

MONTREAT CODE OF GENERAL ORDINANCES

CHAPTER H -- BUSINESS AND TRADES

ARTICLE I: PRIVILEGE LICENSES

(Revised 3/08/07)

Section 1. Repeal of Privilege License Tax. In accordance with N.C.G.S. § 160A-211, privilege license taxes for the Town of Montreat are hereby repealed in their entirety effective July 1, 2007. This repeal does not affect the rights or liabilities of the Town, a taxpayer, or another person arising under ordinance regulations in effect prior to this date; nor does it affect the right to any refund or credit of a tax accrued under the previous regulations before the effective date of this repeal.”

ARTICLE II: RENTALS

(Revised 10/12/06)

Section 1. Purpose. The purpose of this article is to regulate the rental of dwelling units designed for family occupancy to groups of unrelated persons and to ensure that property owners consider health and safety matters when renting to groups. This ordinance covers rental of Single-Family, Two-Family and Multi-Family Dwellings to groups of unrelated persons.

Section 2. Vacation/Conference Rentals. All Vacation/Conference Rentals in the Town must comply with the requirements of the Ordinance, the Town of Montreat Zoning Ordinance and the North Carolina Vacation Rental Act (N.C.G.S. § 42A).

- 1) Definition. The term “Vacation/Conference Rental” shall mean the rental of residential property for leisure, conference or recreational purposes for fewer than ninety (90) days by a person who has a place of permanent residence to which he or she intends to return. For the purpose of this ordinance, residential property is defined as an apartment, condominium, single-family home, townhouse, cottage or other property that is devoted to residential use or occupancy by one or more persons for a definite or indefinite period.
- 2) Town Rental Permit. Any property owners offering a dwelling for Vacation/Conference Rental must secure a Fire and Safety Code Compliance Certificate, a copy of which must be posted in a prominent position in the residence. The property owner must file an application for such Certificate and pay the application fee in advance. The application must show the maximum number of persons who can safely occupy the dwelling. Upon receipt of the application and fee, the Town Administrator will schedule an inspection of the property by the Town’s Fire Prevention Officer before the permit is issued.

Dwellings sleeping more than sixteen (16) persons are defined as a “Dormitory” under National Fire Prevention Association (NFPA) Section 3.3.48 regulations and must meet those standards. A separate Certificate fee is applicable to such dwellings.

The Fire and Safety Code Compliance Certificate is valid for a three-year period after which a new application, fee and inspection are required for renewal.

- 3) Information Requirement. An information brochure, obtained from the Town Office, containing essential and emergency information shall be prominently posted in the rental property.
- 4) Rental Limitation Requirement. If an occupant of residential property used for Vacation/Conference Rental remains in possession of a residential property for more than ninety (90) days, the occupancy of the property shall cease to be a Vacation/Conference rental and the property owner and occupant(s) shall be subject to the occupancy restrictions and other requirements of the Montreat Zoning and General Ordinances.

Section 3. Rentals Other Than Vacation/Conference. For rentals other than Vacation/Conference Rentals, the owner and occupant(s) shall be subject to the occupancy restrictions and other requirements found in Article VII of the Montreat Zoning Ordinance and subject to the definition of "Family" found in Article V of the Montreat Zoning Ordinance. A Fire and Safety Code Compliance Certificate is not required.

Section 4. Effective Date. This Article shall become effective January 1, 2007 and shall apply to all dwellings covered by this Article.