

## **TOWN OF GORHAM SHORT TERM RENTAL REGULATIONS**

### **A. PURPOSE AND AUTHORITY**

The purpose of the Town of Gorham Short Term Rental Regulations is to allow Short Term Rentals, as allowed by the Gorham Zoning Ordinance, for the benefit of both homeowners and visitors to our community, while ensuring safety and minimizing neighborhood disruption resulting from this type of business activity by requiring permits pursuant to RSA 41:11-c.

### **B. DEFINITION**

Short Term Rentals are dwelling units where transient lodging is offered for rent in increments of less than 30 nights, and are not associated with commercial tourist accommodations.

### **C. PERMIT REQUIRED**

On or before July 1, 2022, all Short Term Rental units must have a permit with the Town. An application form is available at [gorhamnh.org](http://gorhamnh.org) or at the Town Office. An application form signed by the Selectboard designee shall constitute a Short Term Rental Permit.

The permit shall be valid for a one year period (7/1 to 6/30). Annual renewal must be completed prior to expiration. If a property fails inspection, the applicant will have a 30-day grace period to remedy these deficiencies for re-inspection. Failing to renew the license prior to expiration shall be treated the same as operating a Short Term Rental without a license.

### **D. FEES**

A fee will be established annually by the Board of Selectmen to cover the cost of administration and inspections.

### **E. PERMIT CRITERIA**

1. The dwelling unit must be in compliance with all applicable National Fire Protection Association (NFPA) codes adopted by the State of New Hampshire at all times. This includes but is not limited to properly installed and functioning smoke and CO detectors, windows and/or doors for emergency egress in operational order, a functional fire extinguisher visibly installed in any kitchen area, and proper location provided for operation of any grill provided.
2. The dwelling must be in compliance with the following minimum Health Home Requirements at all times:
  - a. Hot and cold running water in the proper temperature range.
  - b. Functioning sewage disposal system.
  - c. Free from evidence of insects, rodents, and mold.
  - d. Chemicals and cleaning products are properly marked and stored to prevent access by children.
3. The property must be in compliance with all Town Ordinances at all times, including but not limited to Zoning, Wild Animal (regarding provision of a location for proper storage of refuse), and Parking.
4. The maximum number of people that the dwelling unit can be advertised for in any published listing or other form of marketing shall be two (2) people for each bedroom listed on the town tax card (unless a different number of fully code compliant sleeping areas is determined based upon inspection, building permit or NHDES Application for Individual Sewage Disposal System) plus two (2) additional people.
5. All vehicles must be parked on the property in designated parking areas.

6. Guests must comply with town ordinances and state laws at all times including but not limited to Gorham's Noise, Wild Animal (regarding proper storage of refuse), Parking and OHRV Ordinances, and NH RSA 227-L:17 requiring a permit for operation of a fire pit if any.
7. The owner of a Short Term Rental unit must provide proof of a current NH Rooms and Meals Tax license number.
8. A local contact is required who can respond to any emergencies or potential violations in a timely manner.

#### **F. ENFORCEMENT**

The owner of any unregistered Short Term Rental unit will be fined as follows starting August 1, 2022:

First offense: Written warning

Second offense, after allowing 10 days for registration since receipt of notice of first offense: \$100

Third offense, after allowing 10 days for registration since receipt of notice of second offense: \$500

Additional offenses, after allowing 10 days for registration since third offense: \$1,000 per 10-day period.

#### **G. DISCOVERY OF IMMINENT THREAT TO HEALTH, LIFE, OR SAFETY**

Pursuant to NH RSA 147:4, 147:11, or 154:21-a, should an imminent threat to health, life or safety be discovered, the Short Term Rental shall be vacated, and the permit suspended until such time that the problem is corrected.

#### **H. REVOCATION**

The Board of Selectmen or their designee may revoke a permit for any Short Term Rental unit upon notice by the town's Health Officer, Police Chief, Fire Chief, or Code Enforcement Officer that the dwelling is in violation of any item listed in E. Permit Criteria or Permit Conditions.

Revocation for violations of Section E.6 or guests otherwise causing a nuisance to neighboring properties or the public will require a minimum of three incidents within one year, validated by any sworn law enforcement officer with jurisdiction, with documentation of notification of the contact person. Any owner found to be operating a Short Term Rental after revocation of the permit will be fined \$1,000 per 10-day period.

If a permit is revoked, the owner may appeal the decision to the Board of Selectmen within 30 days of the date of revocation, and the Selectmen shall hold a hearing on the appeal within 45 days and either affirm the revocation or overturn the revocation. If the revocation is overturned, the Selectmen can impose conditions upon the reinstatement of the permit.

Please return completed application to:

Town of Gorham

20 Park Street

Gorham, NH 03581

**TOWN OF GORHAM NEW HAMPSHIRE**

**APPLICATION FOR SHORT TERM RENTAL PERMIT**

**APPLICANT INFORMATION**

Owner Name \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

\_\_\_\_\_

**LOCAL CONTACT (IF OTHER THAN OWNER)**

Name \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_ Alt. Phone \_\_\_\_\_

**PROPERTY INFORMATION**

Street address \_\_\_\_\_ Tax map/lot number \_\_\_\_\_

Number of bedrooms \_\_\_\_\_

☐ Please clearly show the location of each sleeping area, including any room other than a bedroom intended for overnight occupancy by guests. In most cases the best way to do this will be to attach a copy of the building sketch in the town assessing records with sleeping areas labelled.

☐ Please clearly show each individual parking space to be used by guests. This can be drawn generally to scale on graph paper or on an orthophoto of the property obtained on-line.

**TYPE OF SHORT TERM RENTAL (PLEASE CHECK OFF ONE)**

\_\_\_\_\_ I plan to offer a single-family dwelling or one/two (please circle one) unit(s) in a two-family dwelling or single-family dwelling with accessory unit for rent for no more than 120 days/year.

***Please note that all of the following require a Zoning Permit for a Home Occupation prior to issuance of a Short Term Rental Permit:***

\_\_\_\_\_ I plan to offer one/two (please circle one) bedroom(s) for rent in the home I own and occupy.

\_\_\_\_\_ I plan to offer one dwelling unit for rent for more than 120 days/year in a two-family dwelling that I own and occupy.

\_\_\_\_\_ I plan to offer one dwelling unit for rent for more than 120 days/year in a single-family home I own and occupy that has an accessory dwelling unit.

***Any rental of dwelling units or rooms in a dwelling not listed above is considered to be a Tourist Accommodation pursuant to the Town of Gorham Zoning Ordinance. Tourist Accommodations are permitted only in the Commercial A and Commercial B Districts and must have Site Plan Approval from the Planning Board.***

**BY SIGNING BELOW, I ATTEST TO THE FOLLOWING:**

1. Smoke/CO detectors are installed in areas defined by the NH State Fire Code and NH State Building Code and will be properly maintained and functioning at all times.
2. Windows and/or doors designated for emergency egress will be maintained and in operational order at all times.
3. No basement space will be used as a sleeping area unless there are properly sized egress windows and/or doors conforming to the NH State Fire Code and NH State Building Code.
4. A functional fire extinguisher will be visibly installed in any kitchen area at all times.
5. The maximum number of people that the dwelling unit will be advertised for in any published listing or other form of marketing shall be two (2) people for each bedroom plus two (2) additional people.
6. I will inform all renters that all vehicles must be parked on the property and in designated parking areas.
7. I will provide all renters with copies of the Town's Noise Ordinance and OHRV Ordinance.
8. I will provide a secure location for trash storage and instructions to renters regarding trash pick-up.
9. If a fire pit is provided, I will inform renters of the requirement to obtain a permit from the Fire Chief or his designee prior to use pursuant to RSA 227-L:17.
10. I understand that an inspection of my property by town officials will be required prior to issuance and any future renewal of my permit.

NH Rooms & Meals Tax License # \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

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Below this line for Town use only:

Conditions \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Selectboard Designee

\_\_\_\_\_  
Date