature below, acknowledges having read all applicable laws and ordinances and agrees to comply with all laws, orders, ordinances, rules and regulations governing the above registration and further agrees that any misstatement of material fact may result in refusal of registration or revocation if one has been issued. Applicant agrees not to serve food that would require a food establishment license. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the registration. Applicant understands the maximum number of occupants who may occupy the rental unit is two (2) guests per bedroom, and a maximum of six (6) guests total.

Authorized Signature of Property Owner

Print Name and Title

Date

PLEASE ALLOW TWO WEEKS FOR PROCESSING

Return completed application and copies of all required materials to:

City Clerk's Office
25 Cottage Road
South Portland, ME 04106
Attn: Licensing Administrator
kmorrill@southportland.org

Definitions (from Ch. 14 Sec. 801 City's Code of Ordinances)

Authorized accessory dwelling unit means a residential living unit, subordinate to a one-family detached dwelling unit that (a) has been approved by the Planning Board pursuant to the Sec. 27-1576 et seq. of the City's Zoning Ordinance, as may be amended, and that has a valid certificate of occupancy or (b) has a valid certificate of occupancy issued prior to February 22, 2004, the effective date of Sec. 27-1576 et seq. of the City's Zoning Ordinance.

Detached dwelling unit means a one-family dwelling unit that is not attached to any other dwelling by any physical means.

Dwelling unit means one or more rooms arranged for complete, independent housekeeping purposes with space for living and sleeping; space or facilities for eating or cooking; and provisions for sanitation.

One-family dwelling unit means a building that consists solely of one dwelling unit.

Two-family dwelling unit means a building in single ownership that consists solely of two dwelling units.

Three-family dwelling unit means a building in single ownership that consists solely of three dwelling units.

Four-family dwelling unit means a building in single ownership that consists solely of four dwelling units.

Hosted Home Stay means a dwelling unit that is the Owner's primary residence; is occupied, including overnight, by such Owner during the short-term rental period; and is used or occupied as a Hosted Home Stay as set forth in Table 14-805. In the case of a property comprised of a one-family dwelling unit and an authorized accessory dwelling unit, the unit is considered a Hosted Home Stay if the Owner is present in either unit on such property during the short-term rental period. In the case of a property comprised of a two-, three- or four-family dwelling unit in single ownership, the unit is considered a Hosted Home Stay if the Owner is present in one of the dwelling units on such property during the short-term rental period.

Non-Hosted Home Stay means a dwelling unit that may or may not be the Owner's primary residence and is used or occupied as a Non-Hosted Home Stay as set forth in Table 14-805.

Primary residence means an Owner's primary place of residence, as defined by whether the Owner carries on basic living activities at the dwelling unit and whether such dwelling unit is the Owner's usual place of return. Reasonable documentation, such as Maine homestead exemption qualification, voter registration, government ID with address, motor vehicle registration, motor vehicle excise tax payment receipt, or other documents approved by the City demonstrating that the property is the Owner's legal residence and that it is such for 183 or more days of the calendar year, shall be indicia of primary residence.

Apartment building means a building or portion thereof containing three or more dwelling units arranged, intended, or designed to be occupied by three (3) or more families living independently of each other in a dwelling unit.

Authorized Mixed-Use Structure means a building in single ownership with complementary and integrated uses, such as, but not limited to, residential, office and retail uses, where the portion of the building used for residential occupancy is (a) expressly authorized as such in writing by both the Code Enforcement Office and the Fire Chief or his/her designee, and (b) consists of no more than three dwelling units.

Multi-Owner Dwelling Unit Structure means a single building that consists solely of no more than four dwelling units in which each of the dwelling units is designated for separate ownership by all owners of the building through a legally binding agreement; and some portion of the common areas and/or facilities are owned by all of the unit owners on a proportional, undivided basis.

Multi-Owner Mixed Use Structure means a single building with complementary and integrated uses, such as, but not limited to, residential, office and retail uses, in which portions of the building are designated for separate ownership by all owners of the building through a legally binding agreement; and some portion of the common areas and/or facilities are owned by all of the unit owners on a proportional, undivided basis; and where the portion of the building used for residential occupancy is (a) expressly authorized as such in writing by both the Code Enforcement Office and the Fire Chief or his/her designee, and (b) consists of no more than four dwelling units.

Restrictions on the number of Short-Term Rentals that may be registered per property:

Short-term rental registrations are limited to one registration per lot or parcel of land; provided, however, that, subject to the prohibitions set forth in Sec. 14-803(f) herein:

- (a) an Owner of a four-family dwelling unit may separately register no more than two dwelling units within the building as a Hosted Home Stay
- (b) an Owner of a two-, three- or four-family dwelling unit may separately register no more than two dwelling units within the building as a Non-Hosted Home Stay in a non-residential zoning district;
- (c) each Owner of a dwelling unit within a Multi-Owner Dwelling Unit Structure or a Multi-Owner Mixed Use Structure may register one dwelling unit within the building as a Non-Hosted Home Stay in a non-residential zoning district; and
- (d) an Owner of an Authorized Mixed-Use Structure may separately register no more than three dwellings units within the building as a Non-Hosted Home Stay in a non-residential zoning district

One application per registration.

Table 14-805



Type of Rental	Hosted Home Stay	Non-Hosted Home Stay
Type of Structure	<p>One-family dwelling unit (including an associated authorized accessory dwelling unit); or</p> <p>a two-, three- or four-family dwelling unit</p>	<p>One-family detached dwelling unit or any associated authorized accessory dwelling unit; or</p> <p>a two- or three- or four-family dwelling unit; or</p> <p>a Multi-Owner Dwelling Unit Structure; or</p> <p>a Multi-Owner Mixed Use Structure; or</p> <p>an Authorized Mixed-Use Structure</p>
Amount of Dwelling Unit Rented	Includes the rental of an entire dwelling unit OR, if only part of the unit, includes at a minimum a sleeping room and access to a bathroom	Whole dwelling unit
Owner-Occupied (i.e., Owner's primary residence)?	Yes, at least one dwelling unit (or an associated authorized accessory dwelling unit) is the Owner's primary residence	Dwelling unit may or may not be Owner's primary residence
Sworn Statement of Owner regarding primary residence required?	Yes	No
Evidence of Owner qualification for Maine	Yes	No

Type of Rental	Hosted Home Stay	Non-Hosted Home Stay
homestead exemption for property required?		
Owner/Host Operations	<p>If a single-family dwelling unit, Owner is present in the dwelling unit (or associated authorized accessory dwelling unit) during the short-term rental period;</p> <p>if a two-, three- or four-family dwelling unit, Owner is present in one of the dwelling units on such property during the short-term rental period</p>	Dwelling unit may or may not be Owner's primary residence
Length of Guest Stay	Rental is on a temporary basis for periods of less than 30 consecutive days	Rental is on a temporary basis for periods of <i>at least 7 consecutive days</i> but less than 30 consecutive days; guests may stay for less than the minimum stay period <i>provided that</i> the rental unit remains vacant until the end of the minimum stay period (e.g., if guest stays for 4 nights, unit must remain unrented for the 3 subsequent nights)
Cap on # of days unit is rented per year?	None	None
Occupancy limits	Two guests per short-term rental guest bedroom and maximum of six guests total allowed per occupancy	Two guests per bedroom and maximum of six guests total allowed per occupancy
Is registration per dwelling unit or per Owner?	Registration is per dwelling unit (or authorized accessory dwelling unit)	Registration is per dwelling unit
Reviewing Authority	City Clerk	City Clerk
Notice to Neighbors?	For three- and four-family dwelling units, at commencement of a new non-short-term rental tenancy, Owner must acquire written acknowledgement of notice provided to tenant(s) of	Upon issuance of new registration per Sec. 14-805(b)(6)

Type of Rental	Hosted Home Stay	Non-Hosted Home Stay
	Owner's intent to operate a short-term rental in the building during the tenancy	
Notice to City Clerk if sale/transfer of property?	No	Yes
Inspection	Inspection by Fire Chief or his/her designee prior to initial registration; thereafter, at request of City inspection officials	Inspection by Fire Chief or his/her designee prior to initial registration; thereafter, at request of City inspection officials
Locational limits	Allowed in all zoning districts	Prohibited in all residential zoning districts (at time of enactment of Ordinance #22-17/18, those districts are RF, AA, A, G, VR, RT, WR, A-1, G-1, G-2, G-3 and G-4)

FOR CITY USE ONLY

Date of Application: _____ Date Application Fee Paid: _____

Real Estate taxes paid to date:

Yes No

Proof of Insurance attached:

Yes No

Floor Plan sketch attached:
(must identify all areas accessible to guests)

Yes No

Parking sketch attached:

Yes No

Photographs of the rental attached:

Yes No

Certificate of Occupancy

(for ADU's only)

Yes No

Proof of Homestead Exemption of Owner of Premises:

(For Hosted Home Stay only)

Yes No

A copy of property's condominium/homeowners/unit owners association by-laws and any legal agreement including amendments relating to ownership rights and responsibilities AND written approval signed by each of the current unit owners in the building consenting to operation of STR *(for Non-Hosted Stay applications for Multi-Owner Dwelling Unit Structure or Multi-Owner Mixed Use Structure)*

Yes No

Is property an authorized ADU or Authorized Mixed Use Structure? (Check with Code – is it an approved/authorized building?)

Yes No

Fire Chief Approved Yes No Approved By: _____

Comments:

Renovations Completed:

Date of Inspection: _____
(Inspection required for all new and thereafter as deemed necessary by Fire Chief)



FIRE DEPARTMENT
 OUR JOB IS OUR LIFE, AND YOURS

TELEPHONE
 (207) 799-3314

WWW.SOUTHPORTLAND.ORG

OWNERS PRE-INSPECTION CHECKLIST

This pre-inspection checklist will help prepare you for your initial basic life safety inspection. Complete this checklist and return it with your Rental Housing Registration Form to City Hall. *Be sure to review page 2 for more detail on the Code requirements below.*

BUILDING INFORMATION
Address:
Owners Contact Information:

	LIFE SAFETY CHECKLIST	YES	NO	N/A	COMMENTS
1.1	Is there a working smoke alarms (detectors):				
	a. On each level of the building and dwelling unit and in the vicinity of each bedroom, including the basement?				
	b. In each bedroom?				
1.2	Are there a working carbon monoxide (CO) alarms (detectors):				
	Outside each sleeping area?				
	On each level of the building?				
1.3	Does each dwelling unit have two separate ways out?				
1.4	Are all ways out of the building:				
	a. Free of obstructions?				
	b. Discharged to the ground level?				
	c. Means of egress properly marked and illuminated?				
	d. In buildings with 3 or more dwelling units, have doors that are fire-rated, self-closing, easily opened, and able to be used?				
1.5	Do all exit stairways have handrails that are securely mounted?				
1.6	If there is only one-way out of a dwelling unit, does each bedroom have a window that can be easily opened and is large enough for emergency rescue or escape?				
1.7	Are there portable fire extinguishers available and mounted?				
1.8	Are buildings and units properly marked?				

South Portland Fire Department

CODE REFERENCE: NFPA 101 (2009) & City Code of Ordinances Chapter 8 (November, 2012)	
Question	Code Explanation
1.1	There must be a working smoke alarm (detector) on each level of the building and dwelling unit including the basement and in the immediate vicinity of each bedroom or room used for sleeping as well as in each bedroom. Must be electrically powered, have battery back-up and be interconnected.
1.2	All rental units, including apartments, and seasonally rented single-family dwellings are to install CO detectors in each area within, or giving access to, the bedrooms. This means you can put one in each bedroom or in the hallway or room in which a person travels through to reach a bedroom(s). It is strongly recommended that no CO detector be placed in excess of 15 feet of any bedroom. CO detection is recommended on each level of the building and may be required by FD as well. All detectors must be electrically powered and have battery backup.
1.3	Each dwelling unit must have access to at least 2 separate ways out of the building that are not located close together unless the unit has an exit door opening to the outside at ground level, an enclosed stair used only by that unit opening to the outside at ground level, or access to an outside stair that serves no more than 2 units. Every story more than 2000 ft ² in area within the dwelling shall be provided with two primary means of escape remotely located from each other.
1.4	The exits out of the building cannot be used for or obstructed by storage, trash or any type of containers. Exits out of a building must be permanently illuminated with exit signs and lights (unless the exit is obviously marked). Exterior exit terminations must also be illuminated. Doors leading from a dwelling unit to a common hallway/stairwell must be self-closing and fire rated. Locks or door hardware must be easy to use when leaving the building. Exits must lead to the ground level, not the basement.
1.5	All stairs must have handrails that are easy to grasp and that are securely mounted at a height between 34" and 38" measured from the leading edge of all treads, vertically to the handrail.
1.6	Each bedroom must have a window that can be opened without using tools or special knowledge. The opening of the window must be at least 20" wide and 24" high and provide an opening of 5.7 square feet. The bottom of the opening must be less than 44" above the floor. The window shall be within 20 ft. of the finished ground level.
1.7	Fire extinguishers must be located on each floor and preferably near exit terminations, within the dwelling unit. Must be visible, easily accessible and mounted. The maximum mounted height is 5' above the ground with preferred height around 3 ½ ft. In most cases, a 5-ABC or 10-ABC fire extinguisher should meet most code requirements. All fire extinguishers require an annual (yearly) maintenance by qualified personnel.
1.8	Code requires all building and or units must be appropriately marked for emergency responder with contrasting number or letters at least 3 inches or greater in height.

**** If you have any questions regarding these code requirements, please do not hesitate to contact the Chief of Fire Prevention.**