

Chapter 139. Short-Term Rental Registration

[HISTORY: Adopted by the Town Meeting of the Town of Casco 6-15-2022 ATM by Art. 40. Amendments noted where applicable.]

§ 139-1. Purpose; authority.

Casco residents prize the peace and quiet of their residential neighborhoods. In recent years, a growing number of property owners are renting out their property to vacationers on a short-term basis throughout the year. In order to preserve the fabric of residential neighborhoods and to protect the safety of visitors and residents, the Town of Casco believes the operation of short-term rentals (STRs) must be efficiently and effectively regulated. This chapter was developed with an interest in balancing the desire of the property owners who wish to rent their properties to short-term tenants with the desire of residents who want to preserve the peaceful quiet and enjoyment of their residential neighborhoods.

§ 139-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DWELLING UNIT

A room or group of rooms designed and equipped exclusively for use as living quarters by one family including provisions for living, sleeping, cooking and eating. This does not include hotels, motels, recreational vehicles, or other temporary trailers.

HOSTED SHORT-TERM RENTAL

A dwelling that is occupied by the owner when any part of the dwelling unit is rented as a short-term rental.

LONG-TERM RENTAL

A dwelling unit that is rented to renters/guests for a period of more than 30 consecutive days.

SHORT-TERM RENTAL (STR)

A dwelling unit that is rented to renters/guests for a period of less than 30 consecutive days.

UNHOSTED SHORT-TERM RENTAL

A dwelling that is not occupied by the owner when any part of the dwelling unit is rented as a short-term rental.

§ 139-3. Registration; annual renewal necessary.

- A. No dwelling unit may be rented, or otherwise held out as being available for rent as a short-term rental, without first registering the same with the Town of Casco in a manner consistent with this chapter.
- B. A short-term rental registration is valid for a period of one year from the date of issue. A short-term rental registration must be renewed annually, and must also be re-registered upon any change in

ownership of the dwelling unit.

- C. Registration applications, which shall be prepared and made available by the Code Enforcement Officer, shall provide all information required to demonstrate compliance with the performance standards contained in this chapter, as well as the following materials:
 - (1) Copy of plot plan. Showing the location of the short-term rental, the location of all parking spaces required by § 139-4C of this chapter, and the location of the leach field associated with the dwelling unit. Such plot plans may be hand drawn or created using the GIS data compiled and maintained by the Town.
 - (2) Floor plan drawing. Shows the general layout of the short-term rental. A property's layout can be downloaded from Town of Casco website under Tax Assessor and GIS Map. This floor plan must show bedrooms, hallways, emergency exits, and the locations of carbon monoxide detectors, smoke detectors and required fire extinguishers. Such floor plans may be hand drawn.
 - (3) Application fee in an amount consistent with the Town's fee schedule.
- D. Once submitted, all short-term rental registrations shall be reviewed by the Code Enforcement Officer for completeness. Once deemed complete, the Code Enforcement Officer shall either grant, grant with conditions, or deny each application.
- E. Upon completion of the registration, all applicants will have a copy of the following:
 - (1) Town of Casco Short-Term Rental Registration Ordinance.
 - (2) Signed Town of Casco short-term rental registration application.
 - (3) Good Neighbor flyer.

§ 139-4. Performance standards.

All short-term rentals within the Town shall comply with the following performance standards:

- A. Emergency contact. The dwelling unit's owner must provide an emergency contact who is able to respond within three hours (24 hours per day) to complaints regarding the condition, safety or operation of the short-term rental or the conduct of guests and must be able to take such remedial action on behalf of the owner, or as otherwise allowed by law, to resolve such complaints.
- B. Occupancy limits. Occupancy within a short-term rental is limited to a maximum of two guests per legally permitted bedroom (as determined by the Code Enforcement Officer) plus an additional two guests.
- C. Parking. The dwelling unit's owner must provide off-street parking for the guests. Parking in a manner that impedes access by emergency vehicles to the property or any other dwelling in the neighborhood is prohibited.
- D. Trash disposal. The dwelling unit's owner must provide trash containers for household trash. Trash bags must be tied securely and placed in provided containers. The dwelling unit owner shall ensure that the trash is removed from the property at the end of each rental period.
- E. No serving of food by owner. No food shall be prepared for, or served to, short-term rental guests by the owner in a manner that would require a victualer's license from the Town, or an eating establishment license from the State of Maine.
- F. Habitability of dwelling unit. A dwelling unit may not be rented as a short-term rental if the same has not received a certificate of occupancy from the Code Enforcement Officer, has been declared to be a "dangerous building" by the Selectboard, as defined by state law, or has otherwise been declared to be unfit for human habitation by the Local Health Officer.

- G. Distribution of good neighbor flyer. A copy of a "Good Neighbor Flyer" prepared and maintained by the Town shall be posted in the short-term rental.

§ 139-5. Complaints, penalties, violations and enforcement.

- A. Complaints concerning short-term rentals. All complaints regarding short-term rentals shall be brought to the attention of the Code Enforcement Officer through the completion and submission of a Citizen Complaint Form. Any complaints that interrupt the quiet enjoyment of a resident in their home or immediate neighborhood may be reported to the Cumberland County Sheriff's Department. The Code Enforcement Officer shall establish and maintain a record of all complaints received for each short-term rental and investigated by the Code Enforcement Officer. The Code Enforcement Officer shall seek to obtain voluntary compliance through the correction of all substantiated complaints by the short-term rental registrant. A list of complaints and any resolutions shall be reported to the Town Selectboard by the Code Enforcement Officer annually.
- B. Suspension or revocation of a registration. If in the opinion of the Code Enforcement Officer a violation of this chapter exists and cannot be resolved within a reasonable time period, and if the nature and/or number of complaints warrants further review of the registration, the Code Enforcement Officer shall provide a report to the Town Manager, and the Selectboard if necessary, for review and consideration. If the violation requires Selectboard engagement, a public hearing will be held and the Selectboard may condition, suspend, or revoke a short-term rental registration on the basis of the dwelling unit owner's noncompliance with this chapter. Any decision of the Selectboard described above may be appealed to the Maine Superior Court within 30 days of that decision, consistent with Rule 80B of the Maine Rules of Civil Procedure. Registrants who have previously had a registration(s) revoked pursuant to this chapter shall be allowed to be registered in the future only by order of the Selectboard.
- C. Violations and enforcement. Failure to comply with any requirement of this chapter shall result in the issuance of a notice of violation from the Code Enforcement Officer or other authorized official of the Town. If the violation is not addressed within the time period established in the notice of violation, the Town may bring an enforcement action in the Maine District or Superior Court. Each violation shall be subject to a minimum fine of \$100. Each day that the violation continues shall be considered a separate violation. In the event that the Town is successful in proving a violation, it shall be entitled to recover its attorney's fees and costs in bringing the enforcement action.

§ 139-6. Appeal.

Decisions of any Town official under this chapter shall be appealed to the Selectboard within 30 calendar days of the date of the decision. Appeals shall be with the Town Clerk and shall include a summary of the decision from which the appeal is taken and a summary of the issues for which review is sought.

§ 139-7. Severability.

Should any section or provision of this chapter be declared to be invalid by a court of competent jurisdiction, such decision shall not invalidate any other section of this chapter.

§ 139-8. Conflicts with other ordinances.

This chapter shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other ordinance, rule, regulation, permit, or provision of law. Whenever the requirements of this chapter are in conflict with the requirements of any other lawfully adopted ordinance, rule, regulation, permit, or provision of law, the most restrictive shall apply.



Town of Casco Short-Term Rental (STR) Registration Application

PLEASE CHECK ONE

This is a NEW STR Registration. _____

This is a STR Registration Renewal. _____

PROPERTY INFORMATION

- PROPERTY ADDRESS _____
- TAX MAP AND LOT _____
- DWELLING TYPE (SEE DWELLING UNIT UNDER DEFINITIONS)

- PROPERTY OWNER NAME AND MAILING ADDRESS _____
- PROPERTY OWNER PHONE AND EMAIL _____

EMERGENCY CONTACT

The Emergency Contact may be the property owner or a registered agent or representative. The Emergency Contact must be able to respond within three hours (24 hours per day) to complaints regarding the condition, safety or operation of the short-term rental or the conduct of guests and must be able to take such remedial action on behalf of the owner, or as otherwise allowed by law, to resolve such complaints.

EMERGENCY CONTACT:

NAME _____

ADDRESS _____

PHONE _____

EMAIL _____

**TYPE OF SHORT-TERM RENTAL:
(CHECK ONE)(SEE DEFINITIONS)**

PRIMARY RESIDENCE HOSTED _____

PRIMARY RESIDENCE UNHOSTED _____

NON-PRIMARY UNHOSTED _____

PARKING

Number of off-road parking spaces available to tenants. _____

CODE COMPLIANCE

OCCUPANCY

Number of bedrooms _____ Septic size (if known) (Gallons per day/Number of bedrooms)

FIRE SAFETY

Indicate number of each in the STR property:

Smoke Alarms _____ Carbon Monoxide Detectors _____ Fire Extinguishers _____

SEPTIC SYSTEM

Provide date when was the septic system for the STR property was last pumped out. _____

PLEASE NOTE

The *recommended* pumping schedule for normal use of a septic system is every three years

WATER TESTING

Provide date when the drinking water of the STR property was last tested. _____

PLEASE NOTE:

The State of Maine requires the landlord or building manager of a dwelling that is rented for human habitation and for which the water supply is a residential private drinking water well shall obtain a water test every 3 to 5 years.

PROPERTY OWNER ACKNOWLEDGEMENT OF RESPONSIBILITIES

I understand that failure to meet the following operating standards will result in a violation of the Town of Casco STR Registration Ordinance.

A. Emergency Contact.

The dwelling unit's owner must provide an Emergency Contact who is able to respond within three hours (24 hours per day) to complaints regarding the condition, safety or operation of the short-term rental or the conduct of guests and must be able to take such remedial action on behalf of the owner, or as otherwise allowed by law, to resolve such complaints.

B. Occupancy Limits.

Occupancy within a short-term rental is limited to a maximum of two (2) guests per legally permitted bedrooms (as determined by the Code Enforcement Officer) plus an additional two (2) guests.

C. Parking.

The dwelling unit's owner must provide off-street parking for the guests. Parking is prohibited in a manner that impedes access by emergency vehicles to the property or any other dwelling in the neighborhood.

D. Trash Disposal.

The dwelling unit's owner must provide trash containers for household trash. Trash bags must be tied securely and placed in provided containers. The dwelling unit owner shall ensure that the trash is removed from the property at the end of each rental period.

E. No Serving of Food by Owner.

No food shall be prepared for, or served to short-term rental guests by the owner in a manner that would require a victualer's license from the Town, or an eating establishment license from the State of Maine.

F. Habitability of Dwelling Unit.

A dwelling unit may not be rented as a short-term rental if the same has not received a certificate of occupancy from the Code Enforcement Officer, has been declared to be a "dangerous building" by the Selectboard, as defined by state law, or has otherwise been declared to be unfit for human habitation by the Local Health Officer.

G. Distribution of Good Neighbor Flyer.

A copy of a "Good Neighbor Flyer" prepared and maintained by the Town, shall be posted in the short-term rental. (This shall be posted separate from any private information from the owner).

The signature below certifies that I am a legal owner of the subject property and the information provided on this application is in all respects true and accurate to the best of my knowledge and belief.

I agree that I have reviewed the Town of Casco Short-term Residential Rental Registration Ordinance and the Property Owner Acknowledgement of Responsibilities. I understand the described regulations and agree to abide by them. I have also reviewed the Good Neighbor Brochure, and will post this in my STR property for my guests,

APPLICATION FEE OF \$100.00 MUST BE SUBMITTED WITH APPLICATION:

Signature:

Date:

Be a Good Neighbor

Welcome to Casco, Maine! We want all guests and vacationers to enjoy our peaceful, quiet community. Please respect our neighborhoods and extend the same courtesy to your neighbors here as you would your neighbors at home.

- If you're not sure where the property line is, ask the owner or abutting neighbor.
- The speed limit on camp roads is posted to keep our neighborhoods safe, prevent damage to our roads, and keep dust down (which is a pollutant to our lakes and an irritant to humans). Please observe the posted speed limit and drive carefully.
- Keep noise to a minimum, especially after 10 p.m. Most people come to Maine for the quiet relaxation it affords. Loud radios, rowdy behavior and offensive language are not appreciated by your neighbors, especially if they have young children, or need to get up early to go to work.
- Boating laws cover life jackets, personal watercraft, speed and operating under the influence. Please follow these laws.
- Campfires are allowed only with the property owner's permission and a Town of Casco permit. If the property owner has not secured a permit, campfires are not allowed.
- Maine State law requires that fireworks cannot be set off after 10 pm, with the exception of the 4th of July and New Year's. Please consider the impact on neighbors and their pets if you wish to set off fireworks during your stay.

Make your stay memorable.

Please review this important information below.

I. Help Protect our Lakes

The lakes in our community are clean and beautiful, but like all lakes, they are sensitive. Your actions impact water quality and we all play a part in keeping our lakes clean and pure.

- Under Maine State law, no one can intentionally introduce foreign substances (including soap and shampoo) into our waters without a permit. Please use phosphate-free soaps for laundry and dishwashing, and do not bathe or wash hair in the lake. Phosphorus is the nutrient that most influences the growth of algae in lakes.
- Do not remove vegetation in the lake or along the shoreline. Plants help filter out pollution and prevent erosion.
- Don't remove rocks from the shore. Stones and rocks that are either naturally or deliberately placed at the lakeside are keeping earth from getting into the lake. Do not allow youngsters to pick them up or throw them into the water.
- Please clean your boat of any and all plant matter before launching it into one of our lakes.
- By Maine law, all boats must keep at or under headway speed within 200 feet of shore.

II. Rental Property Occupancy

The rental property owner will provide the maximum number of occupants permitted to stay in the rental unit. Compliance with occupancy rules will assure that you and your neighbors will both enjoy your stay. Large gatherings that involve an assemblage of vehicles or persons more than the maximum allowable number of short-term guests are prohibited for short-term rental guests.

III. Keep the Septic System Safe

Septic systems are not sewers; the waste that goes into them stays on the premises. Please do not flush anything that is not entirely and rapidly biodegradable. Disposable diapers and personal cleanliness wipes are not flushable. Cooking grease is especially bad – it rises to the top of the tank and clogs the intake baffle as it hardens. It can take as long as 30 years to biodegrade, so please keep a container for cooking grease at hand, and dispose of it in the trash. If you are not sure whether or not something is really biodegradable, don't flush it!

IV. Secure Your Trash

Trash bags must be tied securely and placed in provided containers. Please make sure the lids of containers are put on tightly or strapped with a bungee cord to keep out skunks and raccoons. Never leave bags of trash out in the open, day or night.

V. Know Where to Park

The owner of your rental unit should have provided you with information detailing how many vehicles you can have, and where to park. Please be mindful of where you park; do not block driveways, fire hydrants, or the road itself.

VI. Control all Pets

Maine has a leash law. If your vacation rental allows dogs, please keep your dog on property and under your direct voice control at all times. Do not let your dog run loose at any time. When you clean up after your dog, bag and discard the waste in the trash; pet waste can carry harmful bacteria. Be considerate of your neighbors (as well as your pets!) and do not leave your pet alone outside in an unfamiliar place where they may bark or cry for you.

VII. Wildlife Protection

Please be considerate of our wildlife. Help keep their habitat clean and comfortable, and don't agitate the lakefront unnecessarily where waterfowl may be nesting.

Common loons are protected from pursuit, harassment and capture by federal law. While it may be tempting to get close to loons, human disturbance is one of the greatest threats to loons' breeding success. As with all wildlife, you may enjoy loons from a distance.

