

AN ORDINANCE FOR THE CREATION OF A REGISTRY
FOR SHORT-TERM RENTAL OF PROPERTY

As used in this Ordinance: "Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity. "Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

The County of Lancaster, Virginia hereby establishes a short-term rental registry. All operators within Lancaster County shall register annually, on or before January 1st or within sixty (60) days of the initial offering of a short-term rental and then thereafter annually on or before January 1st, with the Director of Planning for Lancaster County upon such forms as may be prescribed. The registration shall require the operator to provide the complete name of the operator and the address of each property in the County offered for short-term rental by the operator. A fee of fifty dollars (\$50.00) shall be due and paid with each registration to cover the actual costs of establishing and maintaining the registry.

No registration shall be required if such person is (i) licensed by the Real Estate Board or is a property owner who is represented by a real estate licensee; (ii) registered pursuant to the Virginia Real Estate Time-Share Act (§ [55-360](#) et seq.); (iii) licensed or registered with the Department of Health, related to the provision of room or space for lodging; or (iv) licensed or registered with Lancaster County, related to the rental or management of real property, including licensed real estate professionals, hotels, motels, campgrounds, and bed and breakfast establishments.

Failure to register as herein provided shall be subject to a penalty of \$500 per violation for an operator required to register who offers for short-term rental a property that is not registered with the County and unless and until an operator pays the penalty and registers such property, the operator may not continue to offer such property for short-term rental. Upon repeated violations of this ordinance as it relates to a specific property, the operator shall be prohibited from registering and offering that property for short-term rental.

An operator required to register shall be prohibited from offering a specific property for short-term rental in the County upon multiple violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental.

Nothing herein shall be construed to prohibit, limit, or otherwise supersede existing County authority to regulate the short-term rental of property through general land use and zoning authority. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Condominium Act (§ [55-79.39](#) et seq.), the declaration of a common interest community as defined in § [55-528](#), the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ [55-424](#) et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ [55-508](#) et seq.).

Adopted: September 27, 2018

Attest: ***Don G. Gill*** _____

Don G. Gill, County Administrator