

## **Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals**

Examples of Local Ordinances regulating Short-term Rentals (STRs) in Maine  
*Non-comprehensive list as of September 1, 2022*

### Bar Harbor – effective date December 2, 2021

- All short-term (formerly vacation) rentals must be registered with the Town of Bar Harbor on an annual basis, prior to rental. All applications must be accompanied by the \$250 annual fee.
- Short-Term Rental: includes vacation rental, vacation rental-1 (VR-1) and vacation rental-2 (VR-2).
- VR-1: A dwelling unit, or portion thereof, that is the primary residence of the property owner or on the owner's primary residence property and is rented to a person or group for less than 30 days and a minimum of two nights. The rental portion of the dwelling, such as a bedroom, must be located in the principal structure housing the dwelling unit.
- VR-2: An entire dwelling unit that is not the primary residence of the property owner and is rented to a person or a group for less than 30 days and a minimum of four nights.

### Portland – effective January 1, 2018

- Short-term rental units must be registered with the City of Portland on an annual basis.
- Registration fees are based on two categories – “owner occupied units, tenant occupied units, island short-term rentals” and “Non-owner occupied mainland units.”
- Fees range from \$100 per year for the first unit of an owner-occupied unit to \$4,000 per year for the fifth unit of a non-owner-occupied mainland unit.
- Building limits are specified. For example, 1-2 total units = 1 STR allowed and 10+ total units = 5 STRs allowed. Tenant, owner and non-owner-occupied units are counted toward these limits. Owners may register up to five units within their primary residence.

### Portland – Citizen Initiative Referendum Questions on November 8, 2022 Ballot

- An Act To Reduce the Number of Short-Term Rentals in Portland
  - Will restrict all Portland STRs to only those that are owner-occupied, tenant-occupied, or located in two-unit buildings occupied by the owner. Also requires notification to all residents w/in 500 feet of a registered STRs and allows city to revoke STR registrations.
- An Act To Regulate Short-term Rentals in Portland and Prohibit Corporate and Absentee Operation of Short-term Rental Properties
  - Will prohibit corporate owners and non-local operators from registering short-term rentals in the city. It prohibits eviction of tenants for the purpose of immediate conversion to short-term rentals and prohibits affordable and workforce housing from being used as short-term rentals.

### South Portland – effective January 1, 2019

- STR units must be registered with the City of South Portland annually.
- Short-term rental guest means any person who rents, licenses, occupies or has the right to occupy a dwelling unit or accessory dwelling unit, in whole or in part, for less than 30 consecutive days.
- The annual license fee for a hosted-home stay is \$200 and for a non-hosted home stay \$400.
- There is also a one-time \$100 fire inspection fee, which is required for new applications and as deemed necessary by the Fire Chief.

Freeport – effective July 1, 2019

- No person shall operate a STR without first receiving a registration number and certificate for the STR from the Freeport Town Clerk. Annual fee is \$100.
- Short-term Rental (STR): The use, control, management or operation of a legally-existing dwelling unit, in whole or in part, for dwelling, sleeping or lodging purposes for fewer than twenty-eight (28) consecutive days and for compensation, directly or indirectly. Short-term rentals do not include motels, hotels and bed and breakfast inns. A short-term rental does not include legally existing dwelling units that are rented no more than twice per calendar year and for less than a total of 14 days in a calendar year.

Kennebunkport – effective January 1, 2022

- No STR shall be advertised, rented or operated without first obtaining a STR license.
- **SHORT-TERM RENTAL** — The use, control, management or operation of a legally existing residential dwelling unit offered for rent for transient occupancy for dwelling, sleeping or lodging purposes by short-term rental guests for a tenancy of less than 30 consecutive days, for compensation, directly or indirectly, excluding motels, hotels, bed-and-breakfasts, inns, seasonal rental accommodation complexes, and residential rental accommodations.
- Fee schedule for 2023: \$325 – 3 bedrooms or less; \$475 – 4 bedrooms or more.

Falmouth – effective January 1, 2022

- No person shall advertise, operate or rent a STR in the Town of Falmouth without first registering the STR with the town. The annual registration fee is \$300.
- Short-term rental is defined as the advertising, offering for rent, use, control, management, or operation of a dwelling unit in whole or in part, for dwelling, sleeping, or lodging purposes for a period of less than thirty consecutive days, for compensation, directly or indirectly.

Cape Elizabeth – effective July 1, 2022

- No STR shall be advertised, rented, or operated without first obtaining a STR Permit. The annual registration fee is \$500.
- A STR may be operated by a property owner in their primary residence when:
  - **Primary Residence Hosted** - the property owner is in residence, including overnight, during the tenancy of the STR tenants. The STR must be located within the host's dwelling unit and not in an area functioning as a separate dwelling unit.
  - **Primary Residence Unhosted** - the property owner is not in residence during the tenancy of the STR tenants. The property may be used as a STR for no more than 42 days per calendar year.
- **Seven Acres Plus STR.** A STR may be operated by a property owner in their primary residence or non-primary residence when the property owner is in residence or not in residence during the tenancy of the STR tenants, where the lot is seven acres or more in size. The property may be used as a STR for no more than 182 days per calendar year.
- **Short Term Rental Adjacent.** One STR may be operated by a property owner in a non-primary residence when the STR owner's primary residence is located on the same lot as the STR or an abutting not. The property owner must be in residence during the tenancy of the STR tenants. The property may be used as a STR for no more than 105 calendar days per calendar year.