



City of Cambridge

Executive Department

YI-AN HUANG
City Manager

CMA 2026-188
IN CITY COUNCIL
June 22, 2026

To the Honorable, the City Council:

I am writing to provide a response to City Council Policy Order No. [POR 2025 #121](#) (dated September 8, 2025) (hereinafter, “Council Order”), in which the City Council requested that the City Manager to “work with all relevant departments to seek input from the community as well as direct outreach to condo owners and short-term rental operators and develop additional recommendations [to amendments proposed to the City’s Short Term Rental (“STR”) Ordinance] based on the discussion in the Ordinance Committee...” Together with the Inspectional Services Department (“ISD”) and the Law Department, the City Manager’s Office submits the following response with recommendations regarding proposed amendments to the STR ordinance for the Council’s review and consideration. By updating the STR ordinance, we believe these amendments will enable the City to better regulate short-term accommodations to ensure proper enforcement of health, safety, and public order ordinances and regulations, prevent undue impacts on the City’s long-term rental markets, and ensure that listed short-term rentals are registered and operating legally.^[1] As the STR Ordinance is part of the City’s Zoning Ordinance, we recommend that the City Council vote to forward these recommendations as a zoning petition to the Planning Board and Ordinance Committee for review and consideration.

I. BACKGROUND

On August 7, 2017, the Cambridge City Council adopted Ordinance No. 1397, Short-Term Rentals, which is codified as City of Cambridge Zoning Ordinance Article 4, Section 4.60. Since taking effect on April 1, 2018, the City’s STR Ordinance has not been amended.

On October 21, 2024, Commissioner Peter McLaughlin of ISD wrote to the Council in response to Awaiting Report No. 24-50, a review of the Short-Term Rental Ordinance in Cambridge. ISD examined the effectiveness of the City’s STR Ordinance and compared it to other STR Ordinances in similar communities. Following this report, the Law Department and ISD proposed amendments in response to ISD’s recommendations via a Zoning Petition that was



reviewed and favorably approved by the Planning Board. The amendments proposed updated definitions to the STR, added state and local habitability requirements, added additional documentation requirements, and proposed additional enforcement mechanisms to enable ISD to issue fines or revoke registration from operators of short-term rental units for violations of the ordinance or state regulations.

On August 5, 2025, the Planning Board heard a presentation from representatives of ISD and the Law Department, who prepared the Petition. No members of the public gave testimony and no written comments from the public were received. After discussion with City staff and deliberating on the Petition, the Planning Board voted to forward a very strong recommendation to the City Council to adopt the Petition.

On August 27, 2025, the Ordinance Committee of the City Council met to discuss the [zoning petition](#). After discussion, the Ordinance Committee allowed the petition to lapse and subsequently the Council issued Council Policy Order No. [POR 2025 #121](#).

II. COMMUNITY ENGAGEMENT PROCESS & ANALYSIS OF RESULTS

From December 17, 2025 to January 26, 2026, ISD conducted a survey regarding the STR ordinance (“the survey”) that was sent via email to every registered short-term rental operator and to leaders of the Cambridge Condo Alliance. In addition to the email outreach, the City’s Communications Department and ISD provided flyers with a QR Code and link to the survey across city buildings^[2] and published links to the survey across the City’s website and social media platforms. ISD also provided dedicated counter hours for the public to provide feedback and for any questions they might have about the ordinance. The survey consisted of up to twenty-three questions (some questions were conditional depending on the answers to a previous question). The majority of the questions were multiple choice, in addition to three write-in answers to allow for more detailed community feedback.

ISD received 928 responses to the survey. Of these 928 responses, 74% of respondents identified themselves as members of the general public, 11% as short-term rental operators, and 15% as neighbors of a short-term rental. The 11% of respondents who identified as a short-term rental operator account for nearly half of the total registered operators in the City. The survey also identified 84% of respondents as property owners in Cambridge compared to 16% who were not property owners. Additionally, 45% of respondents said they live in a condominium association.

As a result of the survey, we updated the proposed amended language to clarify that condominium approval for both owners and tenants would be required, as 77% of those who identified as living in a condominium association expressed support for such a requirement. We also set a limit on the number of days a unit can be rented as a short-term rental, as 59% of survey participants indicated desire for STR limits. However, the limitation varied depending on the category each respondent identified with, for example, 64% of members who self-identified as the general public and 68% of neighbors of a short-term rental expressed a desire for limitations on the amount of days a STR can be offered, while only 11% of short-term rental operators desired one. Additionally, a new enforcement section was added as many respondents stated that they wanted to see an increase in enforcement towards unauthorized short-term rentals, including penalties for booking agents. Inspectional Services is also in the process of building a new website that will make the existing short-term rental registry more accessible to the public and make it easier for residents to file short-term rental complaints with ISD.

III. RECOMMENDATIONS

Based on the feedback gathered from the survey, as well as in discussion with Councilors Nolan and Sobrinho-Wheeler, the following additional amendments to Article 4.60 of the Zoning Code and its subsections, short-term rentals, have been drafted:

- Updated definitions of Short- Term Rentals including adding a third short-term rental category: *Autonomous Unit*;
- New definitions for booking agent/platform, primary residence, registration number and registration database;
- Updated operating requirements, including compliance standards with state and local laws; and
- Updated registration requirements for Operators and Booking Agents/Platforms.

Additionally, Councilors Sobrinho-Wheeler and Councilor Nolan have requested that consideration be given to limiting the number of days a short-term rental can be rented to ninety (90) days per calendar year. This proposed amendment has also been prepared for the City Council's review and consideration.

Enclosed please find, the proposed amended language to Article 4.60 of the Zoning Code, short-term rentals, as well as the survey results conducted by ISD. We are happy to answer any questions about the language of the amendments or the survey. We hope that the Council will consider a vote to forward these as a zoning petition to the Planning Board and Ordinance Committee for review and consideration

Sincerely,

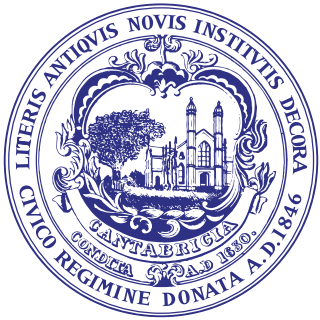
Yi-An Huang

A handwritten signature in black ink, appearing to read 'Yi-An Huang', with a stylized flourish at the end.

City Manager

^[1] As of June of 2026, the City reports a total of 216 registered short-term rental units, with an estimated number of 500 unregistered short-term rental units. Of the City's registered short-term rental units, 142 are operator-occupied units (66%) and 74 are owner-adjacent units (34%).

^[2] These Buildings included the following: City Hall Annex at 344 Broadway, Lombardi Building at 831 Massachusetts Ave, DPW at 147 Hampshire St., and the Main Library at 449 Broadway and each of its branches.



CITY OF CAMBRIDGE

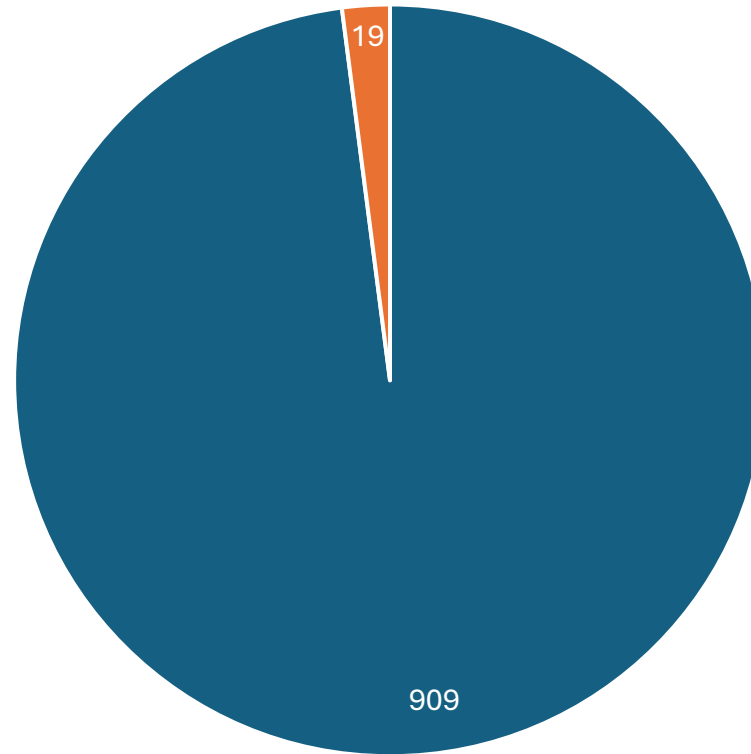
SHORT-TERM RENTAL (STR) SURVEY RESULTS

PREPARED BY: INSPECTIONAL SERVICES DEPARTMENT (ISD)

STR Survey Methods

- Survey was sent via email to all registered short-term rental operators in the City and members of the Cambridge Condominium Alliance
- ISD coordinated with the Communications team to distribute the survey across all city platforms and buildings. In addition, ISD had dedicated counter for members of the public to come in and ask questions and provide feedback
- The survey was open from 12/17/25 to 1/26/26
- A total of 928 responses were received
- The survey had up to 23 questions
- Some questions were conditional meaning they would only be asked depending on an answer to a previous question (Ex: condo questions were only asked to those who identified as living in a condo association)
- Questions were multiple choice, except for 3 write-in questions which allowed participants the ability to provide more feedback

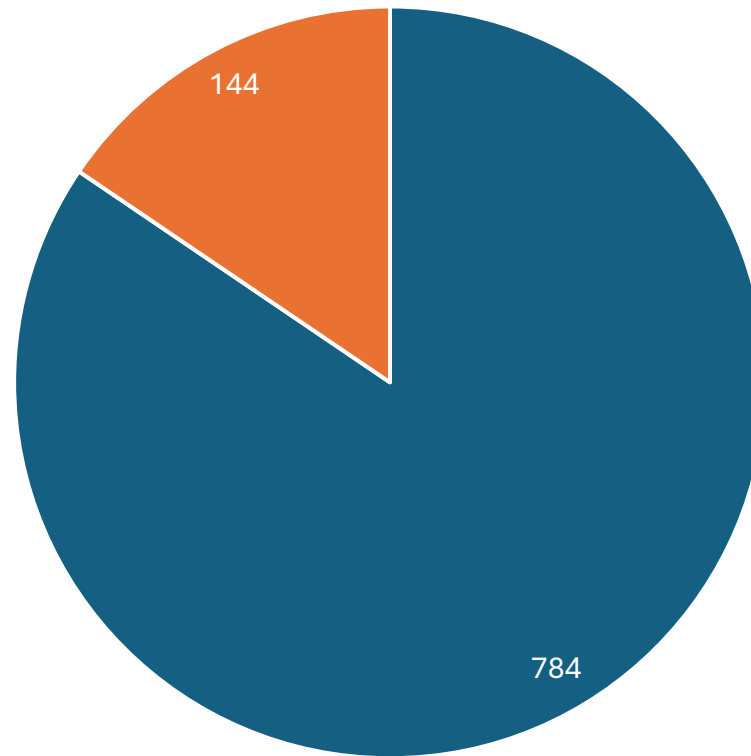
1. Are you a Cambridge resident?



■ Yes ■ No

Are you a Cambridge resident?	#	%
Yes	909	98%
No	19	2%

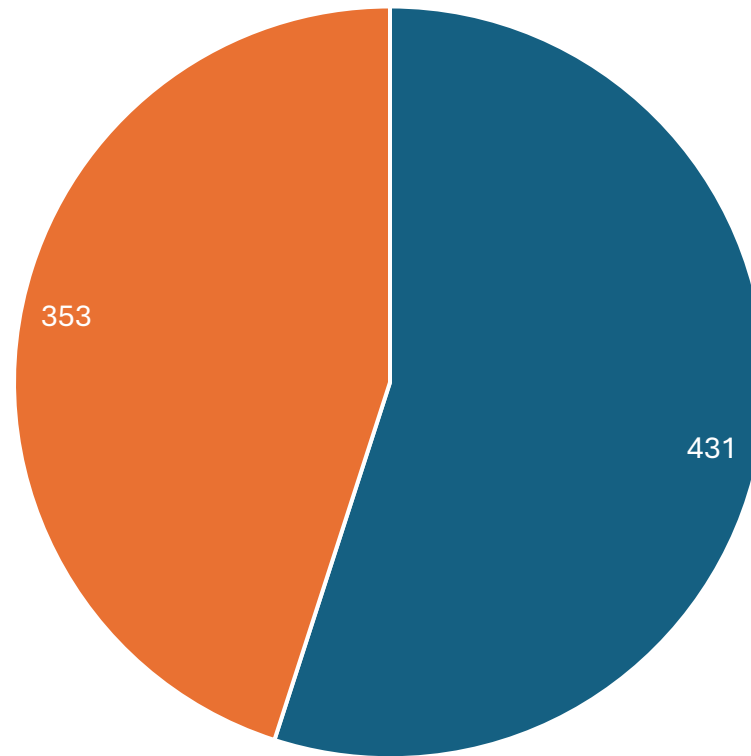
2. Do you own property in Cambridge?



■ Yes ■ No

Do you own property in Cambridge?	#	%
Yes	784	84%
No	144	16%

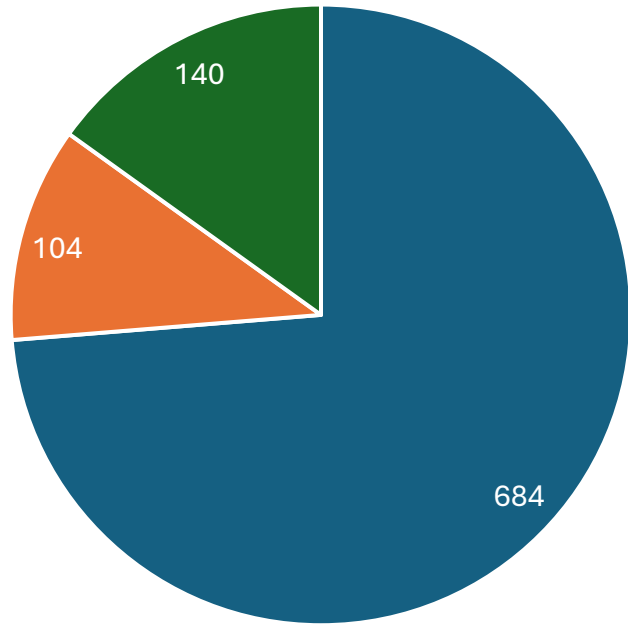
3. Do you own a condo unit in Cambridge?



■ Yes ■ No

Do you own a condo unit in Cambridge?	#	%
Yes	431	55%
No	353	45%

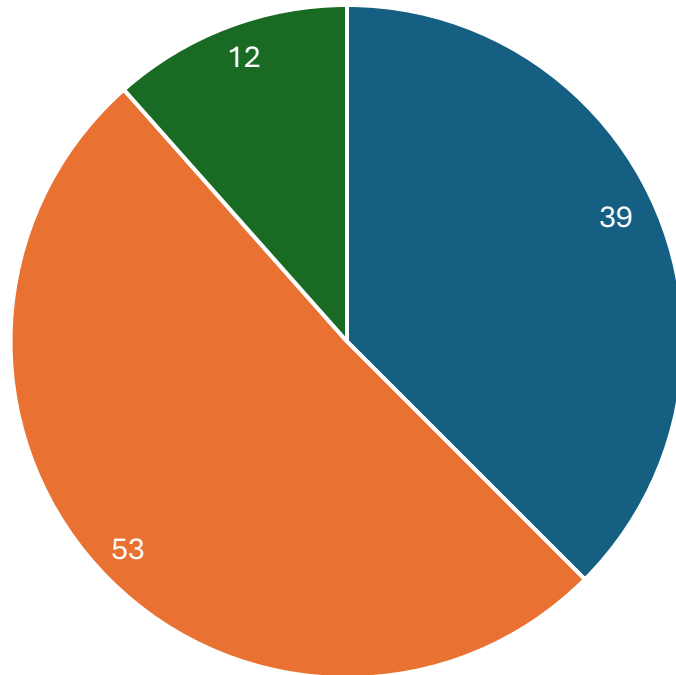
4. What best describes you?



- General Public
- Short-Term Rental Operator
- Neighbor of a Short-Term Rental

What best describes you?	#	%
General Public	684	74%
Short-Term Rental Operator	104	11%
Neighbor of a Short-Term Rental	140	15%

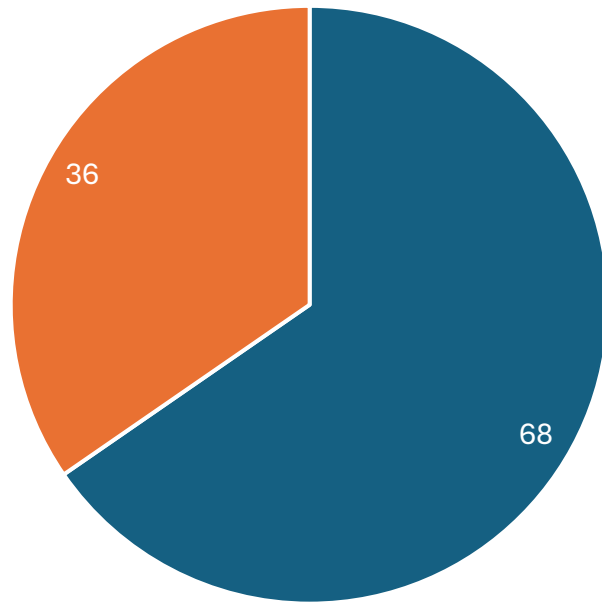
5. What type of short-term rental do you have?



■ Owner-Adjacent ■ Operator-Occupied (your own unit) ■ Both

What type of short-term rental do you have?	#	%
Owner-Adjacent	39	38%
Operator-Occupied (your own unit)	53	51%
Both	12	12%

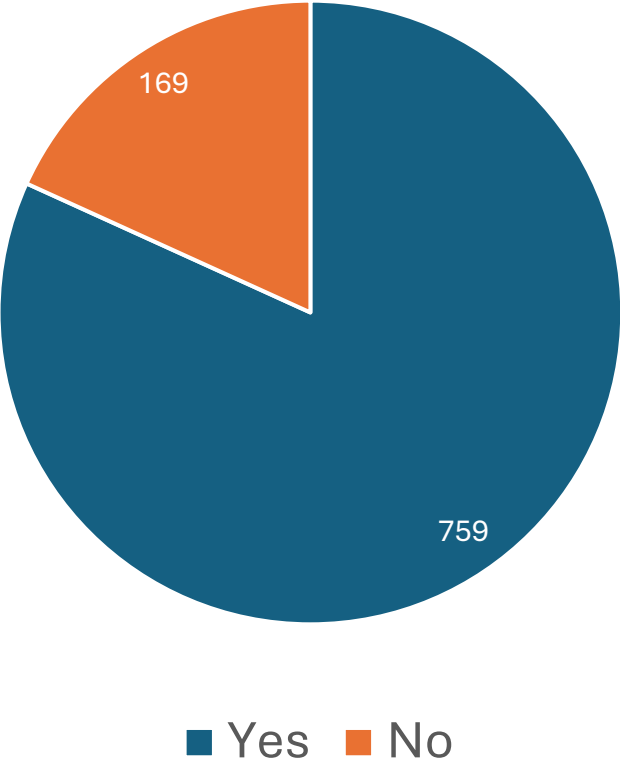
6. If you rent out a unit as a short-term rental, do you also rent it out long-term? (more than 30 days)



- No, when I rent out my unit, it is only as a short-term rental
- Yes, I rent out my unit as both a short-term rental and a long-term rental

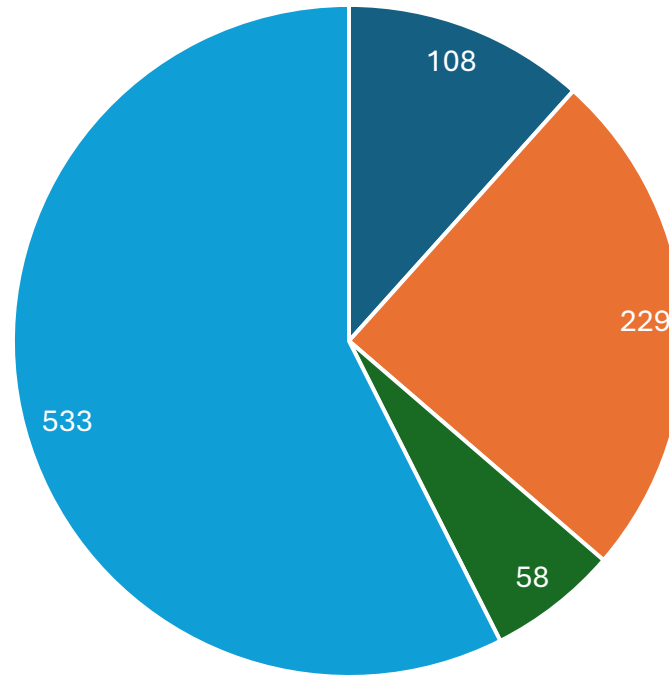
If you rent out a unit as a short-term rental, do you also rent it out long-term? (more than 30 days)	#	%
No, when I rent out my unit, it is only as a short-term rental	68	65%
Yes, I rent out my unit as both a short-term rental and a long-term rental	36	35%

7. Are you aware that short-term rentals are allowed in Cambridge in limited circumstances?



Are you aware that short-term rentals are allowed in Cambridge in limited circumstances?	#	%
Yes	759	82%
No	169	18%

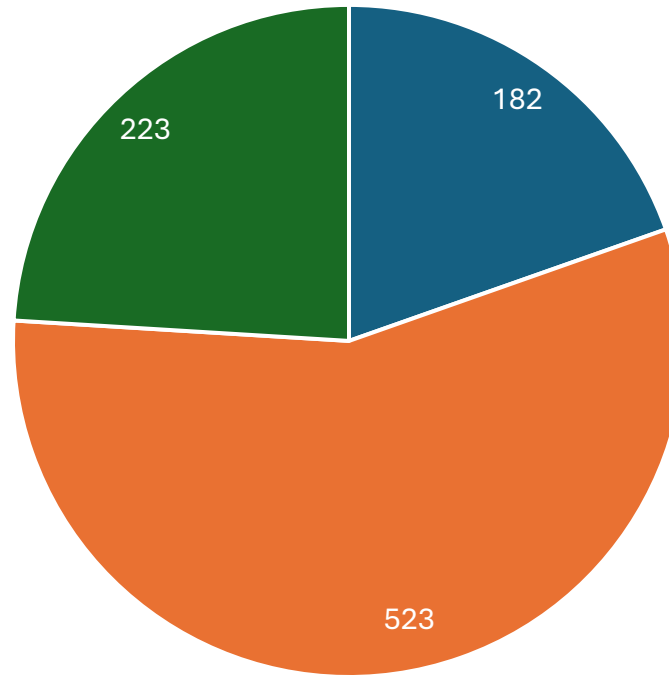
8. The number of short-term rentals in Cambridge are:



The number of short-term rentals in Cambridge are:	#	%
About right	108	12%
Too many	229	25%
Too few	58	6%
Not sure	533	57%

■ About right ■ Too many ■ Too few ■ Not sure

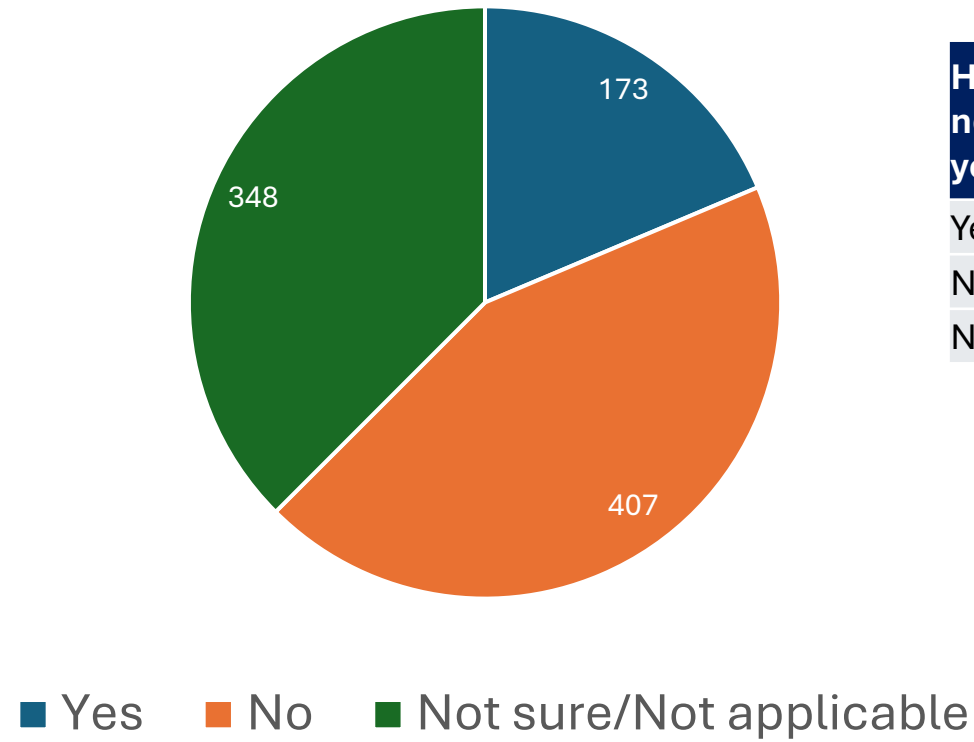
9. Has a short-term rental in your neighborhood caused you any hardships?



Has a short-term rental in your neighborhood caused you any hardships?	#	%
Yes	182	20%
No	523	56%
Not sure/Not applicable	223	24%

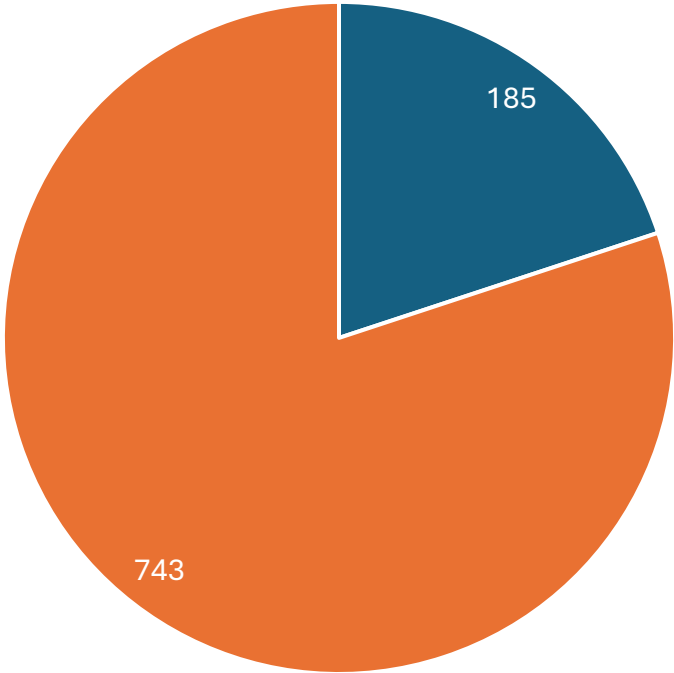
■ Yes ■ No ■ Not sure/Not applicable

10. Has a short-term rental in your neighborhood provided you or your neighborhood any benefit?



Has a short-term rental in your neighborhood provided you or your neighborhood any benefit?	#	%
Yes	173	19%
No	407	44%
Not sure/Not applicable	348	38%

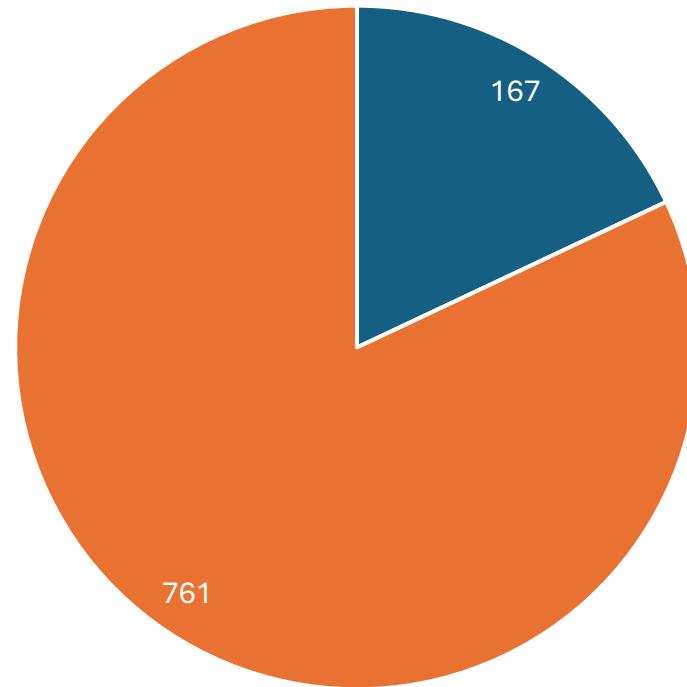
11. Are you aware of how to submit a complaint about a short-term rental?



■ Yes ■ No

Are you aware of how to submit a complaint about a short-term rental?	#	%
Yes	185	20%
No	743	80%

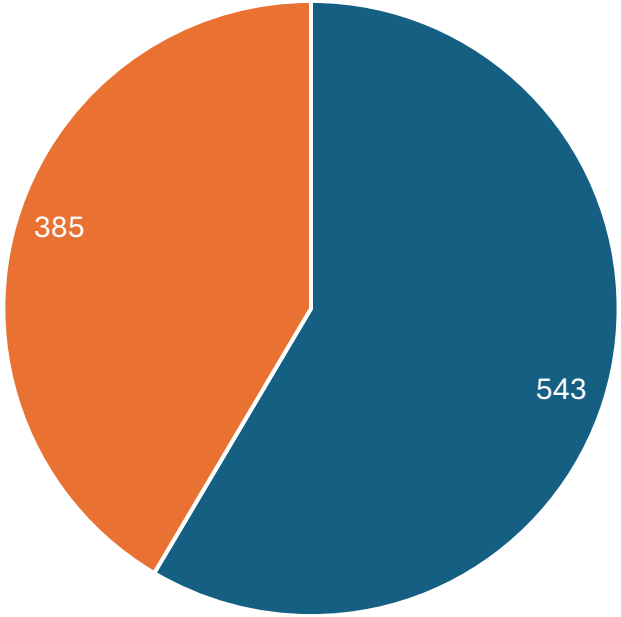
12. Do you know how to see if a short-term rental is registered with the city?



■ Yes ■ No

Do you know how to see if a short-term rental is registered with the city?	#	%
Yes	167	18%
No	761	82%

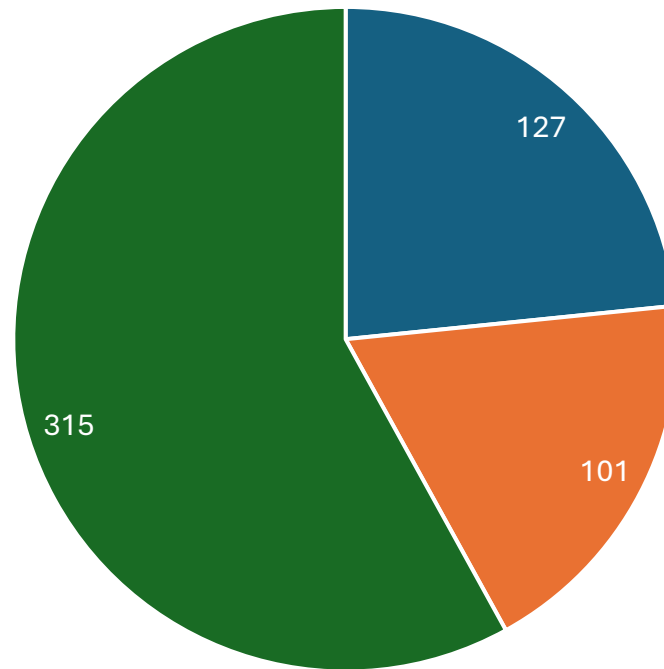
13. Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?



■ Yes ■ No

Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?	#	%
Yes	543	59%
No	385	41%

14. What type of limitation would you like to see?

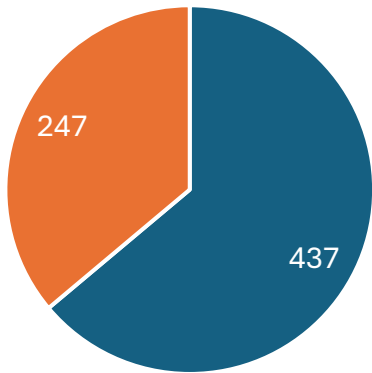


What type of limitation would you like to see?	#	%
Limit the number of days an entire operator-occupied unit can be rented as a whole	127	23%
Limit the number of days an owner-adjacent unit can be rented as a whole	101	19%
Both	315	58%

- Limit the number of days an entire operator-occupied unit can be rented as a whole
- Limit the number of days an owner-adjacent unit can be rented as a whole
- Both

General Public

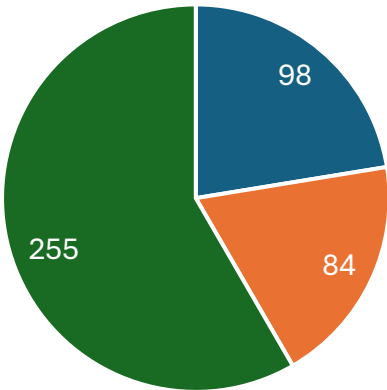
Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?



■ Yes ■ No

Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?	#	%
Yes	437	64%
No	247	36%

What type of limitation would you like to see?

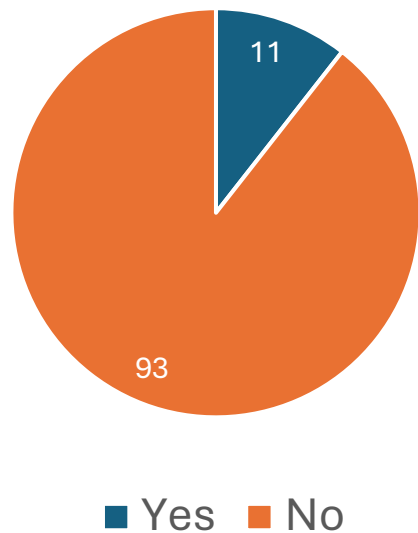


- Limit the number of days an entire operator-occupied unit can be rented as a whole
- Limit the number of days an owner-adjacent unit can be rented as a whole
- Both

What type of limitation would you like to see?	#	%
Limit the number of days an entire operator-occupied unit can be rented as a whole	98	22%
Limit the number of days an owner-adjacent unit can be rented as a whole	84	19%
Both	255	58%

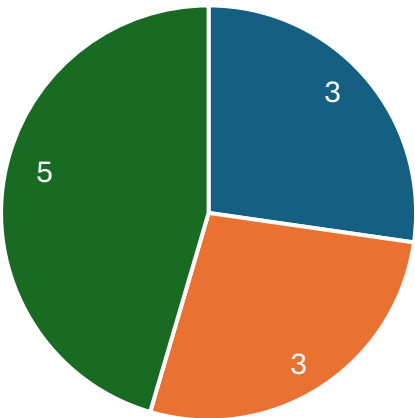
Short-Term Rental Operator

Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?



Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?	#	%
Yes	11	11%
No	93	89%

What type of limitation would you like to see?

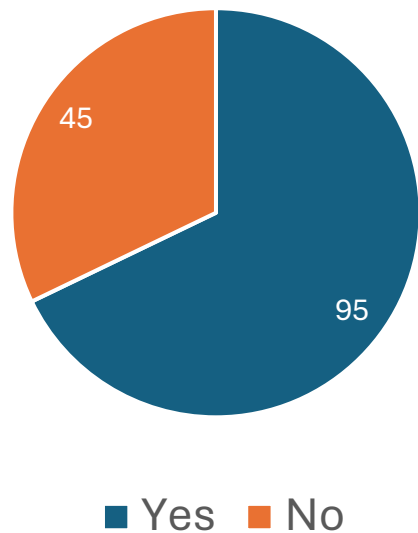


- Limit the number of days an entire operator-occupied unit can be rented as a whole
- Limit the number of days an owner-adjacent unit can be rented as a whole
- Both

What type of limitation would you like to see?	#	%
Limit the number of days an entire operator-occupied unit can be rented as a whole	3	27%
Limit the number of days an owner-adjacent unit can be rented as a whole	3	27%
Both	5	45%

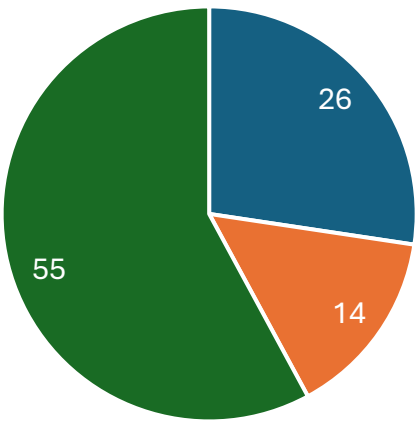
Neighbor of a Short-Term Rental

Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?



Would you like to see any limitations on the number of days an entire short-term rental unit can be rented as a whole?	#	%
Yes	95	68%
No	45	32%

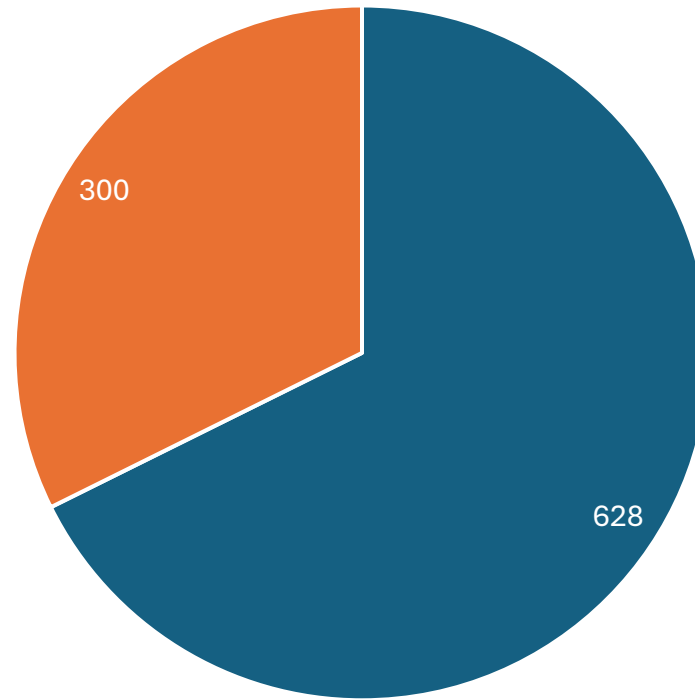
What type of limitation would you like to see?



- Limit the number of days an entire operator-occupied unit can be rented as a whole
- Limit the number of days an owner-adjacent unit can be rented as a whole
- Both

What type of limitation would you like to see?	#	%
Limit the number of days an entire operator-occupied unit can be rented as a whole	26	27%
Limit the number of days an owner-adjacent unit can be rented as a whole	14	15%
Both	55	58%

15. Should owner-adjacent short-term rentals be allowed?

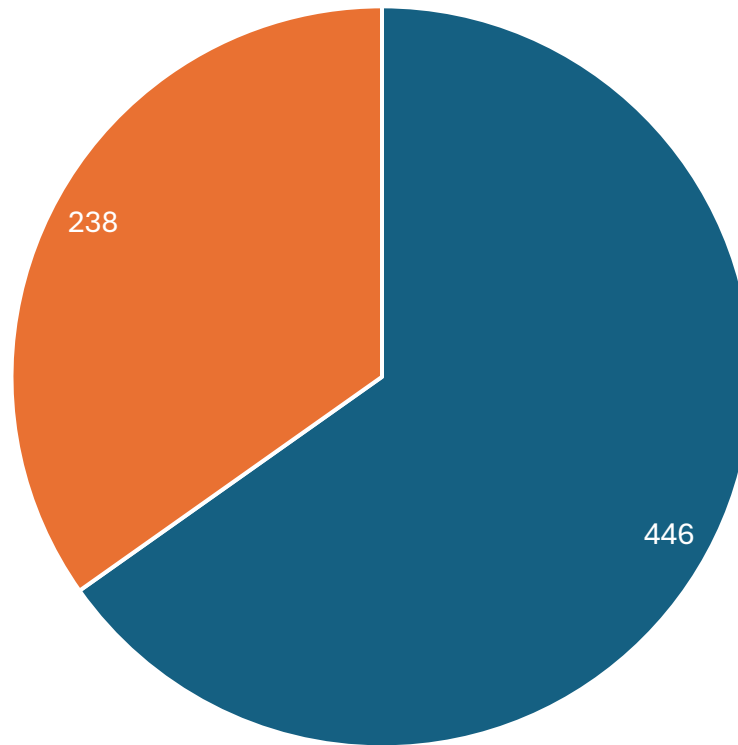


■ Yes ■ No

Should owner-adjacent short-term rentals be allowed?	#	%
Yes	628	68%
No	300	32%

General Public

Should owner-adjacent short-term rentals
be allowed?

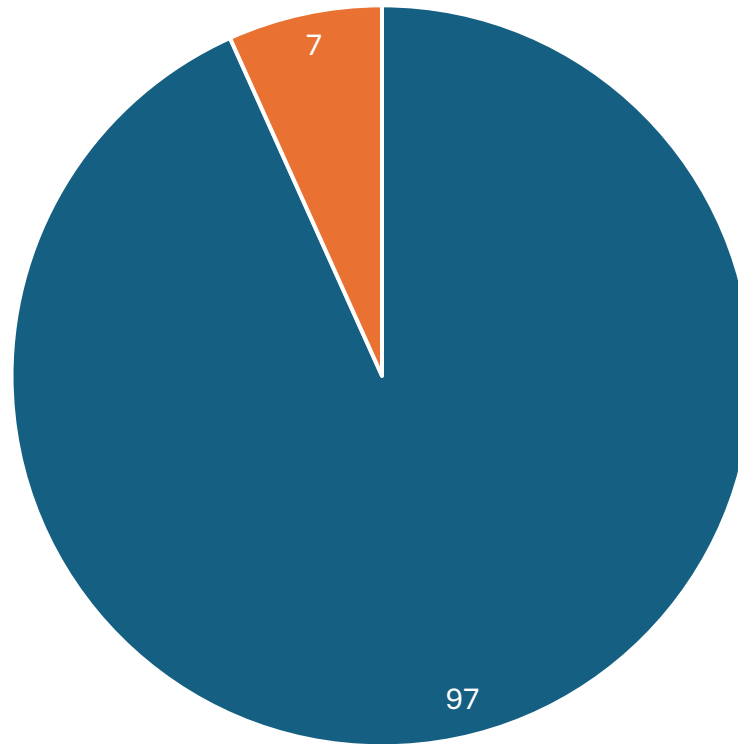


■ Yes ■ No

Should owner-adjacent short-term rentals be allowed?	#	%
Yes	446	65%
No	238	35%

Short-Term Rental Operator

Should owner-adjacent short-term rentals
be allowed?

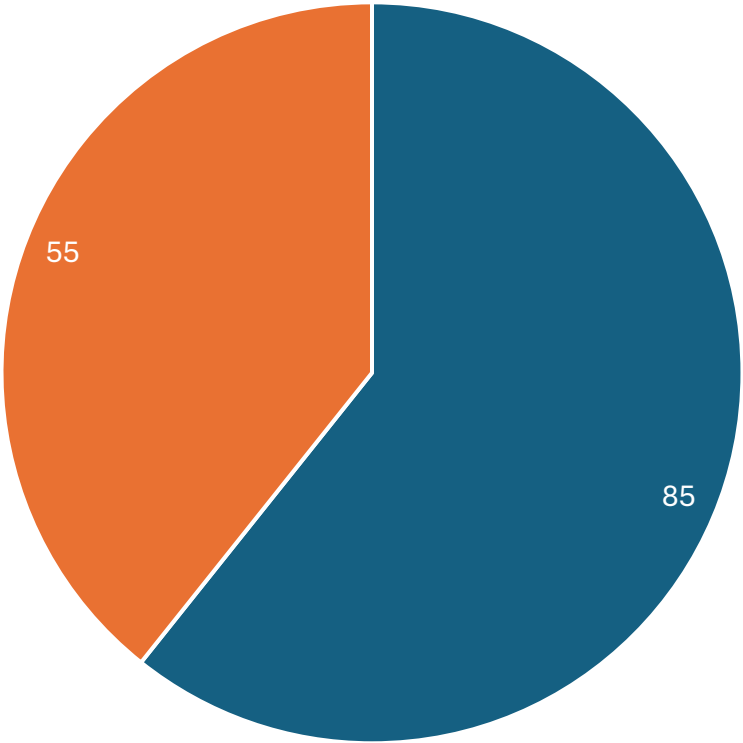


■ Yes ■ No

Should owner-adjacent short-term rentals be allowed?	#	%
Yes	97	93%
No	7	7%

Neighbor of a Short-Term Rental

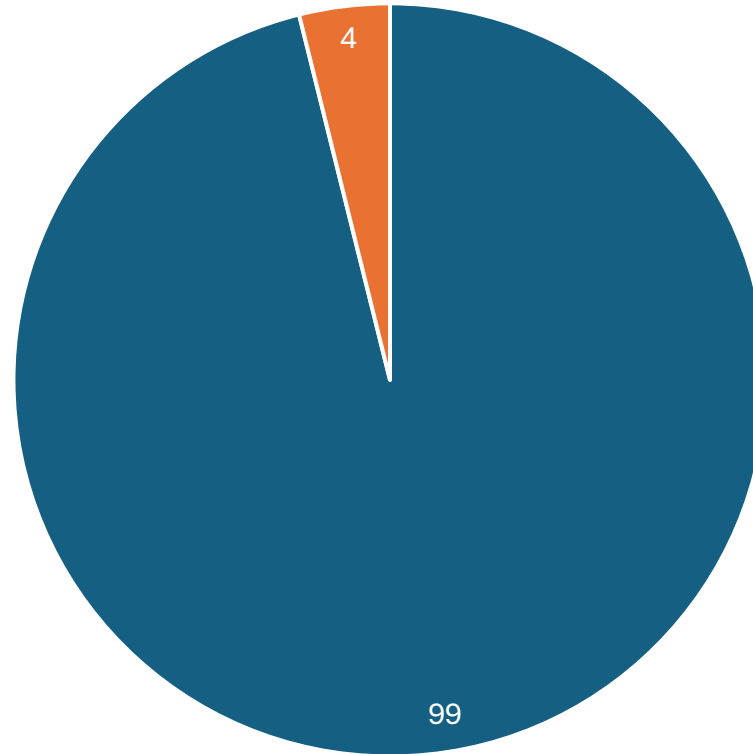
Should owner-adjacent short-term rentals be allowed?



■ Yes ■ No

Should owner-adjacent short-term rentals be allowed?	#	%
Yes	85	61%
No	55	39%

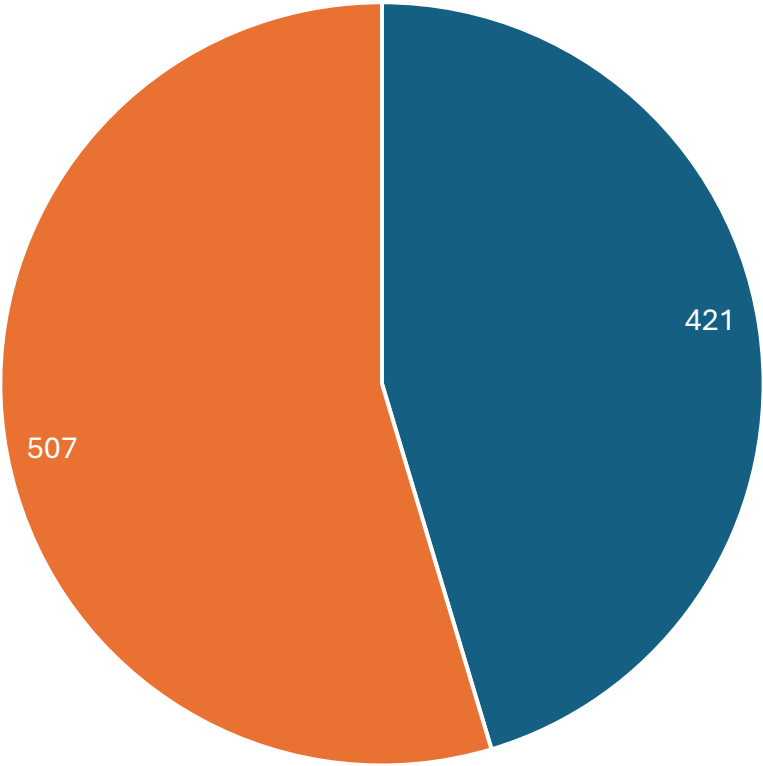
16. Do you rely on short-term rental income as an important source of income?



■ Yes ■ No

Do you rely on short-term rental income as an important source of income?	#	%
Yes	99	96%
No	4	4%

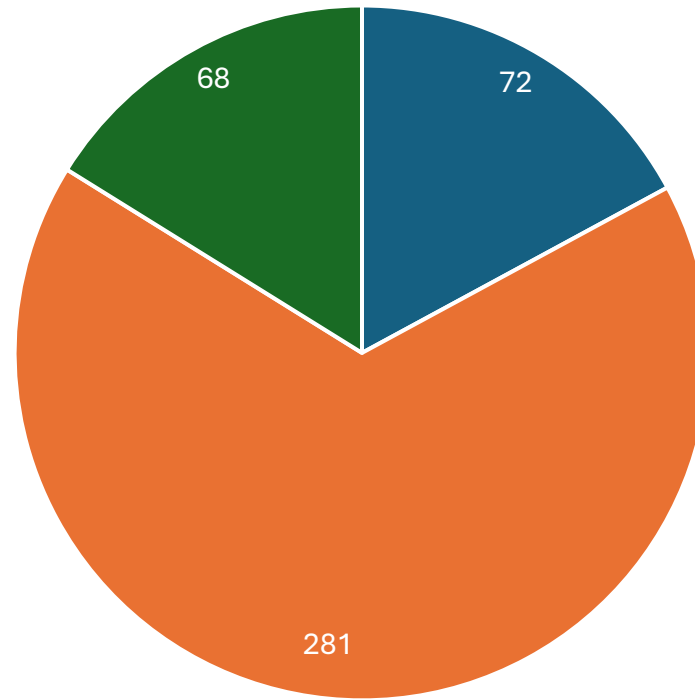
17. Do you live in a condominium association?



■ Yes ■ No

Do you live in a condominium association?	#	%
Yes	421	45%
No	507	55%

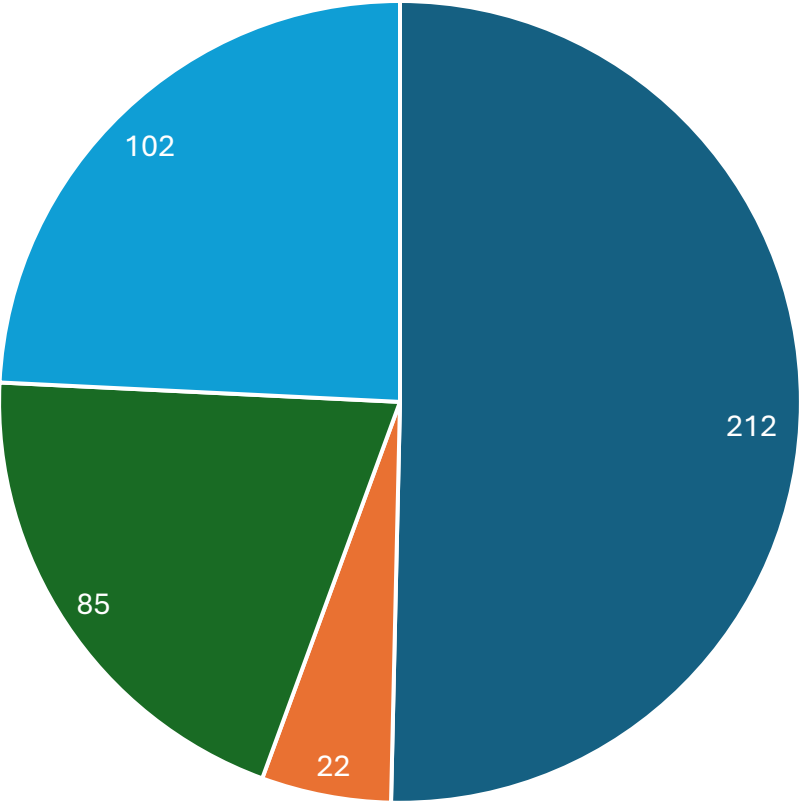
18. Do you have short-term rentals in your condo building?



■ Yes ■ No ■ Not sure

Do you have short-term rentals in your condo building?	#	%
Yes	72	17%
No	281	67%
Not sure	68	16%

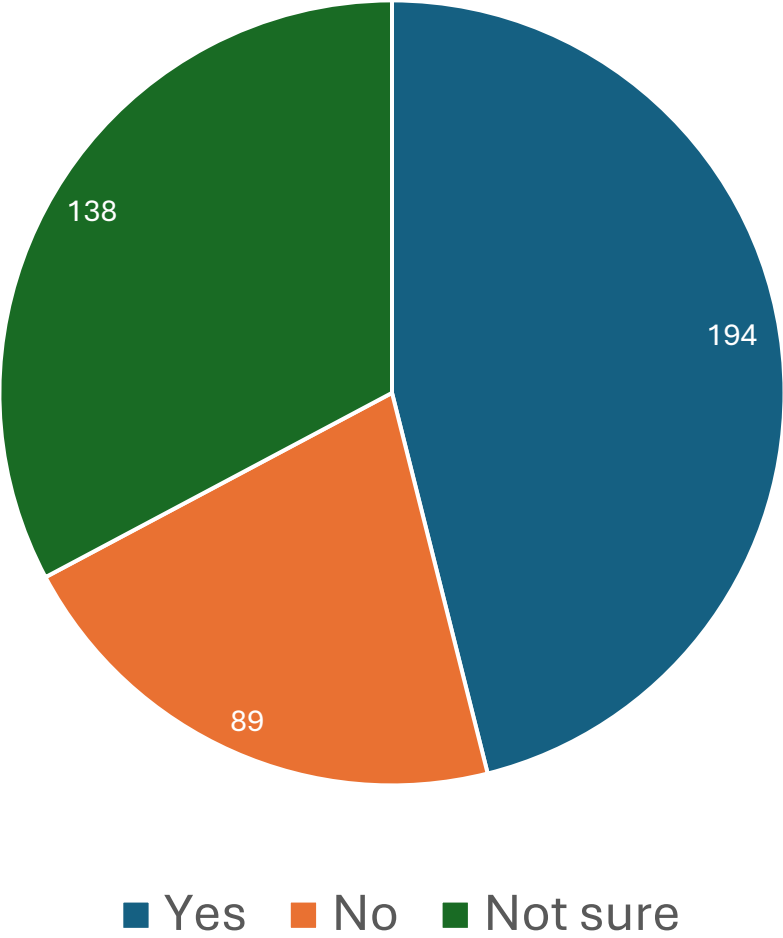
19. What impact has short-term rentals had on your building?



What impact has short-term rentals had on your building?	#	%
No impact	212	50%
Positive impact	22	5%
Negative impact	85	20%
Not sure	102	24%

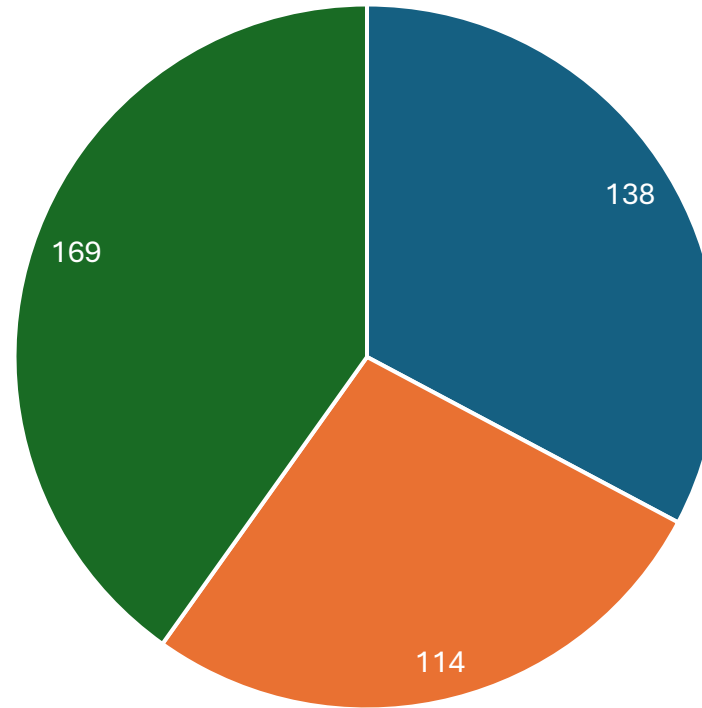
■ No impact ■ Positive impact ■ Negative impact ■ Not sure

20. Do your condominium bylaws regulate short-term rentals?



Do your condominium bylaws regulate short-term rentals?	#	%
Yes	194	46%
No	89	21%
Not sure	138	33%

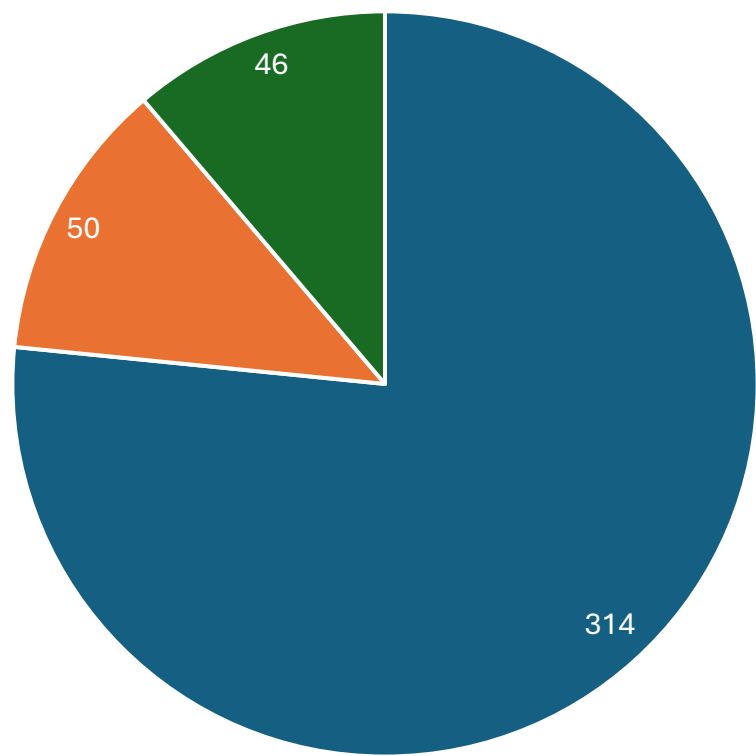
21. Would it be difficult to update your condominium bylaws to include language regulating short-term rentals?



■ Yes ■ No ■ Not sure

Would it be difficult to update your condominium bylaws to include language regulating short-term rentals	#	%
Yes	138	33%
No	114	27%
Not sure	169	40%

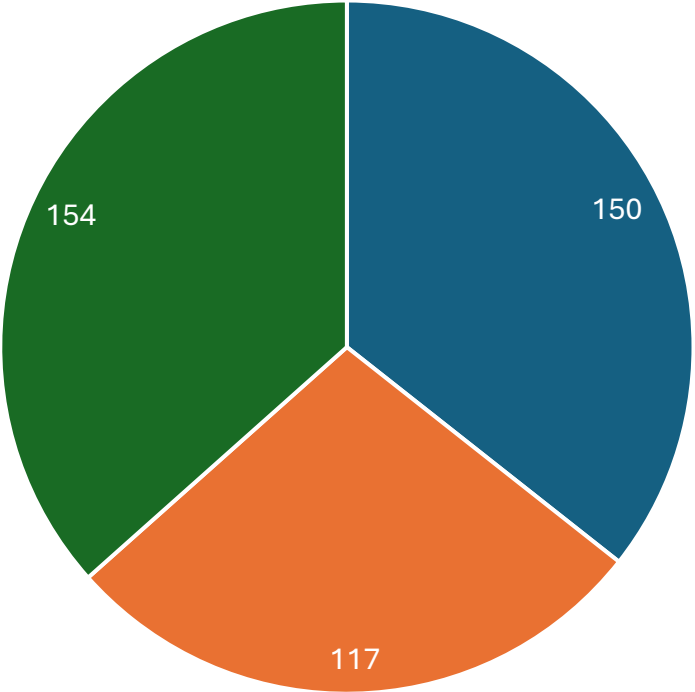
22. Do you think that the City should require a letter of approval from condo associations before approving a condo short-term rental application?



■ Yes ■ No ■ Not sure

Do you think that the City should require a letter of approval from condo associations before approving a condo short-term rental application?	#	%
Yes	314	77%
No	50	12%
Not sure	46	11%

23. Who would you consider to be a primary resident for an operator of a short-term rental?



Who would you consider to be a primary resident for an operator of a short-term rental?	#	%
A resident who lives at the property for at least 6 months out of the year	150	36%
A resident who lives at the property for at least 9 months out of the year	117	28%
A resident who lives at the property for 12 months out of the year	154	37%

- A resident who lives at the property for at least 6 months out of the year
- A resident who lives at the property for at least 9 months out of the year
- A resident who lives at the property for 12 months out of the year

MARKUP VERSION – *Additions and creations underlined, deletions in strikethrough*
Short-Term Rental (STR) Zoning Ordinance

Amendments to Section 4.60 – Short-Term Rentals

Amend Section 4.60 to read as follows:

4.60 SHORT-TERM RENTALS

4.61 Purpose.

This Section 4.60 "Short-Term Rentals" is intended to ~~make regulate~~ the operation of short-term rentals ~~legal for Cambridge residents~~, protect the safety of renters and residents, ensure that the primary use ~~of available rental units in Cambridge~~ remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

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4.62 Definitions.

For the purposes of this Chapter, the following words or phrases are defined as:

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a. ~~a.~~ *Booking Agent and/or Booking Platform.* A third party or entity that facilitates reservations and/or collects or receives payment for a short-term rental. A platform ~~shall not~~ include a service that merely posts advertisements for short-term rentals. A booking agent/platform shall include the definitions of an "intermediary" and "hosting platform" as defined in M.G.L. c. 64G, § 1.

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b. *Booking Service.* Any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between a short-term rental Operator and a prospective short-term renter, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

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c. *Primary Residence.* A residential unit in which an Operator resides for at least nine months out of a twelve-month period.

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d. *Proof of Primary Residence.* Primary residence is demonstrated by showing that as of the date of registration of the short-term residential unit on the short-term residential registry, the Operator has resided in the residential property for nine of the prior twelve months. This may be demonstrated either by:

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(1) ~~Proof of enrollment in the Cambridge residential tax exemption program, or~~

(2) ~~An affidavit, signed under the pains and penalties of perjury, stating that the residential unit being used for short-term rental is the Operator's primary residence, in addition to a property title or tenancy agreement, a driver's license or state issued identification containing the applicant's photo ID and property address, and a government~~

or utility correspondence with Operator's name and address issued within the last three (3) months.

e. *Registration Number.* A unique identification number generated by the City for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid until the expiration date and shall be associated with both the single Residential Unit and its single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.

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f. *Registry Database.* The Inspectional Services Department (ISD) shall maintain a database of eligible short-term rentals and booking agents/platforms.

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g. *Short-Term Rental.* Any rental of a residential unit; including any rental of a bedroom within a unit, in exchange for payment, as residential accommodations for a duration of less than thirty (30) twenty-eight (28) consecutive days. A short-term rental may be permitted to rent for not more than ninety (90) days per calendar year. The following types of short-term rental are permitted by this Section and may be offered up to ninety (90) days per calendar year:

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(1) *Autonomous Unit Short Term Rental.* The short-term rental is the Operator's Primary Residence and the residence is being offered in its entirety. During the period of the rental, the Operator is not residing in said unit.

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(2) *Operator-Occupied Short-Term Rental.* The short-term rental of at least one but no more three (3) individual bedrooms within the primary residence of its Operator. One bedroom must be reserved for the Operator. The Operator must be present for the duration of the short-term rental.

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(3) *Owner-Adjacent Short-Term Rental.* The short-term rental of a residential unit in its entirety that is not the primary residence of the Operator, but is located within a residential building with a total of four or fewer units where all units in the building are owned by the Operator, and one of the units in the building is the primary residence of the Operator. An owner-adjacent short-term rental may be rented only as a whole unit to one party of short-term renters at any one time. An owner-adjacent short-term rental may not be rented as separate bedrooms to separate parties.

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h. *Short-Term Rental Operator.* The person or persons offering a residential unit or bedroom for short-term rental, who may be either the owner or the primary leaseholder of the unit with the written permission of the property owner and the condominium association if applicable. A short-term rental Operator may be permitted to rent their short-term rental for not more than ninety (90) days per calendar year.

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i. *Short-Term Renter.* Any person or persons occupying a residential unit, or a bedroom within a residential unit, as a short-term rental for a duration of less than twenty-eight (28) consecutive days.

4.63 Applicability.

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The requirements of ~~this Section 4.60 "Short-Term Rentals" 4.60 and its subsections~~ shall apply to all districts where residential uses are allowed, but shall not apply to principal transient accommodations.

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4.64 Requirements for Operation of a Short-Term Rental.

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Short-term rentals are permitted as an accessory residential use in existing dwellings in all districts where residential use is permitted, subject to the following requirements:

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a. Only ~~autonomous unit, operator-~~occupied ~~short-term rentals~~ and owner-adjacent short-term rentals are permitted.

b. All short-term rental ~~Operators~~ shall register with the Inspectional Services Department prior to short-term rental use and occupancy in conformance with Section 4.~~67-68~~ below.

c. A ~~residential~~ unit or bedroom offered for short-term rentals shall comply with ~~all~~ building code, ~~sanitary code, fire code, and all other state and local habitability~~ requirements for occupancy.

d. A ~~residential~~ unit or bedroom offered for short-term rentals shall comply with all standards and regulations promulgated by the Commissioner of Inspectional Services.

e. A short-term rental ~~Operator~~ may ~~not rent for concurrent occupancy more than the following combination of units simultaneously:~~

~~(1) one residential unit for owner-adjacent short-term rentals; and~~

~~(2) three individual bedrooms for Operator-occupied short-term rentals; or~~

~~(3) one residential unit for autonomous unit short-term rentals.-~~

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f. Short-term ~~rental Operators~~ shall remit to the appropriate body all fees and taxes as required by the City and/or State authorities.

g. Short-term rental ~~operator~~~~Operator~~s shall maintain liability insurance appropriate to cover the short-term rental use ~~in conformity with M.G.L. c. 175, § 4-F.~~

h. The number of individual bedrooms made available for ~~short-term rental~~ shall not be greater than the number of lawful bedrooms in ~~said~~ unit.

~~11i.~~ Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.

~~12j.~~ Commercial meetings and uses are prohibited in short-term rentals.

~~1k3.~~ All ~~operator~~~~Operators~~ shall produce any and all booking and registration information, transaction details, reports, records, or other documentation related to short-term rentals upon request by City officials. Such records shall be maintained for a period of three years or longer if required by law. Failure to provide such information or documentation upon request by City officials

shall constitute grounds for revocation of short-term rental authorization and any other penalties as authorized by law.

l. Short-Term Rental Operators shall display their Registration Number on any listing or advertisement offering a Short-Term Rental.

m. If a short-term rental property is deemed a nuisance, ISD may revoke the Operator's short-term rental certificate of registration effective immediately.

4.65 Requirements for Booking Agents and/or Platforms.

A Booking Agent or Platform may provide, and collect a fee for, Booking Services in connection with short-term rentals located in the City only when the Agent or Platform exercises reasonable care to confirm that those units are lawfully registered on the Short-Term Rental Registry at the time the unit is rented for short-term rental. Whenever a Booking Agent or Platform complies with Regulations and/or Guidelines issued by the City, through ISD, to confirm that the Residential Unit is lawfully registered on the Short-Term Rental Registry, the Agent or Platform shall be deemed to have exercised reasonable care for the purpose of this subsection 4.65.

a. A booking agent/platform is prohibited from performing booking services in the City of Cambridge without registering with the City through ISD. ISD shall establish a booking agent/platform registration system through regulations and/or policy promulgated by the Department. A booking agent/platform registry shall be made public by ISD.

b. Booking agents/platforms shall not complete any booking transaction for short-term rental unless it is listed on the City's registry at the time the agent/platform receives a fee for the booking transaction.

c. All booking agents/platforms shall be required to confirm that they are in compliance with the City's Ordinance and regulations.

d. Upon filing for a registration renewal, or at the request of ISD, a booking agent/platform shall provide a report that contains the following information for the preceding year:

(1) Data regarding the properties that the booking agent/platform has collected a fee for booking which shall include the location, description of the listing including whether it was for a room or entire unit, and (solely to the extent such data is publicly available) the number of nights each unit was reported as occupied.

e. It shall be unlawful for a booking agent or platform to charge, collect or receive a fee in connection with a short-term rental unless such booking agent/platform has used the registration database maintained by ISD either to:

(1) Verify that such short-term rental is for a registered unit within the City; or

(2) Verify that the unit that is the subject of such short-term rental is associated with the short-term rental registration number submitted to the booking agent/platform and such registration is currently valid.

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f. A booking agent/platform operating exclusively on the Internet, which operates in compliance with subsections 4.65, shall be presumed to be in compliance with this Section, except that the booking agent/platform remains responsible for compliance with any administrative subpoena provisions of this Section.

i. For each transaction in which a booking agent/platform charges, collects or receives a fee, directly or indirectly, for activity described in the definition of booking service in relation to a short-term rental in violation this Section, such booking agent/platform shall be liable for a civil penalty of not more than \$300 per violation per day.

4.65-66 Procedural Requirements.

1. The following information shall be provided to all short-term renters and posted in all owner-adjacent short-term rentals in a manner to be determined by the Inspectional Services Department:

aa. Instructions for disposal of waste per the City's recycling and composting programs.

bb. An emergency-exit diagram in all bedrooms used for owner-adjacent short-term rentals and on all egresses from the unit.

cc. Contact information for the short-term rental operatorOperator, or when the operatorOperator is not present, the contact information for a locally available contact designated to respond to all emergencies and problems that may arise during the rental period.

dd. The certificate of registration for the short-term rental.

4.66-67 Regulations. The Commissioner of Inspectional Services shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 4.60 "Short-Term Rentals:" and its subsections.

4.67-68 Short-Term Rental Operator/Unit Registration.

1. All Operators of short-term rentals shall register all units with the City and secure a certificate of registration according to standards set forth by the Commissioner of Inspectional Services, and shall pay all associated fees. The certificate of registration shall require the operatorOperator to agree to abide by the requirements of this Section 4.60 and its subsections.

a. If the operator is not the owner of the property, the operator shall provide written evidence that the owner and/or the governing body of the condominium association (if applicable) has consented to the short-term rental use of the property.

ab. All operatorOperators shall provide the City with proof that one of the units in the structure is used as the operatorOperator's primary residence, either by:

(1) Proof of enrollment in the Cambridge residential tax exemption program, or

(2) An affidavit, signed under the pains and penalties of perjury, stating that the dwelling residential unit being used for short-term rental is the operatorOperator's primary

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residence, in addition to a property title or tenancy agreement, a photo ID driver's license or state issued identification containing the applicant's photo ID and property address, and a government or utility correspondence with operatorOperator's name and address issued within the last three (3) months.

b. If the operatorOperator is not the owner of the property, the operatorOperator shall provide written evidence that the owner and the governing body of the condominium association (if applicable) has consented to the short-term rental use of the property.

c. If the operatorOperator is the owner of the property, the operatorOperator shall provide written evidence that the governing body of the condominium association (if applicable) has consented to the short-term rental use of the property.

2.d. Prior to issuing or renewing a certificate of registration, the Inspectional Services Department shall conduct an inspection to verify that each unit to be rented to short-term renters:

(1). Meets all building code requirements for occupancy.

(2). Meets all other requirements of this Section 4.60 "Short-Term Rentals" and regulations promulgated by the Commissioner of Inspectional Services.

ced. It is the responsibility of the short-term rental operatorOperator to renew its certificate of registration every five years or upon change of operatorOperator or owner.

fe. A registration shall be tied to both the residential unit and the Operator and will not automatically transfer upon the sale of the unit. New Operators are responsible for ensuring that they re-register a unit with ISD if they wish to continue offering a unit as a short-term rental.

3f. Any property or unit in violation of any building, zoning, sanitary, or fire code shall have their certificate of registration suspended or revoked.

g. No certificate of registration shall be issued to any property in violation of any building, zoning, sanitary, or fire code until all violations have been resolved as set forth in the Short-Term Rental Regulations.

4h. Inspectional Services shall have the right to revoke, suspend, or prohibit a certificate of registration as set forth in the Short-Term Rental Regulations.

i. Duty to Amend Application. If there are any material changes to the information submitted on a short-term rental registration application, the Operator shall submit an amended application on a form to be provided by the City and signed by the Operator under penalty of perjury within thirty days of any such changes. For the purposes of this Section, any change to the information required to be included for a short-term rental application shall constitute a material change. Failure to submit an amended application may result in revocation of the short-term rental registration certification.

j. No Transfer or Assignment. A short-term rental certification may not be assigned or transferred to any other person.

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4.69. **Enforcement.**

Enforcement by City. The provisions of this section may be enforced in accordance with the noncriminal civil disposition process prescribed in M.G.L. c. 40, § 21D or by seeking to restrain a violation of this ordinance by court injunction.

ISD shall be authorized to conduct investigations, to issue subpoenas, to receive evidence, to hear complaints regarding activities subject to this section, to hold public hearings, to take testimony and to promulgate, amend and modify procedures and practices governing such proceedings.

4.70 **Violations.**

Any person who offers a unit as a short-term rental, or any booking agent/platform who accepts a fee for booking a unit as a short-term rental, where such unit is not an eligible residential unit or is otherwise not in compliance with the provisions of this ordinance, shall be fined \$300 per violation per day. Each day's failure to comply with a notice of violation, or any other order, shall constitute a separate violation. ISD may also seek an injunction from a court of competent jurisdiction prohibiting the offering of a unit as a short-term rental.

4.71 **Local Room Occupancy Excise and Community Impact Fees.**

Local community impact fee. Upon acceptance by the City of the provisions of M.G.L. c. 64G, § 3A, the City may also in the same manner of acceptance and by separate votes under M.G.L. c. 64G, § 3D(a) and (b) impose community impact fees of not more than 3% of the total amount of rent for short-term rentals as provided in § 3D.

A residential unit subject to the provisions of this section that is also subject to the room occupancy excise pursuant to M.G.L. c. 64G or any other excise or surcharge pertaining to short-term rentals pursuant to state law shall comply with the provisions of those statutes and ordinances. Upon acceptance by the City of the provisions of M.G.L. c. 64G, § 3A, the City may impose such room occupancy excise upon the transfer of occupancy of a room in a short-term rental at a rate of not more than 6% of the total amount of rent for each such occupancy.

4.72 **Severability.**

If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

~~4.68-73.~~ **Effective Date.** The provisions of this Section 4.60 "Short-Term Rentals" shall take effect on April 1, 2019. Beginning on October 1, 2017, or on an earlier date as may be determined by the Commissioner of Inspectional Services, the City may receive applications for registration, conduct inspections, and issue certificates of registration for short-term rentals to operatorOperators who apply before the effective date.

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CLEAN VERSION

Short-Term Rental (STR) Zoning Ordinance

Amendments to Section 4.60 – Short-Term Rentals

Amend Section 4.60 to read as follows:

4.60 SHORT-TERM RENTALS

4.61 Purpose.

This Section 4.60 "Short-Term Rentals" is intended to regulate the operation of short-term rentals , protect the safety of renters and residents, ensure that the primary use of available rental units in Cambridge remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

4.62 Definitions.

For the purposes of this Chapter, the following words or phrases are defined as:

- a. *Booking Agent and/or Booking Platform.* A third party or entity that facilitates reservations and/or collects or receives payment for a short-term rental. A platform *shall not* include a service that merely posts advertisements for short-term rentals. A booking agent/platform shall include the definitions of an “intermediary” and “hosting platform” as defined in M.G.L. c. 64G, § 1.
- b. *Booking Service.* Any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between a short-term rental Operator and a prospective short-term renter, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.
- c. *Primary Residence.* A residential unit in which an Operator resides for at least nine months out of a twelve-month period.
- d. *Proof of Primary Residence.* Primary residence is demonstrated by showing that as of the date of registration of the short-term residential unit on the short-term residential registry, the Operator has resided in the residential property for nine of the prior twelve months. This may be demonstrated either by:
 - (1) Proof of enrollment in the Cambridge residential tax exemption program, or
 - (2) An affidavit, signed under the pains and penalties of perjury, stating that the residential unit being used for short-term rental is the Operator's primary residence, in addition to a property title or tenancy agreement, a driver's license or state issued identification containing the applicant's photo ID and property address, and a government or utility correspondence with Operator's name and address issued within the last three (3) months.

e. *Registration Number.* A unique identification number generated by the City for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid until the expiration date and shall be associated with both the single Residential Unit and its single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.

f. *Registry Database.* The Inspectional Services Department (ISD) shall maintain a database of eligible short-term rentals and booking agents/platforms.

g. *Short-Term Rental.* Any rental of a residential unit including any rental of a bedroom within a unit, in exchange for payment, as residential accommodations for a duration of less than twenty-eight (28) consecutive days. A short-term rental may be permitted to rent for not more than ninety (90) calendar days per calendar year. The following types of short-term rental are permitted by this Section and may be offered up to ninety (90) calendar days per calendar year:

(1) *Autonomous Unit Short Term Rental.* The short-term rental is the Operator's Primary Residence and the residence is being offered in its entirety. During the period of the rental, the Operator is not residing in said unit.

(2) *Operator-Occupied Short-Term Rental.* The short-term rental of at least one but no more three (3) individual bedrooms within the primary residence of its Operator. One bedroom must be reserved for the Operator. The Operator must be present for the duration of the short-term rental.

(3) *Owner-Adjacent Short-Term Rental.* The short-term rental of a residential unit in its entirety that is not the primary residence of the Operator, but is located within a residential building with a total of four or fewer units where all units in the building are owned by the Operator, and one of the units in the building is the primary residence of the Operator. An owner-adjacent short-term rental may be rented only as a whole unit to one party of short-term renters at any one time. An owner-adjacent short-term rental may not be rented as separate bedrooms to separate parties.

h. *Short-Term Rental Operator.* The person or persons offering a residential unit or bedroom for short-term rental, who may be either the owner or the primary leaseholder of the unit with the written permission of the property owner and the condominium association if applicable. A short-term rental Operator may be permitted to rent their short-term rental for not more than ninety (90) calendar days per calendar year.

i. *Short-Term Renter.* Any person or persons occupying a residential unit, or a bedroom within a residential unit, as a short-term rental for a duration of less than twenty-eight (28) consecutive days.

4.63 Applicability.

The requirements of 4.60 "Short-Term Rentals" and its subsections shall apply to all districts where residential uses are allowed, but shall not apply to principal transient accommodations.

4.64 Requirements for Operation of a Short-Term Rental.

Short-term rentals are permitted as an accessory residential use in existing dwellings in all districts where residential use is permitted, subject to the following requirements:

- a. Only autonomous unit, operator-occupied, and owner-adjacent short-term rentals are permitted.
- b. All short-term rental Operators shall register with the Inspectional Services Department prior to short-term rental use and occupancy in conformance with Section 4.68 below.
- c. A residential unit or bedroom offered for short-term rental shall comply with all building code, sanitary code, fire code, and all other state and local habitability requirements for occupancy.
- d. A residential unit or bedroom offered for short-term rental shall comply with all standards and regulations promulgated by the Commissioner of Inspectional Services.
- e. A short-term rental Operator may not rent for concurrent occupancy more than the following combination of units simultaneously:
 - (1) one residential unit for owner-adjacent short-term rentals; and
 - (2) three individual bedrooms for Operator-occupied short-term rentals; or
 - (3) one residential unit for autonomous unit short-term rentals.
- f. Short-term rental Operators shall remit to the appropriate body all fees and taxes as required by the City and/or State authorities.
- g. Short-term rental Operators shall maintain liability insurance appropriate to cover the short-term rental use in conformity with M.G.L. c. 175, § 4F.
- h. The number of individual bedrooms made available for short-term rental shall not be greater than the number of lawful bedrooms in said unit.
- i. Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.
- j. Commercial meetings and uses are prohibited in short-term rentals.
- k. All Operators shall produce any and all booking and registration information, transaction details, reports, records, or other documentation related to short-term rentals upon request by City officials. Such records shall be maintained for a period of three years or longer if required by law. Failure to provide such information or documentation upon request by City officials shall constitute grounds for revocation of short-term rental authorization and any other penalties as authorized by law.
- l. Short-Term Rental Operators shall display their Registration Number on any listing or advertisement offering a Short-Term Rental.
- m. If a short-term rental property is deemed a nuisance, ISD may revoke the Operator's short-term rental certificate of registration effective immediately.

4.65 Requirements for Booking Agents and/or Platforms.

A Booking Agent or Platform may provide, and collect a fee for, Booking Services in connection with short-term rentals located in the City only when the Agent or Platform exercises reasonable care to confirm that those units are lawfully registered on the Short-Term Rental Registry at the time the unit is rented for short-term rental. Whenever a Booking Agent or Platform complies with Regulations and/or Guidelines issued by the City, through ISD, to confirm that the Residential Unit is lawfully registered on the Short-Term Rental Registry, the Agent or Platform shall be deemed to have exercised reasonable care for the purpose of this subsection 4.65.

- a. A booking agent/platform is prohibited from performing booking services in the City of Cambridge without registering with the City through ISD. ISD shall establish a booking agent/platform registration system through regulations and/or policy promulgated by the Department. A booking agent/platform registry shall be made public by ISD.
- b. Booking agents/platforms shall not complete any booking transaction for short-term rental unless it is listed on the City's registry at the time the agent/platform receives a fee for the booking transaction.
- c. All booking agents/platforms shall be required to confirm that they are in compliance with the City's Ordinance and regulations.
- d. Upon filing for a registration renewal, or at the request of ISD, a booking agent/platform shall provide a report that contains the following information for the preceding year:
 - (1) Data regarding the properties that the booking agent/platform has collected a fee for booking which shall include the location, description of the listing including whether it was for a room or entire unit, and (solely to the extent such data is publicly available) the number of nights each unit was reported as occupied.
- e. It shall be unlawful for a booking agent or platform to charge, collect or receive a fee in connection with a short-term rental unless such booking agent/platform has used the registration database maintained by ISD either to:
 - (1) Verify that such short-term rental is for a registered unit within the City; or
 - (2) Verify that the unit that is the subject of such short-term rental is associated with the short-term rental registration number submitted to the booking agent/platform and such registration is currently valid.
- f. A booking agent/platform operating exclusively on the Internet, which operates in compliance with subsections 4.65, shall be presumed to be in compliance with this Section, except that the booking agent/platform remains responsible for compliance with any administrative subpoena provisions of this Section.
- i. For each transaction in which a booking agent/platform charges, collects or receives a fee, directly or indirectly, for activity described in the definition of booking service in relation to a short-term rental in violation this Section, such booking agent/platform shall be liable for a civil penalty of not more than \$300 per violation per day.

4.66 Procedural Requirements.

The following information shall be provided to all short-term renters and posted in all short-term rentals in a manner to be determined by the Inspectional Services Department:

- a. Instructions for disposal of waste per the City's recycling and composting programs.
- b. An emergency-exit diagram in all bedrooms used for owner-adjacent short-term rentals and on all egresses from the unit.
- c. Contact information for the short-term rental Operator, or when the Operator is not present, the contact information for a locally available contact designated to respond to all emergencies and problems that may arise during the rental period.
- d. The certificate of registration for the short-term rental.

4.67 Regulations. The Commissioner of Inspectional Services shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 4.60 "Short-Term Rentals" and its subsections.

4.68 Short-Term Rental Operator/Unit Registration.

Operators of short-term rentals shall register all units with the City and secure a certificate of registration according to standards set forth by the Commissioner of Inspectional Services, and shall pay all associated fees. The certificate of registration shall require the Operator to agree to abide by the requirements of this Section 4.60 and its subsections.

- a. All Operators shall provide the City with proof that one of the units in the structure is used as the Operator's primary residence, either by:
 - (1) Proof of enrollment in the Cambridge residential tax exemption program, or
 - (2) An affidavit, signed under the pains and penalties of perjury, stating that the residential unit being used for short-term rental is the Operator's primary residence, in addition to a property title or tenancy agreement, a driver's license or state issued identification containing the applicant's photo ID and property address, and a government or utility correspondence with Operator's name and address issued within the last three (3) months.
- b. If the Operator is not the owner of the property, the Operator shall provide written evidence that the owner and the governing body of the condominium association (if applicable) has consented to the short-term rental use of the property.
- c. If the Operator is the owner of the property, the Operator shall provide written evidence that the governing body of the condominium association (if applicable) has consented to the short-term rental use of the property.
- d. Prior to issuing or renewing a certificate of registration, the Inspectional Services Department shall conduct an inspection to verify that each unit to be rented to short-term renters:
 - (1) Meets all building code requirements for occupancy.

(2) Meets all other requirements of this Section 4.60 "Short-Term Rentals" and regulations promulgated by the Commissioner of Inspectional Services.

e. It is the responsibility of the short-term rental Operator to renew its certificate of registration every five years or upon change of Operator or owner.

f. A registration shall be tied to both the residential unit and the Operator and will not automatically transfer upon the sale of the unit. New Operators are responsible for ensuring that they re-register a unit with ISD if they wish to continue offering a unit as a short-term rental.

f. Any property or unit in violation of any building, zoning, sanitary, or fire code shall have their certificate of registration suspended or revoked.

g. No certificate of registration shall be issued to any property in violation of any building, zoning, sanitary, or fire code until all violations have been resolved as set forth in the Short-Term Rental Regulations.

h. Inspectional Services shall have the right to revoke, suspend, or prohibit a certificate of registration as set forth in the Short-Term Rental Regulations.

i. **Duty to Amend Application.** If there are any material changes to the information submitted on a short-term rental registration application, the Operator shall submit an amended application on a form to be provided by the City and signed by the Operator under penalty of perjury within thirty days of any such changes. For the purposes of this Section, any change to the information required to be included for a short-term rental application shall constitute a material change. Failure to submit an amended application may result in revocation of the short-term rental registration certification.

j. **No Transfer or Assignment.** A short-term rental certification may not be assigned or transferred to any other person.

4.69. Enforcement.

Enforcement by City. The provisions of this section may be enforced in accordance with the noncriminal civil disposition process prescribed in M.G.L. c. 40, § 21D or by seeking to restrain a violation of this ordinance by court injunction.

ISD shall be authorized to conduct investigations, to issue subpoenas, to receive evidence, to hear complaints regarding activities subject to this section, to hold public hearings, to take testimony and to promulgate, amend and modify procedures and practices governing such proceedings.

4.70 Violations.

Any person who offers a unit as a short-term rental, or any booking agent/platform who accepts a fee for booking a unit as a short-term rental, where such unit is not an eligible residential unit or is otherwise not in compliance with the provisions of this ordinance, shall be fined \$300 per violation per day. Each day's failure to comply with a notice of violation, or any other order, shall constitute a separate violation. ISD may also seek an injunction from a court of competent jurisdiction prohibiting the offering of a unit as a short-term rental.

4.71 Local Room Occupancy Excise and Community Impact Fees.

Local community impact fee. Upon acceptance by the City of the provisions of M.G.L. c. 64G, §3A , the City may also in the same manner of acceptance and by separate votes under M.G.L. c. 64G, § 3D(a) and (b) impose community impact fees of not more than 3% of the total amount of rent for short-term rentals as provided in § 3D.

A residential unit subject to the provisions of this section that is also subject to the room occupancy excise pursuant to M.G.L. c. 64G or any other excise or surcharge pertaining to short-term rentals pursuant to state law shall comply with the provisions of those statutes and ordinances. Upon acceptance by the City of the provisions of M.G.L. c. 64G, § 3A, the City may impose such room occupancy excise upon the transfer of occupancy of a room in a short-term rental at a rate of not more than 6% of the total amount of rent for each such occupancy.

4.72 Severability.

If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

4.73. Effective Date. The provisions of this Section 4.60 "Short-Term Rentals" shall take effect on _____ . Operator