

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SENATE BILL 859
RATIFIED BILL

AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND
OTHER TRANSIENT OCCUPANCIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

§ 160A-394. Zoning regulations for residential vacation rental or other transient occupancy.

(a) Notwithstanding G.S. 160A-424(c), a city may, by ordinance, establish and enforce zoning regulations for residential dwellings occupied on a vacation rental or other transient occupancy basis. These zoning regulations may include any of the following:

- (1) Required permitting.
- (2) Prohibition of vacation rentals or other transient occupancy in certain residential zoning districts.
- (3) Limits on number of cars and occupants.
- (4) Signage.
- (5) Preserving residential character.
- (6) Completion and filing of financial reports and payment of any occupancy taxes.
- (7) Time limits.
- (8) Use of amortizations for nonconforming transient occupancy dwelling.
- (9) Any other regulations reasonably necessary to mitigate potential neighborhood impacts.

(b) For the purposes of this section, the phrase "vacation rental or other transient occupancy" means an occupancy intended to be temporary or that is offered or available by short-term lease or otherwise for a time period or lease term of less than 90 days in a residential dwelling unit. An owner of a residential dwelling unit may allow short-term occupancy by another for up to three weeks per calendar year without it being considered a vacation rental or other transient occupancy."

SECTION 2. This act applies to the Town of Cornelius only.

SECTION 3. This act is effective when it becomes law and expires on December 31, 2021. Nothing in this act shall be construed to affect or repeal any ordinance that was adopted under a city's general police powers or zoning authority prior to the enactment of this act.

In the General Assembly read three times and ratified this the 31st day of July, 2014.

s/ Tom Apodaca
Presiding Officer of the Senate

s/
Presiding Officer of the House of Representatives

