

# Annual Short-Term Rental Permit Application

Town of Boone Planning & Inspections Department

680 W. King Street, Suite C ♦ Boone, North Carolina 28607

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: [planning@townofboone.net](mailto:planning@townofboone.net) ♦ [www.townofboone.net](http://www.townofboone.net)



## A. Required to be Submitted at Time of Application for Permit.

Each application is entitled to two reviews: an initial review of the submitted application and a second review if revisions or supplemental information is required based upon the first review. If any additional review is required due to failure to comply with requirements, each subsequent review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal. **Failure to provide all information required on this application may delay issuance of the requested permit.**

- \$500.00 Permit Fee
- Proof of insurance that covers the homestay or vacation rental use and the homestay or vacation rental renters.
- This Application form, fully completed, signed and dated by the property owner(s)

### Homestay Rental Requirements

- Two documents establishing proof of residence. Acceptable proof includes: tax bill; lease, or utility bill
- Scaled site plan demonstrating that the property contains at least one parking space for each guest bedroom above and beyond the two parking spaces required for the dwelling.

### Vacation Rental Requirements

- Scaled site plan demonstrating:
  - that the property contains at least one parking space for each guest bedroom
  - compliance with UDO Article 31 Landscape Standards

## B. Property & Property Owner Information

Street Address:

Unit:

Number of guest rooms in unit:

Property Owner Name:

Property Owner Complete Mailing Address (Street, City, Zip):

Property Owner Phone Number:

Property Owner Email Address:

## C. Short-Term Rental Operator Information (if Operator is different than the Property Owner; must be full-time resident in the case of Homestay Rental operations)

Name and Relationship to the Property (e.g., full-time tenant):

Complete Mailing Address (Street, City, Zip)

Phone Number:

Email Address:

## D. Permit Type

- New
- Renewal (Note: Renewals will require proof that prior years' occupancy taxes were paid as due under law.)

**E. Short-Term Rental Type (select one)**

Homestay Rental (fill out section F below)

A homestay rental is a resident-occupied dwelling or dwelling unit with up to two guest rooms that are used, offered, and/or advertised (through an online platform or any other media) for transient overnight lodging accommodations for compensation for any period of less than one month and where the use is subordinate and incidental to the main residential use of the property. A homestay rental is considered a "Lodging" use under the UDO. Any use that comes within the purview of another use under the UDO (e.g., motel, hotel, boarding house, etc.) shall be governed by the terms of that use and not as a homestay rental. Please select the "Homestay Rental" tab above to learn more.

Vacation Rental (whole home; fill out section G below)

A vacation rental is a single-family detached dwelling, a two-family detached dwelling, or a multi-family dwelling unit with up to six guest rooms that are used, offered, and/or advertised (through an online platform or any other media) for transient overnight accommodations for any period of less than one month. A vacation rental is considered a "Lodging" use under the UDO. Vacation rentals do not include homestay rentals (as defined within the UDO). A vacation rental includes any residential dwelling or dwelling unit, or portion thereof, provided to renters for any period of less than one month that does not qualify as a homestay rental under this ordinance; provided, that any use that comes within the purview of another use under the UDO (e.g., motel, hotel, boarding house, etc.) shall be governed by the terms of that use and not as a vacation rental.

**F. Homestay Rental Requirements**

(Each box must be checked/confirmed)

- I confirm that the zoning permit number authorizing the homestay rental shall be conspicuously posted on (i) all advertisements for homestay rentals, and (ii) on the subject property in a place that is conspicuous from the exterior of the property.
- I confirm that I am a full-time resident of the address listed in this application and will be present during the homestay term for the entire time the lodgers are staying at the property.
- I confirm that I understand that only up to two guest rooms is allowed to be utilized at this property.
- I confirm that I understand the maximum number of overnight guests for any dwelling used as a homestay rental is the greater of (i) two adults and any number of children under those adults' care, or (ii) two occupants per guest room. The occupancy limit shall be posted prominently within the short-term rental and be included in property listings on online platforms or any other media.
- I confirm that I understand that no displays of goods, products, services, or other advertising may be visible from outside of the dwelling.

**G. Vacation Rental Requirements**

(Each box must be checked/confirmed)

- I confirm the zoning permit number authorizing the short-term rental shall be conspicuously posted on (i) all advertisements for short-term rentals, and (ii) on the subject property in a location easily viewable from the exterior of the structure provided, that if the permit number cannot be viewed from a private or public street, it shall be displayed where it can be viewed from the public or private street adjoining the primary façade of the dwelling unit.
- I confirm that I understand that I am required to meet the requirements of UDO Article 31 Landscape Standards.
- I confirm that I understand that for any building that contains multiple dwelling units, no more than 5% of the dwelling units or two dwelling units, whichever is greater, may be operated as a vacation rental in any single building. Permits shall be issued on a first-come, first-served basis based on the initial application date, and thereafter may be renewed. If a permit lapses before renewal, a renewal application shall be treated like an initial application for purposes of this paragraph.
- I confirm that I understand that the rental operator or the operator's employee, management company, or other agent must be available to respond to complaints by renters or neighbors and to emergencies within two (2) hours at all times that a rental is occupied.

**H. General Requirements (each box must be checked/confirmed)**

- I confirm that I will ensure that the primary responsible renter of the homestay rental is at least 21 years old.
- I confirm that I am required to provide at least one (1) parking space per bedroom, which may not be located on any street right of way and must conform to all applicable parking regulations of this ordinance. For vacation rentals in the RA zoning district, parking shall be to the side or rear of the vacation rental dwelling.
- I confirm that I understand that cooking facilities are not permitted in any bedroom. Cooking facilities include any refrigerator in excess of seven cubic feet; any stovetop range that operates on 220-volt electric service; any appliance that operates on natural gas; or any cooktop, whether integrated into a countertop or a separate appliance, which contains more than two cooking surfaces or burners. Note: This shall not prohibit cooking facilities within a one-room studio vacation rental. For the purpose of this regulation, a studio shall be a single-room rental with a sleeping area, living area and kitchen/eating area in one consolidated room.

- I confirm that I understand that no signs advertising the property as a rental are allowed.
- I confirm that I carry insurance that covers the homestay use and homestay renters.
- I confirm that I understand that in a residential zoning district, renters of homestay or vacation rentals shall not utilize the premises for holding special events or large gatherings. I also confirm that renters shall be informed of this regulation and of the applicability of the town’s noise ordinance (Chapter 82 of the Code of Ordinances), which regulates nuisance noises and makes it unlawful to create, cause, or allow the continuance of any unreasonably loud noise, particularly during nighttime, which interferes with neighboring residents’ reasonable enjoyment of their properties.
- I confirm that I understand that the premises shall not be used for any home occupation that allows employees, customers, clients or patrons to visit.
- I confirm that I will comply with all applicable State and local laws, including those relating to fire and building codes, smoke detecting and carbon monoxide detecting equipment, and housing codes.
- I confirm that I understand that this short-term rental permit is not transferrable.
- I confirm that I have not been:
  - A. Convicted of violating any of the following criminal laws on the homestay rental premises within the prior three-year period: Article 10 (*kidnapping*), Article 10A (*human trafficking*), or Article 27 (*prostitution*) of Chapter 14 of the North Carolina General Statutes;
  - B. Convicted of committing a violent felony as defined at N.C. Gen. Stat. §14-7.7 on the homestay rental premises within the prior three-year period.
  - C. Convicted of violating any of the following criminal laws on the homestay rental premises within the prior 365-day period:
    1. Article 3 of Chapter 18B of the North Carolina General Statutes (sale, possession and consumption of alcohol)
    2. N.C. Gen. Stat. §14-71.1 (possession of stolen goods)
    3. N.C. Gen. Stat. §14-292 (unlawful gambling)
  - D. Received within a 365-day period two or more “Verified Violations” of any combination of the following, occurring on the homestay rental premises:
    1. Any Town Code zoning regulation.
    2. Any noise regulation set forth at Town Code Chapter 82.
    3. Any nuisance prohibited by Town Code Chapter 80.

A Verified Violation means a determination made by a code enforcement official, law enforcement officer, or judge, following notice of violation being issued by the Town Code and opportunity to respond to the noticed alleged offenses and an order or other mandate issued to the owner or any other person imposing a sanction or requiring further actions to comply with the Town Code, including, without any limitation, the payment of civil penalties or administrative fees, or implementation of corrective measures, or cessation of activities, or conviction of a criminal offense. A verified violation that is appealed continues as a verified violation unless it is overturned on appeal. If the violation is reinstated on a further appeal, it resumes its status as a verified violation.

**I. Property Owner and Short-Term Rental Operator Signatures**

I hereby certify that I am authorized to submit this application; that all information is correct and complete; and all use of the dwelling as a short-term rental will comply with all applicable State and local laws, ordinances, and regulations. I will ensure that the Planning and Inspections Department is notified of any changes to the information submitted with this application.

**I understand and agree that if I provide any false information on this application, any permit issued as a result of this application may be declared immediately null and void and revoked by the Town of Boone.**

Note: this form is not a permit. No use may commence until the actual permit has been issued.

<b>Property Owner (Print)</b>	<b>Property Owner (Signature)</b>	<b>Date</b>
<b>Short-Term Rental Operator (Print)</b>	<b>Short-Term Rental Operator (Signature)</b>	<b>Date</b>

**Official Use Only**

Permit Name:

Permit Number:

Date:

Fee:

Receipt Number:

Method of Payment:

Paid By:

Cash

Check Number: \_\_\_\_\_

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