GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023

FILED SENATE
Apr 6, 2023
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PRINCIPAL CLERK
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SENATE BILL DRS15293-NKf-60C

Short Title:	Regulation of Short-Term Rentals.	(Public)
	Senators Moffitt and Hanig (Primary Sponsors).	
Sponsors:	Senators Morritt and Harrig (Filmary Sponsors).	
Referred to:		
	A BILL TO BE ENTITLED	
AN ACT TO	O LIMIT THE REGULATION OF SHORT-TERM RENTA	LS BY LOCAL
GOVERN	MENTS TO PROTECT PRIVATE PROPERTY RIGHTS AND	TO ESTABLISH
GUIDELI	INES FOR REGULATING SHORT-TERM RENTALS.	
	Thereas, Section 1 of Article I of the North Carolina Constitution pr	
	reated equal; that they are endowed by their Creator with certain i	
_	nese are life, liberty, the enjoyment of the fruits of their own laborated and their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty, the enjoyment of the fruits of their own laborated are life, liberty,	or, and the pursuit
of happiness.		
	Thereas, Section 19 of Article I of the North Carolina Constitut	
	shall be taken, imprisoned, or disseized of his freehold, liberties	
	exiled, or in any manner deprived of his life, liberty, or property,	but by the law of
the land."; and	Thereas, Section 1 of Article VII of the North Carolina Constitut	tion provides that
	Assembly "shall provide for the organization and government	
	f counties, cities and towns, and other governmental subdivision	_
	phibited by this Constitution, may give such powers and duties	
	nd other governmental subdivisions as it may deem advisable."; as	
	Thereas, North Carolina has 100 counties and 532 municipalities;	
	hereas, short-term rentals are vital to the tourism and marketabilit	
W	Thereas, short-term rentals provide housing options for transitory w	orkers, including
nurses, trades	speople, and executives; and	
	Thereas, local governments often frustrate tourism and infringe on	
	erty rights by adopting ordinances that inhibit property owners'	right to use their
1 1 2	ney see fit; and	
	Thereas, it is in the best interest of the State to establish unifor	rm guidelines for
	ntals; Now, therefore,	
	Assembly of North Carolina enacts:	as is amanded by
	ECTION 1. Article 21 of Chapter 160A of the General Statute section to read:	es is amended by
C	6. Regulation of short-term rentals.	
	o city may adopt or enforce an ordinance, rule, or regulation that	it does any of the
following:	o enj maj adopt of emolee an ordinance, raie, of regulation the	a does any or the
(1)) Prohibits the use of residential property as a short-term rent	al.



Prohibits the use of accessory dwelling units as short-term rentals.

Limits the number of nights a property can be rented as a short-term rental.

period of time during a rental to an occupant. (5) Classifies short-term rentals as a commercial use. (6) Limits the operation of a short-term rental marketplace. A city may adopt an ordinance, rule, or regulation that regulates short-term rentals within the city's corporate limits. The city may revoke the permit if the short-term rental incurs five health and safety violations within a 12-month rolling period; provided, however, the city shall, prior to revoking the permit, give the lodging operator an opportunity to contest the alleged violations and, if found to exist, an opportunity to remedy the violations. The city may charge a one-time fee of not more than twenty-five dollars (\$25.00) for each permit issued and may charge an additional fee of not more than twenty-five dollars (\$25.00) to reinstate a permit that has expired or been revoked. (2) As part of the permitting process authorized under subdivision (1) of this subsection, limiting the number of occupants allowed to stay in a short-term rental. The city may consider State and local building code standards and septic tank capacity in determining the number of occupants under this subdivision. As part of the permitting process authorized under subdivision (1) of this subsection, restricting the number of occupant vehicles to one vehicle per bedroom. As part of the permitting process authorized under subdivision (1) of this subsection, restricting the number of occupant vehicles to one vehicle per bedroom. As part of the permitting process authorized under subdivision (1) of this subsection, restricting the number of occupant vehicles to one vehicle per bedroom. Restricting the location of short-term rentals to areas of the city that have been zoned for residential use, and requiring that the property remains in compliance with all applicable residential zoning requirements. Equiring that all contracts for short-term rentals include a copy of any city ordinances that regulate noise, waste removal, and parking. Prohibiting the use of short-te	1		<u>(4)</u>	Requires the owner of the short-term rental to occupy the property for any
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42 (1) <u>Lodging operator. – A person who rents a short-term rental to an occupant using a short-term rental marketplace.</u>			<u>Unles</u>	s the context indicates otherwise, the following definitions shall apply in this
43 <u>using a short-term rental marketplace.</u>		section:		
			<u>(1)</u>	
Short-term rental. – All of the following that are offered to the public for a fee			(2)	
			<u>(2)</u>	
				and for a period of 90 days or less: (i) an individually or collectively owned
46 <u>single-family house or dwelling unit; (ii) a unit in a condominium, timeshare,</u> 47 townhome, or accessory dwelling unit; and (iii) an owner-occupied residential				
48 home. The term does not include any of the following:				
49 <u>a. A collective group of units in a complex of condominiums owned by</u>				
				a single owner, corporation, or related owner that is non-owner
				occupied and is used in a similar manner as a hotel, motel, or an

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G	eneral Assembly Of	North Carolina	Session 2023
1		extended stay inn if the complex of condomi	niums is not required to
2		adhere to the same building standards and	l regulations as hotels,
3		motels, and extended stay inns.	_
4	<u>b.</u>	A unit that is used for a retail business or as a re	estaurant, banquet space,
5		event center, or a similar purpose.	
6	(3) Shor	t-term rental marketplace. – A platform thr	ough which a lodging
7	opera	ator, or the lodging operator's authorized agent, of	offers a short-term rental
8	to an	occupant."	
9	SECTION 2	2. This act is effective when it becomes law.	

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