

ARC GUIDELINES FOR SHORT TERM RENTALS IN OCEAN PINES

Board Approval Copy

1. REQUIREMENTS OF RENTAL OF A PROPERTY WITHIN THE OCEAN PINES COMMUNITY

- a. Single Family residences within Ocean Pines that are rented for a period of twenty-eight (28) days or less are considered businesses and require a Worcester County Rental Permit and an Ocean Pines Rental Permit and Sticker. The Permit and Sticker must be obtained by the Owner of the property or from anyone leasing and/or subleasing a property. Permits and Stickers and the inspections required to obtain them must be completed annually and must show the maximum occupancy of the residence and the name and telephone number of the property manager or local emergency contact that fulfills the requirements of 1g (below). Ocean Pines reserves the right to refuse the approval of a rental application.
- b. A copy of the Worcester County Permit Application and a copy of the actual Permit must be submitted with the Ocean Pines application.
- c. Permit and sticker must be applied for by property owner or from anyone leasing and/or subleasing a property and renewed annually.
- d. The Inspection of the property as noted in (a) above must be completed by a licensed Maryland Home Inspector approved by the Compliance, Permits and Inspection Department. A list of approved inspectors is available from the Department. All Short-term rental properties in Ocean Pines must meet the following life safety requirements:
 - i. Smoke detectors must meet the current Maryland requirements and must be located in all sleeping areas and egress corridors.
 - ii. Properties with wood burning fireplaces, propane, natural gas or fuel oil systems and/or appliances must be equipped with carbon monoxide detectors. Units with all electric heating, HVAC, water heaters and appliances are exempt from this requirement.
 - iii. All units must have at least one 4A:60B:C fire extinguisher.
 - iv. Fire extinguishers must have an annual inspection noted on the unit.
 - v. Each house must display a clear and unobstructed house number on an Ocean Pines approved marker. This display must remain unobstructed.
 - vi. In addition to the above requirements for Life Safety, the Owner must ensure the following:
 - vii. That the property subject to rental is in full compliance with the Association's Declaration of Restrictions for the section where the property is located (*See Declaration of Restrictions, Ocean Pines Home page*)
 - viii. That the property has the proper number of waste receptacles. The minimum size for waste receptacles is 35 gallons. Waste receptacles must have a hinged lid.
 - ix. That the property has the proper number of off-street parking spaces.
- e. Application permit and sticker must show the maximum occupancy of the residence which must comply with the lesser of the Worcester County occupancy ~~limit~~ or Figure 1.
- f. When the property is approved and registered following the above procedures, an Ocean

Pines Rental Sticker will be issued and must be affixed to the front entry door of the property in a conspicuous location at eye level. The Rental Sticker must show the maximum occupancy of the residence and the name and telephone number of the property manager or local emergency contact that fulfills the requirements of 1g. Property owner or individual leasing or subletting the property must permit employees or other representatives of Ocean Pines access to the property grounds to inspect the displayed permit sticker.

- g. Owner of rental property or individual leasing or subletting the property must be within a 30-minute drive of Ocean Pines during the times the property is rented. If the owner or individual leasing or subletting the property is not within a 30-minute drive, they must designate an authorized adult representative for their property, on the rental application, with the authority to make decisions on the owners or individuals leasing or subletting the property behalf. The designated representative must live within 30 minutes of Ocean Pines. If the owner or individual leasing or subletting the property lists the property with a rental agency, the name and contact information for the agency must be noted on the application.
- h. If complaints occur regarding the actions/behavior of the rental occupants, the owner or individual leasing or subletting the property or their designated representative is responsible for promptly addressing and resolving any issues.
- i. If, at any time, the occupancy is contrary to the number of allowable renters (*See Figure 1*) or the Life Safety Requirements in 1h are not in full compliance, then the Rental Permit shall be withdrawn and made invalid as to that property. The wait period to renew Rental Permits withdrawn will be one year (365 days from the date the permit was withdrawn).
- j. By applying for and accepting the Ocean Pines Rental Permit the property owner, individual leasing or subletting the property, or their authorized agent agree to make the dwelling unit available for inspection during reasonable hours upon request by the Association to verify compliance with the provisions of the Association Architectural Guidelines.

II. Bed and Breakfast Operations Restricted

Bed and breakfast operations are prohibited.

III. Functions and Events Prohibited:

Hosting events and functions for individuals who are not authorized lodgers of the property are prohibited.

IV. Dwelling Units, Occupancy and Overcrowding

Dwelling, Dwelling Units, Bedrooms and Occupancy Requirements are defined by Worcester County Code and Figure 1.

Properties must be rented in their entirety and can only be subject to one rental contract at any one time.

DWELLING or DWELLING UNIT

Any building or portion thereof occupied or intended to be occupied for residential purposes by a single family or housekeeping unit, but not including a watercraft, tent, seasonal cabin, recreational vehicle or trailer, assisted living unit, supported living facility unit, or a room in a hotel, motel or boardinghouse, and having at least five hundred square feet of livable gross floor area.

DWELLING, SINGLE-FAMILY

A detached dwelling unit designed for use or used exclusively for residential purposes by one family or housekeeping unit, having at least five hundred square feet of livable gross floor area and, except where specifically permitted by the primary district regulations, only one single-family dwelling may be located on an individual lot or parcel.

The maximum occupancy of a dwelling shall be subject to the following capacities set forth in *Figure 1* below.

The total number of occupants permitted in any short-term rental unit shall not exceed the sum of all occupants permitted in each bedroom of the structure.

FIGURE 1

**ALLOWABLE OCCUPANCY AND REQUIREMENTS BY SQUARE FOOTAGE AND BEDROOM SIZE
 UNDER NO CIRCUMSTANCES SHALL DWELLING UNITS BE OCCUPIED BY MORE OCCUPANTS THAN PERMITTED IN
 FIGURE 1
 IN THE EVENT THAT THE OCCUPANCY DETERMINED BY THE FINISHED AREA AND THE BEDROOM SIZE DIFFER THE
 OCCUPANCY INDICATED BY THE BEDROOM SIZE WILL BE USED.**

Finished Area of a Single-family Dwelling (in square feet)	Maximum Number of Occupants*	Number of Waste Receptacles Required *	Number of off-street parking spaces required
Up to 1,200	4 Occupants	2	2
1,201 to 1,750	5 Occupants	2	2
1,751 to 2,400	6 Occupants	3	3
2,401 to 3,150	7 Occupants	3	3
3,151 to 4,000	8 Occupants	4	4
4,001 to 4,500	9 Occupants	4	4
4,501 to 5,000	10 Occupants	5	5

- Waste receptacle minimum size is 35 gallons and must have hinged lids.

UNDER NO CIRCUMSTANCES SHALL DWELLING UNITS BE OCCUPIED BY MORE OCCUPANTS THAN PERMITTED IN FIGURE 1

Bedrooms must comply with the Worcester County Code:

BEDROOM

A room that can be used for sleeping that meets all the following criteria:

- (1)** Contains a minimum of seventy square feet of conditioned space unobstructed other than by furniture and not including closets.
- (2)** Is located along an exterior wall of the structure in which it is contained.
- (3)** Has an entry door and a closet.
- (4)** Does not provide access to another room other than a bathroom or a closet.
- (5)** Has an emergency means of escape and rescue meeting the requirements of the County Building Code adopted pursuant to § BR 1-201 of the Building Regulations Article.
- (6)** Is not all or any part of a hallway, bathroom, kitchen, living room, family room, dining room, den, home theater/media room, breakfast room or nook, pantry, laundry room, sunroom, recreation room, exercise room or any other similar use.

Every bedroom occupied by more than one person shall contain not less than fifty square feet of floor area unobstructed other than by furniture for each occupant.

Bedroom Size (square feet)	Maximum Number of Occupants
50	1
100	2
150	3
200	4
250	5
300	6

IV FEES

The Ocean Pines Rental Permit Fee for properties will be set forth by a Resolution of the Ocean Pines Board of Directors. The Rental Permit fee schedule will be available upon request.

V VIOLATIONS AND REQUESTED REMEDIES

A. FAILURE TO OBTAIN AND/OR POST LICENSURE

Any property rented on a short-term basis within Ocean Pines that does not have a current Worcester County and Ocean Pines Rental License and Registrations is in violation of rental codes. Code violations are considered to pose an immediate and serious threat to the health, welfare or safety to the occupants and/or the public. Properties in violation must be immediately vacated and not rented until brought into compliance.

B. FAILURE TO PROVIDE ADEQUATE EGRESS OR SAFETY EQUIPMENT

Any property rented on a short-term basis within Ocean Pines that does not have proper egress and life safety equipment is in violation of rental codes. Code violations are considered to pose an immediate and serious threat to the health, welfare or safety to the occupants and/or the public. Properties in violation must be immediately vacated and not rented until brought into compliance.

C. EXCEEDING OCCUPANCY LIMITS

Any property rented on a short-term basis within Ocean Pines that exceeds occupancy limits is in violation of rental codes. Code violations are considered to pose an immediate and serious threat to the health, welfare or safety to the occupants and/or the public. Properties in violation must be immediately vacated and not rented until brought into compliance.