

TOWN OF KENNEBUNK SHORT-TERM RENTAL ORDINANCE

Section 1. Purpose and definition.

The purpose of this Ordinance is to provide for the registration and inspection of short-term rental units for compliance with applicable fire codes. A short-term rental unit shall include any dwelling unit or accessory dwelling unit that is rented for a term of less than fifteen (15) consecutive days.

Section 2. Registration required.

Effective January 1, 2025, any person seeking to operate a short-term rental unit shall register the unit with the Town Clerk's office. The owner of any short-term rental unit must register when the short-term rental will commence and shall renew the registration by January 1 in each succeeding year.

Section 3. Required information.

A separate registration shall be required for each short-term rental unit. The following information shall be included in the registration:

- a. The street address of the short-term rental unit.
- b. If the short-term rental unit is proposed in a two- or multi-family dwelling, the unit number.
- c. The tax map and lot number for the lot on which the short-term rental unit is located.
- d. The owner's name, address, telephone number and email address. If the property is owned by more than one person or by a real estate trust, limited liability company, corporation or other entity:
 - (1) The name of each individual person with an ownership interest in any entity that is the record owner. For purposes of this Ordinance, a person with an ownership interest includes members or managers of a limited liability company, officers and directors of a corporation or a corporate resolution authorizing the person seeking to register the short-term rental unit to take such action, or any similar ownership interest.
 - (2) The contact name for the person responsible for the short-term rental unit. This shall include a street address, telephone number and email address for such person. A post office box shall not be accepted unless accompanied by a street address.
 - (3) If the short-term rental unit will be managed by someone other than the owner, the name, address, telephone number and email address for the person or management entity.
- e. The owner or manager shall be responsible for promptly updating any information that changes during the period of registration.
- f. For any short-term rental unit located in a condominium or a homeowners' association, the applicant shall provide evidence that short-term rentals are not prohibited by the association documents.

4. Annual registration fee.

Each annual short-term rental unit registration shall be accompanied by an application fee that is established by order of the Select Board.

5. Inspection.

Upon receipt of a complete registration application and the required fee, each short-term rental unit shall be inspected by the Fire Chief or the Chief's designee. The Fire Chief or designee shall inform the Town Clerk, in writing, whether the proposed short-term rental unit complies with applicable fire prevention and life safety requirements. If the short-term rental unit fails to meet these requirements, no registration shall be issued until identified issues are resolved to the satisfaction of the Fire Chief or designee. Each annual short-term rental unit registration shall require a new inspection.

6. Registration number; use in advertising.

After receipt of confirmation from the Fire Chief or designee that a short-term rental unit meets the applicable fire prevention and life safety requirements, the Town Clerk shall issue a numbered registration to the applicant. This registration shall be displayed in the short-term rental unit and shall be used in all advertising for the unit. The Town Clerk shall provide to the registrant copies of the Good Neighbor Policy. The same number shall be assigned to the short-term rental unit during each renewal.

7. Transfer of ownership.

Any registration issued under this Ordinance is not transferable to a new owner. Any change in the ownership or change in the members, managers or officers of an owner shall require a new registration, but shall not require a new fire inspection under Section 5 until the registration is renewed. No existing registration may be transferred to a property, or other short-term rental unit, other than the one for which it was issued.

8. Good Neighbor Policy.

The Town shall develop a Good Neighbor Policy, copies of which shall be given by the Town Clerk to any operator of a short-term rental unit. The operator of each short-term rental shall give persons renting the short-term rental unit a copy of the Good Neighbor Policy.

9. Enforcement; Penalties.

In the event that the Fire Department determines that there are any violations of applicable fire prevention and life safety requirements, those violations shall be enforced pursuant to 30-A M.R.S.A. § 4452. Violations of this Ordinance are subject to the minimum civil penalties set forth in 30-A M.R.S.A. § 4452(3). Should the Town be declared the prevailing party in any litigation initiated in order to enforce the provisions of this Ordinance, the Town shall be entitled to reimbursement for all costs associated with such litigation, including but not limited to reasonable attorney's fees.

10. Severability.

If any provision of this Ordinance shall be declared to be invalid or void by a court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.

Approved: 2024-06-11



SHORT-TERM RENTAL REGISTRATION

RENTAL UNIT INFORMATION

RENEWAL **Fee: \$150.00**

NEW APPLICATION **Fee: \$250.00**

Street Address: _____

Unit Number (if applicable): _____

Tax Map Number: _____ Lot: _____

PROPERTY OWNER INFORMATION

Has there been a change of Ownership to this property? ____ YES ____ NO

Owner Name: _____

Mailing Address: _____

Phone: _____ Email: _____

COMPLETE INFORMATION BELOW WHEN APPLICABLE

Property is owned by more than one person, by a real estate trust, limited liability company, corporation or other entity:

▪ Name of each individual with ownership interest: _____

▪ Responsible Party's Name: _____

Mailing Address (if PO Box, include street address): _____

Phone: _____ Email: _____

Property is managed by someone other than the owner:

▪ Property Manager Name: _____

Mailing Address: _____

Phone: _____ Email: _____



SHORT-TERM RENTAL REGISTRATION

Forms of payment include: cash, check (payable to Town of Kennebunk) or credit card (2.5% fee added).

Return registration form and payment to the Town Office in person or mail to the address below:

Town Clerk's Office
Kennebunk Town Office
1 Summer Street
Kennebunk, ME 04043

Location: Room 200, 2nd Floor
Phone: 207-985-2102 x 1602
Email: townclerk2@kennebunkmaine.us

By signing below, the property owner acknowledges that they have read the Good Neighbor Guide and the Fire Safety at Your Home Away From Home documents. The property owner agrees to clearly post these documents and the Short Term Rental Registration within their rental. The property owner also understands that the registration fee is non-refundable.

Upon submission of a completed application, a member of Kennebunk Fire & Rescue will contact the property owner to schedule an inspection within 30-45 days. A Short-Term Rental Registration will be mailed to the property owner following a successful inspection.

Signature of Property Owner

Date

.....
Office Use Only

Date Application Received: _____ Fee Paid: _____ Registration Number: _____

Date Fire Inspection performed: _____

Town Clerk: _____ Date Application Completed: _____

Justin Cooper, Fire Chief
 Beau Gleason, Deputy Chief
 Colin Ayer, Deputy Chief



William Van Deinse, Call Force Deputy Fire Chief
 Christopher Paré, Call Force Deputy Fire Chief
 Michael Casey, Acting Call Force Deputy Fire Chief

KENNEBUNK FIRE RESCUE

KENNEBUNK, MAINE

BUILDING INFORMATION				
Address:				
Owners Contact Information:				
LIFE SAFETY CHECKLIST	YES	NO	N/A	COMMENTS
How many bedrooms are there?				
Are there working smoke detectors (alarms):				
a. On each level of the building and dwelling unit and near each bedroom, including the basement?				
b. In each bedroom?				
Are there working carbon monoxide alarms (CO detectors)?				
a. Outside each bedroom or sleeping area?				
b. On each level of the building?				
Does each dwelling unit have two separate ways out?				
Are all egresses or 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 three or more dwelling units do they have fire-rated, self-closing, easily opened, and able to be used?				
Do all exit stairways have handrails that are securely mounted?				
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?				
Are there portable fire extinguishers available, inspected, and mounted?				
Are building and units properly marked?				
Is there an existing supervised fire alarm system and if so has it been inspected?				
Is there an existing sprinkler system and if so has it been inspected?				
If there is an existing reporting fire alarm system and or sprinkler system, is there a KNOX box with updated keys for the building?				
Is there a posted floor plan?				
Are electrical outlets free from multiple cords and adaptors?				

CODE REFERENCE: NFPA 101 2018 edition

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.

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 from 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.

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 ft² in area within the dwelling shall be provided with two primary means of escape remotely located from each other.

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.

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.

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.

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.

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.

2024-06-11



SHORT-TERM RENTAL REGISTRATION FAQs

Q. How is a short-term rental defined?

A. A short-term rental unit is defined as any dwelling unit that is rented for less than fifteen (15) days.

Q. How does registration work?

A. Registration applications are available online and in the Town Clerk's office for any person seeking to operate a short-term rental. All short-term rental units shall be registered with the Town Clerk's Office each year and all registrations shall be renewed each year by January 1st.

Q. Will I receive a renewal reminder?

A. The Town will publish reminders for registration renewals on its website and social media accounts. You can sign up to receive email and text message notifications from our website at: www.kennebunkmaine.us/notifyme.

Note: If we do not have your correct/updated contact information notifications and reminders may be delayed or returned as undeliverable.

Q. How do I update my contact information?

A. Any changes to your short-term rental registration **should** be emailed directly to: townclerk2@kennebunkmaine.us. For any other change of information not related to short-term rentals, please refer to the Town's website, select "Online Services" on the home page, and then select "Change of Address."

Q. Is my Short-Term Rental Registration transferable?

A. **No.** Short-term rental unit registrations are not transferable to a new owner or location. Any change of ownership requires a new registration and each short-term rental unit must be registered individually.

Q. Will my short-term rental unit need to be inspected?

A. Yes. All registered short-term rental units require an inspection by the Kennebunk Fire Department. Inspections will be made to ensure compliance with the fire code standards. A representative from the Fire Department will contact you directly to schedule an inspection once you have applied to register your short-term rental unit.

Q. What action is needed once my application is approved?

A. The Town will send you a Short Term Rental Unit Registration, which must be clearly displayed in the rental, along with the "Good Neighbor Guide" and "Fire Safety at Your Home Away from Home" documents. Your registration must be renewed each year prior to January 1st and the Select Board shall establish fees for the registration of short-term rentals. Please contact the Town Clerk's Office at 207-985-2102 x 1602 with any questions.

2024-06-11



GOOD NEIGHBOR GUIDE

POLICY AND PROCEDURE

WELCOME to the Town of Kennebunk. We hope you enjoy our community. Just a reminder that you are renting in a residential community and many of your neighbors may be early risers. As such, the following policies and procedures will help to ensure an enjoyable visit in Kennebunk as well as respecting our community. Failure to comply with the policies may result in fines and/or penalties for you, the renter, as well as the property owner. If you have any questions about the information contained in this document, we recommend you reach out directly to the property owner for clarification

NOISE Guests should be considerate and respectful of the neighbors' right to quiet and peaceful enjoyment. Loud or excessive noise, especially between the hours of 10 p.m. and 7 a.m. Monday through Saturday and 10 p.m. and 9 a.m. on Sunday are not permitted.

PARKING Parking for your rental is limited to on-premises parking with an approved parking plan that can be provided to you by the property owner. See below for information about beach parking.

BEACH USE The Town of Kennebunk has three beaches: Gooch's Beach, Middle Beach and Mother's Beach. Kennebunk Beaches are located along Beach Avenue, off Routes 9 and 35. You can drive to and park in the available parking spots along the stretch of Kennebunk beaches. However, beach passes are required to park at the beach from June 15th through September 15th. Visitor passes (non-resident) for a day, a week, or for the season are available at kiosks located on the three beaches, online at [Passport Parking \(ppprk.com/park/\)](http://Passport Parking (ppprk.com/park/)) or at the Town Hall. For more information regarding beach rules please review our Non-Zoning Ordinances at www.kennebunkmaine.us/ordinances.

EVENTS & OCCUPANCY Large events such as weddings and family reunions can have negative impacts on residential neighborhoods and may be governed by other ordinances in the Town. Please check with the property owner and your vacation home's policies before planning large gatherings at your short-term rental.

TRASH/RECYCLING The trash and recycling collection starts at 6:00 a.m. All trash and recycling should be out at curbside in the proper Town receptacles no earlier than 3:00 p.m. the day before your collection and no later than 6:00 a.m. on your collection day. The bin with the black cover is for trash which must be in a Town-approved plastic trash bag (purchased at Hannaford, Ace Hardware or the Town Hall if not provided by the property owner). The bin with the green cover is for recycling which does not require a bag but must close completely. You should confirm with the property owner which day of the week trash is picked up for your location. More information about trash collection can also be found on the Town's website at www.kennebunkmaine.us/trash. Placing residential or commercial trash in public receptacles is prohibited.

PETS All pets are required to be on leashes whenever they are in unenclosed areas or on public streets. You are required to pick up and dispose of their waste, and excessive/frequent noise or trespassing on neighbor's property is not permitted. For specific information regarding dogs on the beaches, please visit: www.kennebunkmaine.us/dogsonbeach.

FIRE SAFETY & EMERGENCIES Please refer to the *Fire Safety at Your Home Away from Home* document for tips on fire safety in your rental. **In an event of an emergency, dial 911.** For non-emergency issues, the Kennebunk Police Department number is 207-985-6121.



Fire Safety at Your Home Away from Home

Peer-to-peer hospitality services, such as Airbnb, Vacation Rentals by Owner and other types of vacation rentals are not regulated in the same way as hotels. Requirements vary widely across jurisdictions. Act as your own safety advocate and know before you go. Be sure the following safety measures are addressed.

SAFETY TIPS

- ✓ Working smoke alarms are in every sleeping room. They are outside each separate sleeping area. They are on every level of the home.
- ✓ Working smoke alarms are interconnected, if possible. When one alarm sounds, they all sound.
- ✓ Portable fire extinguishers are in the home and are easy to reach.
- ✓ Working carbon monoxide alarms are outside each separate sleeping area. They are on every level of the home and in other locations as required by laws, codes, or standards.
- ✓ The owner has posted a floor plan. It notes all escape routes and exits and provides emergency contact information.
- ✓ Everyone knows the address of the home.
- ✓ Everyone staying in the home has identified two ways out of every room and how to escape in an emergency.
- ✓ All doors and windows that lead outside are able to be opened.
- ✓ An outside meeting place has been chosen. It is a safe distance away from the home.
- ✓ Everyone knows how to call 9-1-1 or the local emergency number from a cell phone from outside.
- ✓ If smoking is allowed, a smoking area has been designated and is well away from the structure. Deep, sturdy ashtrays have been provided.
- ✓ All pathways are free and clear of tripping hazards.
- ✓ Electrical outlets are free from multiple cords and adaptors.
- ✓ The stovetop is clear. Anything that can catch fire is not near the stovetop, such as curtains and towels.

WINDOW AND DOOR ALERT!

Be on the lookout for rooms with tiny windows. These are too small to serve as a means of escape.

Security bars on doors and windows can trap people in a fire. Make sure any security bars have quick-release devices. Tools, keys, or special efforts should not be needed to open them.

KNOW BEFORE YOU GO

Peer-to-peer hospitality services are not regulated in the same way as hotels. Requirements vary widely across jurisdictions. Do your homework before making a reservation. Check online to see your travel destination's regulations for rental properties. Ask your host if the property meets the regulations. Discuss other safety concerns you may have.

Check the forecast in case of storms that could cause power outages; assure the property has equipment (batteries, lanterns, etc.) in the event of a power outage.



**NATIONAL FIRE
PROTECTION ASSOCIATION**

The leading information and knowledge resource
on fire, electrical and related hazards