

**Town of Fayette  
Code Enforcement Office  
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Fayette, ME 04039  
207-685-4373  
Fayetteceo@gmail.com**

**FAYETTE PLANNING BOARD  
March 25, 2024 – Additional Meeting  
AGENDA  
At Starling Hall and via zoom**

Topic: Fayette Planning Board Additional Meeting  
Time: Mar 25, 2024 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81269221310?pwd=eUtENlZtOC9Lek1Wb2liWmd2MU5rQT09>

Meeting ID: 812 6922 1310

Passcode: 632214

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**CALL TO ORDER**

**ATTENDANCE**

**OTHER BUSINESS**

Resignation of member Joe Longtin

**MINUTES**

1. October 16, 2023
2. December 21, 2023
3. March 18, 2024 Public Hearing
4. March 18, 2024 Regular Meeting

**OLD BUSINESS**

1. Short-Term Rental Ordinance
  - a. Discussion & Revision
  - b. Public Comments
  - c. Motion to recommend final draft to be placed on Select Board's agenda for approval as Secret Ballot item on the June 11, 2024 election

**NEW BUSINESS**

none

**ADJOURNMENT**

Town of Fayette Planning Board  
Public Hearing on Land Use Ordinance Changes

October 16, 2023

Public Hearing was called to order at 6:30 pm by Chair, Jed Davis  
Board present in person: Belinda Bothwick, Roy Kraut,  
Board present by Zoom: Jed Davis, Mary Anne Hayes, Maggie Chadwick, secretary.  
Board present by telephone: Phil Colbath  
Staff present: Jessica Leighton  
Members of Public Present: Joe Thomazin (zoom), Matt Fletcher (in person), Rob Rogers (in person), Caitlin Valliancourt (zoom).

See Attached Maine Department of Environmental Protection Order #38-2023.

Recommend changes to Fayette Land Use Ordinance to bring Fayette into compliance with provisions of the Mandatory Shoreland Zoning Act.

Article 3.H.6 Making an Appeal: read by Jessica  
No comments, no discussion

Article 3.3 C4 Variance Appeals: read by Jessica  
No comments, no discussion

Article 8.3.F Piers, Docks, Bridges; Read by Jessica  
No comments, no discussion

Article 8.14.C Clearing or Removal of Vegetation for activities other than Timber Harvesting.  
read by Jessica

**Comments/discussion** to place limits on distances from water bodies associated with Great Ponds. Will be fine-tuned by LUO working group.  
Motion to accept by Roy, Second by Belinda. None opposed, no abstentions.  
Unanimous vote in favor.

Article 9 Definitions: read and explained by Jessica. No vote taken. The town will defer to the state.

## Non-Mandatory recommendations

Article 2.3 A. 1.a-f

Section 3 Legal non-conforming Structures

No discussion on sections a b and f.

Discussion of Sections c, d, e, Fayette LUO will be brought into alignment with these sections.

Rob Rogers, a member of the public, was present and commended Jessica for her commitment and hard work on the new high-definition maps developed by USGS. The old quadrangle maps are no longer being updated. The new maps will be a better tool.

Meeting adjourned 7:03

Respectfully submitted,  
Maggie Chadwick, secretary to the PB.

**Town of Fayette, Maine**  
**Office of the Planning Board**  
**PLANNING BOARD Minutes**  
**Dec 21, 2023**

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**CALLED TO ORDER: 6:30** by Jed

**Board Attendance in person:** Belinda Bothwick, Roy Kraut, Mary Ann Hayes

**Staff in attendance::** Jessica Leighton (in person)

**Board Attendance by Zoom:** Jed Davis, Maggie Chadwick

**Public Attendance by Zoom:** Dan Cox

**Old Business :** none

**New Business:** Dan and Amy Cox. Amendment to previously approved application

**Discussion:** Given that there are several changes, an omission and a correction it was decided that the former application will be rescinded. This application will be considered a new application.

**Conditions of the permit** read by Jessica. (see attached copy)

**Discussion:** #16 allow 48 feet to the center of the road to accommodate setbacks from the lake. Planning Board authority to make this allowance found in LUO article 6, section 6, paragraph E, page 26.

**Applicant:** Dan Cox stated his agreement of the conditions

Mary Ann made the motion to accept the conditions of the application.

Belinda seconded the motion. Unanimous vote in favor. None opposed, None abstain.

**Findings of Fact:** - read by Jed.

Discussion: the application is not complete.

Mary Ann moved to make the findings of fact. Roy seconded the motion.

Unanimous vote in favor. None opposed, None abstain.

**Approval of application:** Belinda made the motion to approve the application with condition and corrections to application to be made by applicant:

1. Correct date of application
2. Correct name of subdivision to Lovejoy Shores
3. Add shed to drawing of application with consideration of setbacks
4. Consider possible relocation of the now enlarged dwelling.

Second by Roy.

Approval of application passed with unanimous vote in favor. None opposed, none abstained.

**Other Business:** Open House on Jan 2, Jan 3 or Jan 5, 2024. Jessica will discuss with George Joseph.

Mary Ann agreed to become a full member of the Planning Board. Maggie will continue as Alternate.

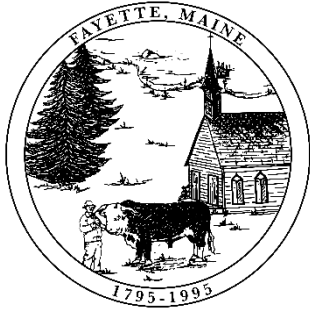
Next PB meetings: Tuesday Jan 15 at 6:30 and Monday, Feb 26 at 6:30.

PB members and staff will take turns doing minutes. Mary Ann, Belinda and Jessica agreed. Maggie will take a turn, too.

Adjourned near 7 pm.

Respectfully submitted,

Maggie Chadwick



**Town of Fayette Planning Board  
Public Hearing - Proposed Short Term Rental Licensing  
Ordinance  
March 18, 2024- 6:30 pm  
Fayette Central School**

**Planning Board Attendance:** Belinda Bothwick, Mary Ann Hayes, Joe Longtin, Vice Chair, Maggie Chadwick, Secretary

**Staff attendance:** Jessica Leighton

**Public Attendance:** David Gow, Paul Leblanc, Nick Delvecchio, Ron Stewart, Matt Fletcher, Barbara Chisholm, Brent St. Clair, Rich French, Winontan French, John Andrews, Dana Whitney, Chris and Dick Bragg, Diane Polky, Jim Favreau, Janelle and Jim Tomasin (zoom), Chris Teitelbaum (zoom)

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**Vice Chair Joe Longtin appointed alternate members Maggie Chadwick and Mary Ann Hayes as voting members.**

Summary of Public Comments with no identifying information:

1. When there are problems residents can complain to the Game Warden, Fire Department, Police, etc. We don't need these rules.
2. Why do we need special rules for a small minority of Fayette homes/cabins? When those same rules don't get enforced for other residents?
3. Who is going to regulate this? This is just a way to create a huge bureaucracy.
4. Comprehensive Plan respects the quality of the town's environment
5. Why can only one STR be rented at a time if they are on the same lot?
6. Use the current resources: police, fire department, animal control officer, Dept of Environmental Protection.
7. Out of state people coming to the ponds are supposed to get Invasive plant stickers for their boats.
8. STR owners should be inspecting boats for invasives
9. Why is word of mouth different and doesn't need a license?
10. Some people need to have STRs to offset the costs of ownership.
11. Good neighbor comments are unnecessary.
12. Where is the data? You are trying to create a small town that has a coca cola budget into a town with a champagne budget
13. Platforms (VRBO/AirBNB) provide all these protections 24 hours per day

14. Congratulations, good job. "I came to the last public hearing. I've been here 40 years and we definitely need regulation with STRs."
15. We should be concerned with old camps with fragile septic systems.
16. A large number of people can overwhelm a septic system
17. There are a small number of STRs. Why do we want to license them, when we don't require the same of permanent residences?
18. How does licensing address issues?
19. Why shouldn't people even from away not be able to capitalize on their assets?
20. We want visitor to have a well managed quality experience
21. Wouldn't a friendly handout work just as well?
22. How is this going to be enforced if there are no fines or other consequences?
23. A lot needs to be done in Fayette. Why are you doing this instead of addressing current problems of trash, noise, environmental degradation caused by Fayette residents.
24. There are abandoned cars in my neighborhood. What about them?
25. I have an STR and don't allow motor boats.
26. There haven't been that many complaints, why are you doing this?
27. Our rental has had a lot of Fayette family members and friends using it to visit but they would not have found it if it weren't advertised on AirBnB. Commercial advertising platforms offer a lot of value and protections. Why treat them more suspiciously than word of mouth rentals?
28. How much are the licensing fees going to be? I'm afraid this will keep growing into something bigger like all bureaucracies.
29. The town should not need a software package to manage 22 STRs.

Public hearing closed at 7:54 pm

## **Chris Teitelbaum Prepared Comments – Short Term Rental Licensing Ordinance**

Good evening esteemed members of the Select Board, Fayette Residents, Short Term Rental Owners, and Mark Robinson

My name is Chris Teitelbaum and I am a resident of Fayette. For context I do not own any short-term rental properties.

We stand here today at a crossroads. The proposed Short-Term Rental Licensing Ordinance, while well-intentioned, threatens the very character of our town. A town that prides itself in natural Maine beauty and peaceful living. The Short Term Rental Licensing Ordinance aims to solve problems that do not exist. It aims to put in rules that already exist and it is all done with a focus on a subset of our town population – People who use Rental Platforms like Airbnb and VRBO. Not Word of Mouth Rentals/Not posting at Hannaford, Not posting at Fayette General Store or the Appleshed. Owners of Property that use electronic platforms like Airbnb and VRBO. Approx. 5 % of the town residences. Residences with a C not a T. Are short term rental owners and renters creating issues? Where are the police, fire, ambulance calls against the short term rental owners and renters? Where are the Warden Service boating/fishing violations against the renters? Where are the homes violating the weekly trash pick up? There is none. The only piece of data the towns has is a survey that is a compilation of anonymous complaints and incoherent responses.

This proposed ordinance is a small town with champagne dreams of being a large town with a bunch of rules and Fayette is on a Coca Cola budget. Let me remind you this Proposed Licensing Ordinance focuses on 5% of the residents in this town. 5% of the town residents that pay taxes (thank you very much), pay cleaning services, snow plows drivers, trash removal services, pest control, and landscaping. This proposed licensing ordinance would restrict Property Rights. Opponents could argue that requiring a town license to rent out a property for short terms unfairly burdens owners and reduces their ability to use their property as they see fit. How about - Short-term rental owners shall be responsible for complying with all applicable federal, state, local statutes, ordinances, rules and regulations that currently exist. Not a new Licensing Ordinance.

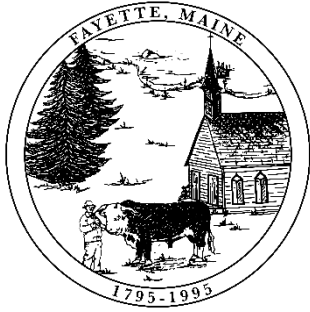


This Proposed Licensing Ordinance creates a standard that we don't have on all property owners in Fayette. Has anyone look at the conditions of some the residences in Fayette? Happy to provide addresses to several that would fail every aspect of this proposed licensing ordinance on their best day. Ones near our bodies of water. Have they pumped their septic in the last decade? Is anybody in the town interested in how many parking spots are at homes with unregistered, uninsured, non running cars? How are their smoke alarms? Have they cleaned the festering garbage out of their yards? In some of these residents kids are being raised in conditions that would not pass the Proposed Town Short Term Rental Licensing Ordinance. Did they provide a contact so the town can call them about some complaint from a neighbor? No because they don't own a short term rental property on an electronic platform like Airbnb/VRBO. Want to do something that would really benefit the towns? Focus on improving the town. The whole town. The Town of Fayette is worried about 5% of the residences in the town.

This Proposed Licensing Ordinance performance standards, might be deemed vague and open to subjective interpretation. This vagueness could make it difficult for owners to comply and could be challenged. Is the CEO and Mark Robinson going to be responding to the calls? Verifying it's not a drunk noisy Fayette Resident or a Drunk Short Term Renter or a Drunk Word of Mouth Renter, or a Drunk ATV rider from Wayne? No they are not! Furthermore, this ordinance creates an unenforceable bureaucracy. How will the town realistically govern this and ensure fairness without overreach? Is the Short Term Rental Owner Guilty until Proven Innocent based on 3 complaints? This creates a system ripe for confusion and frustration all to be dealt with by the Town of Fayette. How big is the town's budget to deal with ligation? Litigation costs money that tax payers and resident have to bear. Want to be like a large town well things get expensive. Again - 5% of the residences of the Town of Fayette this is focused on.

This Licensing Ordinance hurts homeowners. Many residents rely on short-term rentals to supplement their income, pay for property taxes, or keep a family camp in the family. These rentals allow them to share the beauty of our community with visitors, boosting our local and state economy in the process all while using their property as they choose without Town Government overreach and bureaucracy.

In closing this Proposed Short Term Rental Licensing Ordinance focuses on 5% of the town residences. We don't need it. **Let's keep Fayette – Fayette – A place to get away from Licensing Ordinances! Thank you.**



**Town of Fayette Planning Board**  
**March 18, 2024- 8 pm**  
**Fayette Central School**

**Planning Board Attendance:** Belinda Bothwick, Mary Ann Hayes, Joe Longtin, Vice Chair, Maggie Chadwick, Secretary

**Staff attendance:** Jessica Leighton

**Public Attendance:** David Gow, Nick Delvecchio, Matt Fletcher, Chris and Dick Bragg, Ken and Donna Hall

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**Vice Chair Joe Longtin appointed alternate members Maggie Chadwick and Mary Ann Hayes as voting members.**

**Old Business:** None

**New Business:** Ken and Donna Hall

**Discussion:** Jessica introduced the application to construct a roof over the side porch. Conditions of the permit . (see attached copy)

**Discussion:** None

**Findings of Fact:** (see attached copy)

**Approval of application:**

Mary Ann made the motion to accept the conditions of the application, the findings of fact and approval of the application. Belinda seconded the motion. Unanimous vote in favor, none opposed, none abstain (4-0)

**New Business:** Matthew Fletcher

**Discussion:** Jessica introduced the application to replace crumbling concrete stairs. Belinda asked if the replacement will increase non-compliance. Jessica stated it will not.

**Conditions of the permit:** (see attached copy)

**Discussion:** None

**Findings of Fact:** (see attached copy)

Approval of application:

Mary Ann made the motion to accept the conditions of the application, the findings of fact and approval of the application. Belinda seconded the motion. Unanimous vote in favor, none opposed, none abstain (4-0)

**New Business:** Nick Del Vecchio and David Gow - Change of Use Application

**Discussion:** Jessica encouraged a site visit which will take place Wednesday, March 27th at 9 am.

The applicants have addressed the Fire Marshal's concerns and are now awaiting a report from that office.

Jessica gave the planning board copies of three emails from neighbors who have concerns about the proposed use of the property. (See attached)

Mary Ann asked why they only planned to host weddings on weekend nights. They clarified that the events may begin in the afternoons. She asked if there would be any concern if the Board approved their application with a condition limiting their events to weekends with up to 200 guests and 45 cars as that is what is in their application. They said it would not. They could always return for approval if they wished to expand.

Mary Ann asked about their lighting, which suggested there may be some upward directed lighting and off-site impacts. The applicants plan to use shielded lighting except perhaps for string patio lights that they do not expect to be visible from the road. They are still considering what to do about parking lot lighting for the safety of their guests.

Neighbors, Mr. and Mrs. Bragg, expressed concern about access to their property being blocked during events. The applicants assured them it would not be blocked.

Belinda asked if the applicants anticipated more than 200 people at any of the non-wedding events that they might hold at their venue. They responded that it is their intention to have minimal impact on neighbors no matter what event is held there, and no matter how large.

The applicants explained that they will have a parking lot for 45 cars. The applicants stated that they will request that guests be transported from their hotels to the venue given that there will be limited parking available. The Board felt it needed the site visit to consider the parking lot and access considerations, especially sight distance. Stormwater management is also a concern.

The Board considered that the next regular PB meeting date is Patriot's Day so the April 15 meeting was moved to the following Monday, April 22. This date did not work for the applicants and they agreed there would be no harm in waiting until the May 20 meeting to continue discussions.

The application is tabled pending the site visit and the Fire Marshal's permit.

Joe asked for a motion to table, Belinda made the motion, Mary Anne seconded. Unanimous vote in favor. None opposed, None abstain.

### **Discussion of Public Hearing 3/18/24**

Given the large number of objections and questions raised during the hearing, the Board felt it needed more time to complete its review of the proposed language and questioned whether the final ordinance language really needed to be completed by the Select Board meeting the following night. Jess thought they may only need to approve the language of the ballot question before the ballot is posted no later than April 11. The Board scheduled a special meeting for the following Monday evening, March 25, at 6 PM to complete work on the STR ordinance as a result of input from the public hearing.

Public Comments will be taken after the Board discussion.

The normal protocol for PB meetings will be followed on the March 25th special meeting.

Adjourned near 9:30 pm.

Respectfully submitted,

Maggie Chadwick

# Final Draft Prior to 3/18/24 Public Hearing

## Short-Term Rental Licensing Ordinance

### SECTION I – GENERAL

**Title:** This Ordinance shall be known and may be cited as the “Short-Term Rental Licensing Ordinance of the Town of Fayette, Maine.”

**Authority:** This Ordinance is enacted pursuant to the enabling provisions of Article VIII, Part 2, §1 of the Maine Constitution, the provisions of Title 30-A MRS, §3001 (Home Rule), and §4364-C, sub§2 (Municipalities May Regulate Short-Term Rentals)

**Purpose:** The purpose of this Ordinance is to require the registration and licensing of short-term rentals operating in the Town of Fayette.

Protection of natural resources and wildlife habitat, and preservation of our peaceful environment are key values that guide the town’s development. This ordinance is designed to balance the desire of property owners to engage in short-term rentals with the desire of residents to preserve the peace and unique character of their neighborhoods; to recognize that short-term rental activity may contribute to the local economy; to prevent degradation of natural resources and habitat; to protect the safety of visitors and residents alike, and to support state housing goals designed to increase sustainable and affordable housing opportunities.

**Applicability:** The provisions of this Ordinance shall apply to all of the following at which overnight accommodations are commercially or publicly advertised to rent for a tenancy of less than thirty (30) consecutive calendar days:

1. Permanent single family, duplex, or multi-family dwelling unit(s), or any portion thereof that is not an Accessory Dwelling Unit (ADU)
2. A single campsite
3. A bunkhouse advertised either separately or together along with an associated dwelling unit

The following are excluded from the provisions of this Ordinance:

1. Short-term rentals that are only advertised by word of mouth (no commercial or public advertisement) to friends and family
2. Multiple campsites, regardless of whether State of Maine licensing requirements need to be met
3. Campgrounds
4. Hotels and motels
5. Bed and Breakfasts, Inns
6. Dormitories
7. Congregate living facilities

**NOTE:** Although campsites of up to four on one property may not need to meet Maine licensing requirements as a campground, Fayette property owners shall refer to **Section XX:** Site Plan Review, in

the Town of Fayette's Land Use Ordinance.

**Effective Date:** The effective date of this Ordinance shall be July 1, 2024. All short-term rentals must be in compliance and licensed by January 1, 2025.

**Conflicts with Other Ordinances:** In the event of a conflict between the provisions of this Ordinance and any applicable State or local law, ordinance, or regulation, the more restrictive provision shall be imposed. The issuance of any license pursuant to this Ordinance shall not relieve the owner of the obligation to comply with all provisions of any other municipal ordinances or any other applicable laws or regulations pertaining to the use and occupancy of the property on which it is located.

**Validity and Severability:** Should any section of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

**Availability:** A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at a reasonable cost to be charged to those making the request. A copy of this Ordinance shall also be posted on the Town of Fayette's website.

**Amendments:** An amendment to this Ordinance may be adopted by a majority vote of the legislative body (Town Meeting).

**Administration:** The license shall be administered by the Code Enforcement Officer or other persons as designated by the municipal officers (Select Board).

**Appeals:** Initial denial or revocation of a Short-Term Rental License may be appealed to the municipal officers (Select Board) within 30 days of such determination.

**Application Fee:** All applications for a Short-Term Rental License shall be accompanied by fees as set by the municipal officers (Select Board).

Fees are nonrefundable and shall be paid to the Town of Fayette. If the application is denied, and no appeal is filed within 30 days, the applicant may request that the fee be refunded.

The town will charge a penalty fee not to exceed double the license fee for properties that are not licensed by February 1 of the calendar year. Penalties will not apply to licenses applied for after February 1 for newly established short-term Rentals.

## SECTION II – DEFINITIONS

**Accessory Dwelling Unit (ADU):** a self-contained dwelling unit located within, attached to, or detached from a single-family unit located on the same parcel, constructed or permitted after July 1, 2024.

Need to fill in what we nail down as final definition. 190-1000 sq. feet. An ADU shall not be allowed as a short-term rental.

**Bunkhouse:** A detached bedroom having no plumbing which is an accessory to the short-term rental.

**Campground:** any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles, or other shelters.

**Campsite:** an area of land which is not associated with a campground, but which is developed for repeated camping, and which may include but not be limited to a parking area, fire pit, or tent platform.

**Commercial Lodging Facility:** The use of lands, buildings, or structures maintained or advertised as a place where sleeping accommodations are furnished that offers stays that are temporary in nature and the intent and result of which activity is the production of income. A short-term rental of up to one residential dwelling unit on a lot at a time is exempted from this definition.

**Dwelling Unit:** Any part of a structure which, through sale or lease, is intended for human habitation by a single household, including single-family and multifamily housing, condominiums, apartments, and time-share units. [MAKE SURE THIS WON'T CHANGE IN LUO](#)

**Short-Term Rental (STR):** A dwelling unit (or portion thereof) or campsite, that is rented to renters/guests for a period of less than 30 consecutive days.

### SECTION III – LICENSING CRITERIA

**License:** As of the effective date of this ordinance no short-term Rental shall be commercially advertised, rented, or operated without first obtaining a Short-Term Rental License, to be renewed on an annual basis.

No more than one short-term rental may be rented at one time on each parcel of land. Applicants may obtain a license for multiple short-term rentals but may not rent them simultaneously under this license agreement. Simultaneous rentals are considered Commercial Lodging Establishments and must go through Site Plan Review as outlined in the Fayette Land Use Ordinance.

An accessory dwelling unit, permitted or constructed after July 1, 2024, may not be utilized as a short-term rental and shall not qualify for a license. If an ADU was advertised for short-term rental before the enactment of this ordinance, it may be considered for licensing if documentation demonstrating this prior use is provided.

Upon receipt of an approved license, a copy of said license, with emergency contact information, shall be provided to all direct property abutters by the short-term rental owner or manager within 15 days of license issuance, with proof of delivery provided to the CEO.

The license to operate shall terminate upon sale of the property.

**Application Process:** Application materials are available on the town website and in the town office. Forms must be submitted, together with the license fee, by January 2 for the year in which it is due. All licenses expire on December 31st of each year. Licenses and accompanying fees for the next year will be accepted beginning December 1 for the subsequent term.

In addition to the license application, the following attachments must be submitted before the



application can be determined to be complete:

1. A copy of the plot plan showing the location of the short-term rental, location of all parking, and location of the leach field associated with the dwelling unit.
2. Floor plan drawing showing the general layout of the rental. This floor plan must show bedrooms, hallways, emergency exits, and the locations of carbon monoxide detectors, smoke detectors, and required fire extinguishers.
3. Copy of anticipated advertisement for property which shall include maximum occupancy, parking limits, and Performance Standards applicable to guests/renters.
4. Any required septic inspection results, or receipts for biannual pumping, if required.

**Performance Standards:**

1. Short-Term Rental owners shall be responsible for ensuring that emergency contact information is clearly and conspicuously posted in the rental unit. This shall include:
2.
  - a. The names and 24-hour numbers and email addresses of the property owner(s) and/or manager(s) who can be at the rental within two hours of a complaint or emergency situation, if their presence is required.
  - b. Emergency and non-emergency numbers for police/fire/ambulance. The E-911 address associated with the rental shall be displayed next to this information.

The owner shall also be responsible for ensuring that the Code Enforcement Officer has updated emergency contact information for each short-term rental. This information may be used by neighbors and public authorities in the event of complaints or emergencies.

2. The following life safety measures shall be met:
  - a. Smoke detectors must be installed in every bedroom, in the hallway outside the bedrooms (if the bedrooms are on a second floor), in any basement area in which heating systems may be installed, and in the “living room area,” if applicable.
  - b. At least one carbon monoxide detector must be installed on every floor.
  - c. Fire extinguishers must be provided, of the correct classification, near ovens, stoves, and any potentially flammable heating system.
  - d. A copy of the floor plan showing all exits must be clearly posted in each bedroom and next to the copy of the displayed license.
  - e. Life jackets matching boat occupancy limits shall be provided for any watercraft which are made available for use by the owner(s) or manager(s).
  - f. Physical address will be visibly displayed on the property to direct guests and emergency personnel.
  - g. Safe and responsible use of all appliances and utilities, including but not limited to gas stoves, gas grills, wood stoves, fireplaces, privies, septic systems, potable drinking water, composting systems, and fire pits, must be ensured.
  - h. All applicable fire permits shall be obtained for any outdoor burning.
  - i. Directions on response to a smoke, carbon monoxide, or septic pump alarm sounding must be provided.

### 3. Dark Sky Compliant Lighting Fixtures

- a. All outside lighting fixtures must be shielded to provide only essential lighting for safety and security.
- b. No illumination or glare may be directed upward or extend beyond the property boundary.

4. Short-term rental owners shall be responsible for complying with all applicable federal, state, and local statutes, laws, ordinances, rules, and regulations.

5. All short-term rentals shall have access to adequate wastewater facilities, as determined by the designated Local Plumbing Inspector (LPI).

6. In addition to any rules the owner may apply within their rental agreement, the following “Good Neighbor Standards” shall be incorporated to guide the behavior of guests. The standards must be clearly posted in each rental unit. Short-term rental owners operating a campsite must document how they are providing this information to their guests. The owner is responsible for enforcing these standards:

- a. Quiet hours, in which voices, music or other noise must not be audible beyond the property boundary or on water bodies, are in effect:  
10PM to 7AM Sunday evening – Friday morning; and 11PM to 8AM Friday night through Sunday morning. Exceptions are made for temporary necessary noises.

- b. Septic System Education: Septic systems are fragile and cannot handle materials other than human waste and toilet paper. ALL other waste, sanitary or otherwise, must be discarded in the trash.

- c. Pet Control:

- i. All pets must be leashed or kept under voice command at all times whenever outside.
- ii. Barking must be kept under control.
- iii. All solid pet waste, both on and off the rental property, must be collected and disposed of in trash containers.

- d. Lake Protection:

- i. No soaps or other pollutants are allowed directly or indirectly in water bodies.
- ii. Any watercraft and trailers supplied by tenants (owned or leased):
  - 1) Must be inspected for plant matter with all removed prior to boats being placed in water bodies and again upon removal.
  - 2) If required, boats must be registered.
  - 3) Owners will supply each rental with “The Boater’s Guide to Maine Boating Laws and Responsibilities,” published by the Maine Department of Inland Fisheries and Wildlife.
  - 4) No wake zones must be strictly adhered to.

- e. Wildlife and Habitat Protection:
    - i. Loons, ducks, turtles, beaver, and other inhabitants of water bodies must be enjoyed from a distance and not harassed.
    - ii. No plant life or minerals (including stones) may be removed from a shore or water area.
    - iii. State licenses must be obtained for fishing and/or hunting.
  - f. Lighting: Outdoor lighting should only be turned on as needed to protect dark skies, discourage browntail moths from nesting, and preserve neighborhood serenity.
  - g. No fireworks are allowed.
7. Trash containers must be provided for renters:
- a. Trash must be emptied at least once per week when the unit is occupied.
  - b. Recycling containers must be provided, and contents recycled.
8. Existing Subsurface Wastewater Disposal (Septic Systems):
- a. Each short-term rental unit must:
    - i. Have a septic design (HHE-200) on file at the Town Office; OR
    - ii. If no design can be produced, the applicant must have the system pumped and inspected by an Onsite Sewage Disposal System Inspector<sup>1</sup> before the license will be issued.
    - iii. The results of the inspection shall be provided to the Code Enforcement Office.
    - iv. An inspection identifying a failing system will result in a denial of the license. Applicants may reapply once the system has been brought back into compliance.
  - b. The Code Enforcement Officer may impose limits on how many bedrooms are permitted to be advertised based on the capacity of the existing system.
  - c. Short-term rental owners within a Shoreland Zoning District as indicated on the Town of Fayette's District Land Use Map must have the septic system pumped at least once every two years when the short-term rental or home is occupied for 180 days or more.
9. Parking:
- a. The advertisement for a short-term rental must state how many parking spots the property will accommodate.
  - b. Parking must be off the traveled way and shall not impede the flow of traffic.

**UPON SIGNING THE LICENSE APPLICATION, THE APPLICANT IS CERTIFYING THAT THESE REQUIREMENTS HAVE BEEN MET.**

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<sup>1</sup> certified by the Maine Department of Health and Human Services Division of Environmental and Community Health

#### **SECTION IV: Complaints/Penalties/Revocation**

Failure to comply with any requirement of this Ordinance shall result in the issuance of a “Notice of Violation” from the Code Enforcement Officer. If the violation is not addressed within the time period established in the Notice, the Code Enforcement Officer may require that the short-term rental not be rented until the violation is corrected.

Violations discovered by the Local Plumbing Inspector shall be corrected in the most immediate time frame possible.

The license to operate a short-term rental shall be revoked if there are (3) three complaints that are not resolved to the satisfaction of the CEO. The revocation may be reported to the advertising platform, if applicable. The license may be returned to the applicant if resolution is reached but is not guaranteed. Past performance will be considered when an applicant reapplies.