

Short-Term Rental Conditional Use Permit & Business License Process

Step 1 – Conditional Use Permit Application filled out for the first-time applicant, and filled out Business License application. Completed application with the below required documents must be submitted at least 16-days before a regularly scheduled Planning & Zoning meeting.

Step 2 – Public Hearing at a regularly scheduled Planning & Zoning Meeting for review and decision by P&Z to approve with conditions or deny.

Step 3 – If approved, the applicant will:

- a) Adhere to the agreed upon conditions;
- b) Pay Paragonah Town the Health & Safety Inspection Fee
- c) Schedule an appointment with the Paragonah Town Fire Chief to conduct a Health & Safety Inspection
- d) Once the Health & Safety Inspection is approved, the applicant will submit to Paragonah Town Clerk, the Conditional Use Permit and Business License fees

Step 4 – Paragonah Town Planning & Zoning will submit to Paragonah Town Clerk the approved Conditional Use application with conditions. Paragonah Town Fire Chief will submit Pass/Fail Health & Safety Inspection form to Paragonah Town Clerk.

Step 5 – If Conditional Use Permit is denied, the applicant may schedule an appeal to Paragonah Town Board with the Paragonah Town Clerk.

If approved the Applicant will:

- a) Annually renew their Business License with a copy of liability insurance and proof of sales tax/transient room tax accounts. As long as there are no fundamental changes to the Conditional Use Permitted business and no complaints, the business license shall be renewed. Every two years, the business license will be renewed after an approved Health & Safety Inspection.
- b) Every two years, the applicant will pay Paragonah Town Clerk for the Health & Safety Inspection Fee and then schedule a Health & Safety Inspection with the Paragonah Town Fire Chief. After the inspection, the Paragonah Town Fire Chief will submit the Pass/Fail Health & Safety Inspection form to the Paragonah Town Clerk.
- c) If there are fundamental changes to the business or complaints, a public hearing will be held to address the issues before approving or denying the business license renewal.
- d) If denied, the applicant may schedule an appeal to Paragonah Town Board with the Paragonah Town Clerk.

Short Term Rentals Conditional Use Permit Requirements

As Paragonah Town is zoned Residential Estate (RE) which provides for single family dwellings, it does allow permitted business activity through a Conditional Use Permit.

Business Activity is defined as any exchange of goods and services.

Before a first-time Business License is issued, the business applicant must fill out and submit a Conditional Use Permit application to Paragonah Town Planning & Zoning Commission for their approval or denial.

In accordance with Paragonah Town's Zoning Ordinances, the Planning & Zoning Commission may set regulations and conditions for the business applicant to adhere to which are necessary to protect the public health, safety, and welfare. In approving or denying a Conditional Use Permit, Planning & Zoning shall find:

- 1) That the proposed use is necessary or desirable and will contribute to the general well-being of the community;
- 2) That the use will not be detrimental to the health, safety, or welfare of persons residing, or working in the vicinity, or injurious to property or improvements in the vicinity;
- 3) That the proposed use will comply with the regulations of the Conditional Uses Ordinance; and,
- 4) That the proposed use is in harmony with the intent and purpose of the Paragonah Town Master Plan or that the plan shall have first been amended through public hearing.

Required Documents and Information for a Short-Term Rental Conditional Use Permit

- An Approved Health & Safety Inspection
- Sales Tax ID #
- Transient Room Tax ID #
- Owner Affidavit
- Proof of Liability Insurance
- Proof of Off-Street Parking (no on-street parking allowed) minimum of one parking space per guest bedroom. State Code prohibits parking within 30-feet of a stop sign or intersection
- Copy of Good Neighbor Police/Guest Rules
- Copy of Emergency Exits Plan/Map
- Maximum Guest Occupancy – If more than 10 guests, the building inspector must give written approval

Other Requirements

- A designated Short-Term Rental Manager/Owner shall live within five miles of the Short-Term Rental, and their contact information will be on file with the Paragonah Town and Code Enforcement agency in case of an emergency or neighbor complaints
- Signage – in keeping with Paragonah Town's rural agricultural community characteristics, non-digital signage will be allowed. Signage maximum size is 3-foot x 3-foot. Any uplighting/downlighting of signage must be directed toward the sign and must be turned off by 11 pm every night.
- Signage location must be located 30-feet from an intersection so as not to impede the line-of-sight for drivers; and a minimum of 5-feet inside the applicant's property line.

Health & Safety Inspection Checklist

All nightly rentals must meet all applicable building, health, fire codes and Town ordinances for the intended use.

Each Short-Term Rental's shared and individual guest spaces/rooms will be inspected for safety issues required in the fire inspection requirements along with appropriate egress. The Short-Term Rental's shared and individual guest spaces/rooms will be inspected before the license is granted and will be inspected at least once every two years. Inspections and re-inspections will be at the cost of the licensee.

Total number of sleeping rooms – Maximum occupancy

More than 10 occupants, building inspector must give written approval

Maximum occupancy allowed by fire code shall be posted in plain view near the main entryways for all single-family residential rentals

Each sleeping room must meet requirements for egress

An emergency exit plan must be posted in each sleeping room and main entryways

Dwelling has one (1) operable fire extinguisher on each floor – minimum size 2A-10BC

An operable carbon monoxide detector is required on each floor of the Short-Term Rental that guests are occupying.

An operable smoke detector in each sleeping room, hallways on each floor

Graspable hand railing (1 ¼-2 inches) on all staircases.

GFCI Plugs within six feet of all sinks/baths/toilets and all exterior outlets