

Brigantine Short-Term Rental Committee Recommendations

By Sera, Haney, & Lettieri

August 16, 2023

Background:

About 200 residents have reached out to representatives of the City to express their concerns about how Short-Term Rental properties are operating in our community.

The overall complaints boil down to how the current operation of many short-term rental properties are having a negative impact on the quality of life of the residents who live around the properties.

Challenge/ Issue to address:

1. Current regulations not being fully enforced.
2. Renters partying and being loud all hours of the night.
3. Bachelor and Bachelorette Parties.
4. Commercial use of properties in residential zones
5. Packing too many people into rental properties.
6. Illegal parking and/or taking up every available parking spot on a given block.
7. Occupancy levels are too high for residential neighborhoods.
8. Increased strain on city services.
9. Too Transient with constant turnover of renters.

Committee Proposed Solutions:

All recommendations are proposed to take effect by January 1st of 2024

Minimum Night Stay:

April - October:

- 1 and 2 bedroom - no minimum
- Owner occupied - no minimum (need legal language to define owner occupied to prevent someone from getting around the rule)
- 3 bedroom and up - 2 night minimum

November - March:

- 1 and 2 bedroom - no minimum
- Owner occupied - no minimum
- 3 bedroom and up - 30 day minimum

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Regulations/ Rules:

1. Minimum age to rent will be 25. (1 and 2 bedroom and owner occupied - 18 and up)
2. All short-term rental properties must visibly post maximum occupancy.
3. Short-term rental properties are not allowed to advertise in combination with other properties. Advertised occupancies can only reflect a single property.
4. All short-term rental properties must have a local operator, within Atlantic County, who can be contacted and is authorized to handle issues and make decisions for the property.
5. All short-term rentals with 3 bedrooms and up must have a functioning noise meter located within the property.
6. Better enforcement of the City's trash regulations. Trash must be put out at the proper times and not left on the street or in the alleys for days on end.
7. Better enforcement of the City's parking regulations.
8. Any short-term rental property that receives 7 or more documented violations within any 6 month period will have their licenses immediately suspended for the next 6 months.
9. Any short-term rental property who has their licenses suspended twice within a 3 year period will have their licenses suspended for a 3 year period.
10. The City will update its short-term registration to collect necessary information and to have short-term rental property owners sign off/ acknowledge key regulations and penalties.
11. All short-term rental properties must demonstrate that they have the proper/ required insurance to cover their operations.
12. Zoning Officer and Fire Official will both review short-term rental licenses applications/ forms to ensure that the requested use of the property fits within the zoning and permitted use at the properties location.
13. The City needs to develop regulations that will prevent commercial use of short-term rental properties where commercial use is not allowable.
14. City needs to develop a set of rules that must be visibly posted within all short-term rental properties.

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The City's Needs:

1. Proper number of employees to appropriately address and track issues.
2. Properly enforce all regulations regarding short-term rental properties.
3. Streamline the process for the public to file complaints concerning short-term rental properties.
4. Clearly defined procedure on how the City and the community will handle issues with short-term rental properties.
5. Program/ tracking system to help the City keep proper records and documentation of reported issues with all short-term rental properties on the Island.
6. The City needs to improve its communications with short-term rental owners/ operators to let them know about the issues and challenges concerning their individual properties.
7. The City will maintain an updated list of all short-term rental properties that will be available to all city staff/ personnel that deal with any potential short-term rental property issues.
8. Streamline license and inspection process for short-term rental owners.
9. Implement an online form and payment system for short-term rental property licenses and inspections.
10. Work with our state representatives to update state parking requirements to meet the needs of the shore communities. (Currently, the UCC only allows a maximum of 3 spots per house.)

Taxes and Fees:

1. The City will implement a 1% tax as allowable by state law.
2. Graduated License Fee Schedule:
 - a. \$250 per bedroom. The fee will include both the summer and winter rental inspections.

Timelines:

1. August 16th - Move committee recommendations to full council.
2. September 6th - Public discussion at council meeting. (No action will be taken at this meeting)
3. September 20th - 1st opportunity for council to vote on STR rules and regulations.