

ORDINANCE NO. BL2018-1056

An ordinance to amend Title 6 of the Metropolitan Code, Zoning Regulations, pertaining to Online Marketplace of Short Term Rental Properties.

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism, to support the local tourism industry, and to support the Barnes Affordable Housing Fund; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals; and

WHEREAS Online Marketplaces can play a significant role in ensuring compliance of Short Term Rental Properties with local regulations.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 6.28 of the Metropolitan Code is hereby amended by inserting Section 6.28.030 (Online Marketplace):

6.28.030 Online Marketplace

A. Defined. "Online Marketplace" means any person or entity that provides a digital platform for compensation, through which a third party offers to rent a short term rental property (STRP) as defined in Section 17 of the Metro Code. "STRP Operator" means any person or entity that has a right to operate an STRP who offers it for rent for less than 30 consecutive days.

B. Standards

1. Listing of STRPs.

- a. The online marketplace shall require the Metro permit number issued to the STRP-applicant prior to placing the relevant property as a STRP on the online marketplace site. The online marketplace may use a pass-through application process to facilitate determining whether an applicant has applied for a permit.
- b. The listing shall expire with the STRP permit period and require renewal of the STRP permit prior to relisting.
- c. The online marketplace shall remove a listing from the online marketplace within 10 days after the contact for the online marketplace receives written notification from the Metropolitan Government that a STRP permit has been revoked or that the STRP is operating without a permit.

2. Providing Information to STRP applicants. The online marketplace shall include a statement in its application information that operators and their guests must abide by the

zoning, noise, parking, trash, and public decency regulations and provide a link to the Metro Nashville Code and website regarding permitting and operation of STRP.

3. Quarterly reports. The online marketplace shall provide information about activity in the previous quarter on the online marketplace by the 15th of the month following the end of each calendar quarter. This information includes:
 - a. The total number of STRPs in each census tract listed on the online marketplace during the applicable reporting period;
 - b. By STRP permit number, the number of days each STRP was rented during the applicable reporting period and the rates at which the STRP was rented during the applicable reporting period.
 - c. Aggregated statistics regarding the total number of nights that STRPs on the platform were rented to guests during the applicable reporting period;
 - d. Aggregated statistics regarding the number of nights that STRPs on the online marketplace are booked for rental during the remaining months of the applicable calendar year;
 - e. Aggregated statistics regarding the STRP permit type for each listing; and
 - f. The total amount of tax collected by the online marketplace (if any) and remitted to the city.

Section 2. This Ordinance shall take effect 60 days after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Burkley Allen
Member of Council