

**Town of Londonderry, Vermont
Selectboard**

Meeting Minutes
Monday, April 21, 2025, 6:00 PM
139 Middletown Road, South Londonderry, VT 05155

Board members present: James Ameden, Jr., Thomas Cavanagh, and Taylor Prouty.

Board members absent: Martha Dale and Jim Fleming.

Town Officials: Aileen Tulloch, Town Administrator; Tina Labeau, Town Treasurer; Sally Hesse, Selectboard Meeting Note Taker; Gary Barton, Jeff Duda, Fire Chief South Londonderry Fire Department, Mimi Lines, Housing Commission, Andy Dahlstrom, Short Term Rental Administrator; Josh Dryden, Road Foreman; Jeff Duda, South Londonderry Fire Commission; Liam Elio, Mountain Towns Recreation Director; Esther Fishman, Solid Waste Coordinator; Mark Frayne, Deputy Health Officer; Jen Greenfield, Planning Commission; Gary Hedman, Village Wastewater Committee; and Kelly Pajala, Parks Board.

Others in Attendance: Matt Bachler, Windham Regional Commission; Paul Hendler, Tim Jones, Green Mountain Power (GMP); Rich Phelan; Ben and Loana Sargent; and GNAT camera operator Bruce Frauman.

1. Call Meeting to Order

Chair Tom Cavanagh called the meeting to order at 6:02 p.m.

2. Additions or Deletions to the Agenda

[1 VSA 312(d)(3)(A)]

None.

3. Minutes Approval – Meeting(s) of 4/7/2025

James Ameden moved to approve the minutes of the Selectboard meeting of April 7, 2025, seconded by Taylor Prouty. The motion passed unanimously.

4. Selectboard Pay Orders

James Ameden moved to approve the pay orders for payroll and accounts payable, seconded by Taylor Prouty. The motion passed unanimously.

5. Announcements/Correspondence

The following announcements were made by Town Administrator Aileen Tulloch:

- Town office renovations are moving forward and nearing completion. Staff hope to move in by April 28th, and the trailer will be removed by May 20th.
- The Reinhart contract was signed and trees were removed by FEMA’s April 15th deadline to protect Northern Long-eared Bats.
- Bids for the Memorial Park pavilion roofing project are due May 1st at 2 p.m.

The following correspondence was reported by Tulloch:

- FEMA Rinehart project final public notice was published as required in public places.

6. Visitors and Concerned Citizens

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None.

7. Town Officials Business

a. Village Wastewater Committee

i. Discuss Village Wastewater Management Ordinance and Fee schedule

Matt Bachler, Senior Planner at Windham Regional Commission, provided an update. He reported that Dufresne Group is working on design plans for the North and South Villages, and the required historical and archeological reviews are scheduled for May. The Town Attorney, Bob Fisher, drafted an easement plan for the Peele property and sent out for review.

Fisher has also reviewed and provided comments on the draft ordinance that was discussed at the March 17th Selectboard meeting. Fisher recommends: 1) looking at duration timeline for preliminary and final approvals and account for State review and permitting, which can be lengthy; and 2) reviewing the relevant State statute for establishing a reserve fund.

Next steps include working with Fisher and the Board to make final changes and present updated version at the May 2nd or May 19th Selectboard meeting. Bachler is confident in the draft ordinance; it is a template used and vetted by other towns and attorneys in Vermont. RCAP Solutions and Dufresne Group have also reviewed and provided input on the draft.

Gary Hedman, Village Wastewater Commission added that there are 3 items that need to be reviewed and finalized: 1) fee structure; 2) connection application; and 3) what entity will act as Village Wastewater Administrator. Hedman also reported that the Dufresne Group provided a “Building Envelope” that details resource maps and setbacks. This will be forwarded to the Selectboard for review.

b. Mountain Town Recreation Director

i. Part Time Summer Hire

James Ameden moved to hire Nick Crane to the part-time Parks Staff with a starting salary of \$25 per hour, effective April 21, 2025, subject to completion of a probationary period of 6 months, seconded by Taylor Prouty. The motion passed unanimously.

ii. Parks Board Appointment

Liam Elio, Mountain Towns Recreation Director reported that the Parks Board voted unanimously to appoint Kelly Pajala to its Board, and Tom Cavanagh welcomed Pajala back.

James Ameden moved to appoint Kelly Pajala to the Londonderry Parks Board, seconded by Taylor Prouty. The motion passed unanimously.

c. Short Term Rental Administrator

i. Short-term Rental Ordinance Draft

Short-term Rental Administrator Andy Dahlstrom was present to answer questions on the Ordinance and walk through the process with the Board. The draft Ordinance was included in the meeting packet, and Andy pointed out a few key changes:

- Rental Arbitrage is defined and aligned with Vermont STR policy. Only owners can hold a STR license, not renters.
- Knox Boxes will be required when the property is vacant or unattended.
- There will be a limit on the number of STRs that each owner can register, but owners that already have in excess of this number will be grandfathered in as long as they hold deed.
- A newly purchased property cannot be registered as an un-hosted rental in first year of ownership.
- There is a cap of 50 rental nights for future un-hosted rentals.
- A quiet hour was added.
- Specifications to meet Vermont fire code (current alarms, window size) were added.
- Owners will provide disposal containers and arrange for timely removal of all trash, compost, and recyclables.
- Any fees associated with serving STR operator a violation ticket will be added to the ticket.

Taylor Prouty moved to adopt the Short-term Rental Ordinance as presented with the noted changes, such amendment to take effect after 60 days unless a petition is filed as provided for under 24 V.S.A. § 1973(b), seconded by James Ameden. The motion passed unanimously.

The ordinance is adopted and is included as an addendum to these minutes.

8. Transfer Station/Solid Waste Management

a. Updates

Nick Crane is ready to start on Sundays. The Board will revisit at next meeting and set timeframe for him to start, most likely Sunday, May 11th.

Gary Barton relayed that Greg Heaton of Green Mountain Power confirmed a contract was awarded for transfer station power upgrade. Green Mountain Power will be upgrading lines along Route 100 in the near future, but this won't affect the transfer station upgrade. The main issue is that the increase to 30 amps will require installation of a line to a structure or pedestal with separate underground amps running to compactors.

It was agreed that an engineering plan will be needed before the project goes out to bid. Taylor Prouty will reach out to Greg Heaton for recommendations.

Esther Fishman raised the need for a staging area at the station for large debris. Brett at Hunter Excavating has an industrial chipper and might be willing to chip big stuff, but a staging area

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would still be needed. Another option would be to limit the size of what comes into the transfer station.

Taylor Prouty brought up brush burning and the need to implement some new rules. Fishman indicated she would like to eliminate burning altogether and the State might be moving in this direction.

b. 2025 Solid Waste Implementation Approval

Fishman referenced the 2025 Solid Waste Implementation Plan, which was included in the meeting packet. The plan follows a State template.

There were no questions or comments on the draft plan.

Taylor Prouty moved to approve the 2025 Solid Waste Implementation Plan and authorize the Selectboard Chair to sign on behalf of the Selectboard, seconded by James Ameden. The motion passed unanimously.

9. Roads and Bridges

a. Updates

Road Foreman Josh Dryden reported the following:

- Road crew continues to clean up brush and trees downed by the ice storm.
- Paving will be on the agenda for the next Board meeting.
- Winhall Hollow needs some culverts replaced.
- The wall on the salt shed will be replaced.
- Additional salt was ordered with remaining budget before prices go up.

b. Discuss Replacement of Fuel Tank

The existing underground fuel tank has reached end of life and the Town would like to replace with a 2,000 gallon above ground tank before a leak or contamination occurs. Two separate estimates were submitted by Beardsley, Inc. for an above ground tank: 1) for standard tank and 2) for electronic monitoring console add-on. Dryden reported other towns utilize the electronic technology, which monitors each staff person's usage. Hunter Excavating provided an estimate for underground tank removal.

This expenditure is in the budget, with any overage to come out of the Reserve Fund. It will be important to follow State tank removal guidance, and Gary Hedman offered to help put State filing package together.

Taylor Prouty moved to accept the bid from Beardsley in the amount of \$25,454.73 to provide fuel tank, supplies, electronic recording console and accept the bid from Hunter Excavating of \$24,874.00 for removal of existing tank at the highway garage, seconded by James Ameden. The motion passed unanimously.

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c. Grant-in-Aid Letter of Intent

This is a letter of intent, not a grant award. The Town participates in this program each year. The Town Administrator will coordinate with the Road Foreman.

Taylor Prouty moved to approve the Letter of Intent to Participate in the SFY26 Municipal Roads Grants-in-Aid Program and to authorize the Selectboard Chair to sign on behalf of the Selectboard, seconded by James Ameden. The motion passed unanimously.

d. Consider application (s) for excess vehicle weight permits [23.V.S.A. 1400a]

James Ameden moved to approve the excess Weight permit for Riggs Distler & Company and authorize the Town Administrator to execute the permit on behalf of the Town, seconded by Taylor Prouty. The motion passed unanimously.

10. Old Business

None

11. New Business

a. EMS Local Emergency Management Plan annual adoption

The plan is the same as last year, with the addition of Aileen Tulloch and James Ameden.

Taylor Prouty moved to adopt the 2025 update of the Town of Londonderry Local Emergency Management Plan and authorize the Selectboard Chair to execute any documents necessary for the action, seconded by James Ameden. The motion passed unanimously.

b. GMP Poles Upgrade Project Melody Hill

Tim Jones of Green Mountain Power spoke informally about GMP's reliability and resiliency program, a 2-year program to implement strategic projects in the Southern half of the state. Initiatives include two big overhead projects in the area: Route 100 from Rawsonville to Londonderry and Route 100 from Londonderry to Weston.

GMP will also return to the Selectboard to request permission for placing underground wires on dirt roads where there are unreliable circuits. Taylor Prouty commented there is a need for consistent design for these types of projects.

c. Discuss Fire Station Move

Jeff Duda of the South Londonderry Fire Department described the need to move the firehouse due to frequent flooding. A committee will be formed to look at process to move to a new location. One location identified is the Prouty property, which the Town owns. Financing for the project will require a site is identified and permitted, and ownership of the Prouty property might need to be transferred directly to the Fire Department for funding approval. The legalities will need to be answered before applying for any grant money. Tom Cavanagh is also waiting to hear from USDA.

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Moving the firehouse will entail a long-term planning process to build a facility that meets the needs of the town for years to come. This item will be kept on the agenda as planning moves forward.

d. Planning Commission – discuss minute taker position

Jen Greenfield announced they are still looking for someone to take notes and prepare meeting minutes. They will continue using AI until a person is hired.

e. Town Website Vendor Recommendation and Approval

After issuing an RFP, the committee conducted a thorough review of submissions from four firms using a detailed evaluation rubric (see packet) based on the project's scope and core criteria. These included functionality needs such as public communication, document management, and e-services; compliance with standards like ADA and WCAG; alignment with our budget and timeline; and a strong understanding of necessary security measures.

In addition to the formal review process, we actively engaged town committee and board chairs and stakeholders throughout the process to ensure the website project reflected the broader needs of our community. We have also remained responsive to evolving public comments, such as recent changes to GNAT meeting recording hosting on their website. Following this careful process, the committee selected Revize as the firm best positioned to deliver a successful outcome.

Why Revize:

- **Proven Track Record:** Revize has a strong history of successful municipal website development, including work with several Vermont towns, demonstrating their familiarity with local government needs.
- **Thoughtful Project Management:** Their proposed 24–30-week timeline reflects realistic, well-structured planning with clearly defined roles and consistent communication between their team and ours.
- **Quality Over Speed:** Revize prioritizes getting things right through a deliberate testing and refinement phase, ensuring the final product meets all requirements – not just deadlines.
- **Budget-Conscious Approach:** Revize's proposal aligns with our budget parameters, offering a comprehensive solution without unnecessary extras.
- **Trusted Partnership:** Local references and recommendations support Revize's proposal, validating their claims with real-world experience and successful collaborations.

Revize's combination of experience, thoughtful planning, and adaptability in the opinion of the committee makes them the clear choice to lead this important project.

James Ameden moved to accept the proposal from Revize to provide services relating to a new Town of Londonderry website, estimated to cost \$5,560 for the initial on boarding and \$5,560 annually for 5 years and to authorize the Town Administrator to execute any

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documents necessary for the hiring of the vendor to conduct the necessary work, seconded by Taylor Prouty. The motion passed unanimously.

f. Champlain Valley Office of Economic Development Housing Committee

Mimi Lines reported the Housing Committee applied for and received a mini grant from the Champlain Valley Office of Economic Development. The funds will be used for outreach, specifically supporting the website, direct mail, and other communications. No matching funds are required for the acceptance of the grant.

Taylor Prouty moved to authorize the Londonderry Housing Commission to accept funds from the Champlain Valley Office of Economic Development Housing Committee Mini Grant for the purposes of outreach, seconded by James Ameden. The motion passed unanimously.

g. 2nd Class Liquor License –Jelley Enterprises, Inc.

James Ameden moved to approve a 2nd Class Liquor License for Jelley Enterprise, Inc, related to property located at 2102 N. Main St., seconded by Taylor Prouty. The motion passed unanimously.

h. 1st, 2nd, and 3rd Class Liquor Licenses – Turner Enterprises, LLC (New American Grill)

James Ameden moved to approve 1st, 2nd and 3rd Class Liquor Licenses for Turner Enterprises, LLC, related to property located at 5700 Route 100, seconded by Taylor Prouty. The motion passed unanimously.

i. 2nd Class Liquor License – O’Connors Corner Store, LLC.

James Ameden moved to approve a 2nd Class Liquor License for O’Connors Corner Store, LLC, related to property located at 1 Main St., seconded by Taylor Prouty. The motion passed unanimously.

j. Itinerant Vendor Permit – West River Farmer’s Market

Taylor Prouty moved to approve Itinerant Vendor Permit #2025-02 submitted by the West River Farmers Market of Londonderry, Inc. for 2025, contingent upon receipt of application fee, and allow for the use of Williams Park for this purpose, subject to the permittee 1) maintaining insurance coverage throughout the period of use of the Town property, to include Commercial General Liability Insurance with a limit of not less than \$1,000,000 per each occurrence and General Aggregate coverage of at least \$2,000,000, and 2) providing to the Town, prior to the first use of the Town property, an acceptable certificate of insurance that names the Town as an additional insured, seconded by James Ameden. The motion passed unanimously.

It was noted the Farmer’s Market Board would like to schedule meeting for Sunday, May 4, with the Town Hall as back up site in case of inclement weather.

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k. Town Hall Facilities Use Request for 5/10/2025

James Ameden moved to authorize the use of the Town Hall for a private event on May 10, 2025, and to authorize the Town Administrator to sign the facility use agreement on behalf of the Town, seconded by Taylor Prouty. The motion passed unanimously.

12. Adjourn

Taylor Prouty moved to adjourn the meeting, seconded by James Ameden. The motion passed unanimously.

The meeting adjourned at 8:06 PM.

Respectfully Submitted,

Sally Hesper, Town Minute Taker

Approved

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair

ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM RENTALS

Town of Londonderry, Vermont Adopted December 19, 2023 (effective February 17, 2024)
Amended March 25, 2023 (effective May 24, 2024);
Amended June 3, 2024 (effective August 2, 2024);
Amended April 21, 2025 (effective July 1, 2025)

ARTICLE 1. AUTHORITY. Under authority granted in 24 V.S.A. § 2291(29) and 24 V.S.A. § 1971 et seq., and other such general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Londonderry that the following civil ordinance requiring the annual registration of all short-term rentals operating within the town (which may also be referred to as the "Short-Term Rental Ordinance") is adopted for the Town of Londonderry, Vermont.

ARTICLE 2. PURPOSE. The purpose of this Ordinance is to promote and protect the public health, safety, welfare, and convenience of the town, to preserve residents' rights to quiet enjoyment of homes and properties, and to ensure the safety of occupants of short-term rentals. The Londonderry Selectboard hereby find that unregulated short term (i.e., less than 30 day) transient occupancy of dwelling units in residential neighborhoods presents a threat to the public welfare relating to compatibility with residential uses and preservation of the character of the neighborhoods in which they are located, and to the availability of housing stock in the town. Unregulated short-term rentals have negative secondary effects on residential areas, with such areas experiencing heightened adverse impacts from parking, garbage, noise and outdoor/nighttime activities. These negative effects, when left unchecked, injure and degrade the community as a whole and constitute a public nuisance. The purposes of this Ordinance are: (a) to balance the desire of property owners to rent their residential properties to short term rental guests for compensation against the desire of residents to preserve the traditional peace and quiet of their residential neighborhoods; (b) to preserve and protect residential neighborhood character and livability from the nuisance impacts that are often associated with short term rentals; (c) to limit or prevent the loss of available housing stock for long term rentals or for purchase by those who wish to reside in Londonderry from being replaced with short term rentals; (d) to ensure the safety of occupants of short term rentals and the well-being of the community; and (e) to promote the public health, safety and welfare of the Town, its residents and visitors.

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ARTICLE 3. DEFINITIONS.

A. “Owner” means a person who holds title to the property on which a short-term rental is operated. The Owner/person shall be defined as an individual, a married couple, one or more family members living in the same household, a corporation, a partnership, or Limited Liability Company (“LLC”) or other LLCs with overlapping members, which in all cases shall be deemed an Owner, but which shall exclude from the definition any tenant or lessee of a lease.

B. “Short-term rental” or “STR” means a dwelling unit rented to the transient, traveling, or vacationing public for periods of fewer than 30 consecutive days and for more than 14 days per calendar year, and is either:

1. “Hosted” meaning a room or group of rooms located within an Owner’s primary residence (a Homestead) or an accessory dwelling or cabin on the premises of the Owner’s primary residence; or,
2. “Unhosted” meaning a furnished house, condominium, apartment, or an accessory dwelling or cabin that is not the Owner’s primary residence (not a Homestead) or located on the premises or property of the Owner’s primary residence.

C. “Dwelling unit” means a room or rooms connected together containing cooking, sanitary and sleeping facilities that constitute a separate, independent housekeeping establishment. It shall include prefabricated modular units and mobile homes, but shall not include a motel, boarding house, shelter or similar structure.

D. “STR Administrator” means a person or persons designated by the Selectboard of the Town of Londonderry to administer and enforce this Ordinance.

E. “Bed and Breakfast”, “Boarding House”, “Motel” and “Inn” shall have the same definitions as contained in the Town of Londonderry Zoning Bylaw as amended from time to time. This Short-Term Rental Ordinance shall not apply to Bed and Breakfasts, Boarding Houses, Motels and Inns which have zoning permits issued pursuant to the Town of Londonderry Zoning Bylaw and Ordinance.

F. “Lot” means a parcel of land undivided by any street or road, and occupied or to be occupied by only one primary structure or principal use and the accessory buildings or uses customarily incidental to such structures or uses. A lot shall be of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yard and other open spaces as are herein required. Such lot shall have frontage on an improved

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public street, or other means of access approved by the Planning Commission. In no case shall the division or combination of land result in the creation of a parcel which does not meet the requirements of this Bylaw.

G. “Rental Arbitrage” is the practice of a long-term lease-holder converting the leased property into a short-term rental, for the purpose of the income that results from the difference between the two rental rates: a form of subletting a leased property by a lessee.

H. “Knox Box” means is a small, secure holder for a house key, used by firefighters and/or emergency medical personnel to access a residence in the event of an emergency when the residence is unoccupied, or its occupants are unable to open the residence to First Responders.

ARTICLE 4. SHORT TERM RENTAL REGISTRATION.

A. The short-term rental of a dwelling unit requires the annual issuance of a Short-Term Rental Registration from the STR Administrator. A person shall not commence the use of a dwelling unit as a short-term rental unless and until the STR Administrator issues the requisite Short Term Rental Registration.

B. Any application made by a person other than a single individual must detail the other members of any Corporation, LLC, or Partnership (“Common Ownership”), and any out-of state entity must provide a valid and current copy of the articles of organization for the entity.

C. All STRs must be rented via an STR rental platform to satisfy any reporting requirements and the payment of any municipal, state and federal taxes.

D. STR registrations may be issued for one STR unit on a property, provided:

1. An Owner who has more than one Unhosted property currently registered and who is in good standing with the Town of Londonderry at the time of the enactment of this amended section shall be entitled to renew the pre-existing STR licenses for so long as the Owner is the record Owner of the Property and so long as the Owner meets all other requirements of this Ordinance. Such pre-existing, nonconforming status shall automatically cease upon any failure to continue to register the Property or upon any conveyance of the Property; and

2. An Unhosted property may not be registered as an STR within one calendar year of its transfer to a new Owner; and

3. An Unhosted property being registered for the first time shall not exceed the maximum permitted 50 STR rental days within any calendar year.

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E. The dwelling unit overnight capacity of a short-term rental shall be a maximum of two occupants for every bedroom indicated in the Town Listers property database for the dwelling unit, plus an additional two occupants. For example, a three-bedroom dwelling unit shall have a dwelling unit capacity of eight persons ((3 bedrooms X 2) + 2) when used as a short-term rental. An Owner shall not advertise or permit occupancy by more than the capacity set forth in this section.

F. The number of persons present at an STR property between the hours of 10pm and 7am cannot exceed the overnight capacity, plus 2 visitors. (No parties or events). For example, a three-bedroom STR cannot have more than 10 people on the property during these hours.

G. A Knox Box shall be installed at any Short-term rental property with an automatic fire alarm system. Whether the automatic fire alarm is required by Fire Safety code or not, a Knox Box will be available for use in an emergency by the Londonderry and South Londonderry Fire Companies.

H. Rental Arbitrage is not permitted in Londonderry. No long-term lessee or tenant may receive a short-term rental license or engage in short-term subletting; only a property owner can be granted a short-term rental license.

I. An Owner shall provide the following information in an application for Short-Term Rental Registration for dwelling units with an occupancy of 8 or less, on a form provided by the Town:

1. The number of bedrooms to be rented and the requested dwelling unit capacity to be approved in the Short-Term Rental Registration.

2. The Owner's name, mailing address, email, and a cell phone number or other number (such as a property management company) that will be answered 24 hours a day during the time that the short-term rental unit is being rented.

3. The property Owner's name, address, phone number, email, date of birth, driver's license and license state, and military status (active or not), and if the owner is a corporation, the registered corporate agent and president of the corporation and their name and address, and if the owner is a partnership, the registered partnership agent and the names and addresses of the general partners (information that is needed to enforce a municipal complaint before the Vermont Judicial Bureau).

4. Property owners who are not in residence at the property the entire time it is being rented shall designate and provide the name and contact information of a designated agent

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located in Windsor, Bennington or Windham Counties who shall be responsible for responding to emergency situations occurring at the Short-term rental dwelling unit.

5. The Posting of Contact Information required by 18 V.S.A. § 4467 within the short-term rental dwelling unit.

6. The education materials required by 18 V.S.A. § 4468(a), including without limitation the self-certification form pertaining to health and safety precautions that Owners must take into consideration prior to renting a dwelling unit required by 18 V.S.A. § 4468(b).

7. Confirmation of commercial liability insurance, with proper notification of short-term rental activity to that insurer of not less than \$1,000,000 per occurrence to cover each short-term rental unit, unless such short-term rental is offered through a hosting platform that maintains equal or greater coverage, and that the liability insurance policy that covers the dwelling unit extends bodily injury and property damage insurance coverage that occurs during or as a result of the use of the dwelling unit as a short-term rental.

8. Proof, satisfactory to the Town, that the Owner has obtained and performed all necessary licensing and registrations with the State of Vermont Department of Health, Division of Fire Safety and Department of Taxes necessary to operate a Short-term rental. A short-term rental is a "public building" as defined by 20 V.S.A. § 2730, subject to inspection and regulation by the Vermont Division of Fire Safety.

9. Proof, satisfactory to the Town, that every sleeping space in the registered STR contains a secondary means of escape (egress) with measurements meeting code defined by VT Fire and Building Safety Code, and that all photoelectric smoke detectors and CO detectors in the registered rental are operational and within their expiration date.

10. Annually, beginning with the first renewal of said registration, the Owner shall file with the Town an accounting/printout of the total number of days the property was rented on a short-term basis during the previous year. Failure to submit said accounting/printout will result in the renewal registration being denied.

J. An application for Short-Term Rental Registration, for dwelling units with a capacity of greater than 8 occupants, shall require compliance with subsection I above, plus the following:

1. Confirmation that the septic capacity is at least equal to the requested short-term rental dwelling unit capacity. This shall be evidenced by a) a valid State of Vermont Wastewater and Water Supply Permit for the property for dwelling units or wastewater and water supply systems constructed, modified or occupied after June 30, 2007, OR, b) a local

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zoning or septic permit for dwelling units constructed before July 1, 2007 indicating the number of bedrooms permitted, OR, c) by the number of bedrooms indicated in the listers property database if a local zoning or septic permit does not exist for dwelling units constructed before July 1, 2007.

2. An inspection report, showing satisfactory inspection results for the most recent inspection, with occupancy approved from the State of Vermont Division of Fire Safety for the requested short-term rental dwelling unit capacity.

K. No registration for the short-term rental of a dwelling unit shall be issued unless the applicant has complied with subsection I above (for dwelling units with an occupancy of 8 or less) or has complied with subsection J above (for dwelling units with a capacity of greater than 8 occupants).

L. Short-Term Rental Registrations shall expire on June 30 of each year and require renewal to continue use of a dwelling unit as a short-term rental. In the event that a property for which a Short-Term Rental Registration has been filed is transferred or conveyed to a new property owner, the new Owner shall file a new application for a new Short Term Rental registration subject to Article 4 (D) above.

M. The number of lessees, guests, or other persons using a dwelling unit pursuant to the short-term rental lease or other agreement with the Owner shall not exceed the approved dwelling unit capacity on the Short-Term Rental Registration.

N. Disposal: Recycling, Food Waste, Ash and Coals, Trash.

An STR owner shall provide for the separation and disposal of trash, food waste, and recyclable material utilizing secure, bear-proof receptacles, and shall provide one or more adequate metal containers for disposal of ash and coals if there is a fireplace, fire pit, wood burning stove, wood or charcoal grill, or other source of ash or coals at the short-term rental. The owner is responsible for the timely removal of these items, in accordance with Vermont State Law (10 V.S.A. § 6621a).

ARTICLE 5. LICENSE FEES. A fee for a License shall be paid to the Town of Londonderry with the submission of any Short-Term Rental Registration application or annual renewal, regardless of date of registration. The fee shall be in an amount as determined by the Selectboard which may, from time to time, modify this fee and may establish and adopt other fees related to the administration and enforcement of this Ordinance, and may incorporate all such fees into a duly adopted fee schedule.

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ARTICLE 6. RESERVED.

ARTICLE 7. ENFORCEMENT. A short-term rental shall be made available by the owner for inspection within one week of a request by the STR Administrator. Any person who violates a provision of this Ordinance shall be subject to a civil penalty of up to \$800 per day for each day that a violation continues. Each day the violation continues shall constitute a separate offense. The STR Administrator and the Londonderry Zoning Administrator, along with the Selectboard and Town Administrator, shall all be designated and authorized to act as Issuing Municipal Officials to issue and pursue complaints before the Judicial Bureau, or other court having jurisdiction.

ARTICLE 8. WAIVER FEES. An Issuing Municipal Official is authorized to recover waiver fees, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense
Waiver fee for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements.	\$125 per day	\$250 per day	\$500 per day	\$650 per day plus revocation for 12 months before a new STR registration application may be submitted. The revocation can be appealed.
Waiver fee for all other violations.	\$150 per day	\$350 per day	\$600 per day	

Offenses for the purpose of calculating waiver fees shall be counted on a twelve-month basis, beginning on July 1 and ending on June 30 of each year. An Issuing Municipal Official shall have authority to issue a written warning, without recovering a waiver fee, for any First Offense violation. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses.

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ARTICLE 9. PENALTIES. An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements.	\$200 per day	\$400 per day	\$650 per day	\$800 per day plus revocation for 12 months before a new STR registration application may be submitted. The revocation can be appealed.
Fine for all other violations.	\$250 per day	\$500 per day	\$750 per day	

Offenses for the purpose of calculating penalties shall be counted on a twelve-month basis, beginning on May 1 and ending on April 30 of each year. An Issuing Municipal Official shall have authority to issue a written warning, without recovering a civil penalty, for any First Offense violation. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses. Failure to timely pay a penalty upon entry of judgment under 24 V.S.A. § 1981 shall result in the automatic suspension until paid of any approved Short-term rental registration(s) registered to the person against whom the civil judgment has been entered including registrations for any other Short-term dwelling units owned or operated by the person and located within Londonderry.

The fees associated with serving a property owner with a Short-Term Rental Ordinance non-compliance violation will be borne by the ticketed party, unless the ticketed party is found by the Vermont Court not to be in violation of the Ordinance or subject to it.

ARTICLE 10. OTHER RELIEF. In addition to the enforcement procedures available under Chapter 59 of Title 24, the Londonderry Town Administrator is authorized to commence civil action in the Civil Division of the Vermont Superior Court to obtain injunctive and other appropriate relief, to request revocation or suspension of any Short-Term Rental Registration on behalf of the Londonderry Selectboard, or to pursue any other remedy authorized by law.

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ARTICLE 11. OTHER AUTHORITIES NOT PREEMPTED. This Ordinance is not intended to preempt or be exclusive with regard to any other permitting or regulatory law or authorities that pertain to the ownership, operation, management or use of property or dwelling units engaged in Short-term rentals.

ARTICLE 12. SEVERABILITY. The provisions of this ordinance are declared to be severable and if any provisions hereof be adjudged invalid such judgement shall not affect the validity of any other provisions.

ARTICLE 13. DESIGNATION. This ordinance is hereby designated as a civil ordinance pursuant to Title 24, Vermont Statutes Annotated Section 1971(b), and may be referred to as the Short-Term Rental Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Londonderry Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

ARTICLE 14. PUBLICATION AND POSTING. This Ordinance and any subsequent amendment of this ordinance, or a concise summary thereof, shall be published in a newspaper of general circulation in Londonderry, within fourteen (14) days of its adoption, and shall be filed with the Town Clerk and posted at five (5) conspicuous places within the community.

ARTICLE 15. RIGHT OF PETITION. Notice is hereby given of the right to petition for a permissive referendum vote on this ordinance at an annual or special meeting as provided for in 24 V.S.A. § 1973. Such petition for a permissive referendum must be signed by not less than five (5) percent of the qualified voters of the Town of Londonderry and shall be presented to the Selectboard or the Town Clerk within forty-four (44) days following the date of adoption.

ARTICLE 16. EFFECTIVE DATE. Unless a petition is filed in accordance with 24 V.S.A. § 1973, the Ordinance shall become effective sixty (60) days after its adoption. However, the Short-Term Rental registration requirements under Article 4 shall not take effect until July 1, 2025, though registration applications may be accepted by the STR Administrator beginning May 1, 2025.

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