

Short-Term Rental Appeals Policy & Procedure.

A Short-Term Rental Administrator will be designated by the Selectboard of the Town of Londonderry to administer and enforce this Ordinance. The STR Administrator will provide assistance to individuals who wish to short-term rent their property by providing the necessary forms to obtain the required municipal license, and when necessary by referring them to the state authorities that must be contacted to obtain necessary state permits. The STR Administrator will be required to administer literally the STR Ordinance, and will not license any property or permit any rental activity that does not conform to the Ordinance. The Administrator shall enforce violations of the Ordinance. The Administrator will provide the Town Clerk with a registry of rental licenses, violations of the Ordinance, denials of STR applications and revocations STR licenses for recording.

Enforcement. The STR Administrator shall act to stop or prevent violations of the STR Ordinance. The STR Administrator shall institute in the name of the municipality an action, injunction, or other proceeding to prevent or abate violations and to impose fines for any violations of the Ordinance. The Administrator shall have no discretion and must enforce all Ordinance violations in the municipality.

Appeals. Actions of the STR Administrator in approving or denying a permit for an STR may be appealed by a property owner or their authorized agent to the Rental Housing Appeals Board. Actions of the STR Administrator filed in the Judicial Bureau for the imposition of fines and enforcement, or actions filed for injunctive relief in Superior Court, may be contested by the property owner only in accordance with the Judicial Bureau rules at the Judicial Bureau or contested in accordance with state court rules in the Superior Court. There is no appeal to the Rental Housing Appeals Board for actions filed in the Judicial Bureau or in Superior Court.

The Rental Housing Appeals Board. This board shall be an *ad hoc* municipal panel that performs a quasi-judicial function and hears appeals from actions or decisions of the Short-Term Rental Administrator in approving or denying an STR license. The board will be composed of five members chosen by the Londonderry Selectboard, plus an alternate to ensure a hearing staffed by five Appeals Board members. The members of the Board shall consist of: The Town Clerk, one representative of the Development Review Board, one member of the Selectboard, one Justice of the Peace, and one Representative from an Emergency Service organization (who can be a non-resident). No one who has been or is a member of the Short Term Rental Working Group shall be allowed to serve on the Appeals Board.

Board Procedure. The Board shall meet quarterly in September, December, March and June, with additional meetings if a hearing is warranted. Applicants have no later than 30 days following the written action/decision of the STR Administer to submit their appeal. The clerk of the Appeals Board will compile the appeals received and present the written appeals to the board at the Appeals Board's quarterly meeting. The Appeals Board will determine which appeals warrant a hearing by the Appeals Board and which appeals will be decided upon the materials set forth in the appeal form. Appeals for which the Board determines no hearing is necessary, the Board will issue its written decision within 30 days of the quarterly meeting. For appeals which warrant a hearing, the Board will schedule a hearing with at least ten days' notice to the Appellant. The Clerk will alert the appellant of the hearing date, time, and place a minimum of ten days before the scheduled hearing. At the hearing, the appellant shall have the right to testify, to present witnesses on the appellant's behalf, to cross-examine all other witnesses, and to present oral and written evidence on the action being appealed, provided that no new evidence is introduced or presented on appeal that was not previously introduced or presented to the Town Clerk in the submitted appeal. The STR Appeals Board decision will be issued in writing within thirty days of the closure of the hearing, and this decision will be final. Appellants shall have no further appeal within the Town and shall only have the appeal rights afforded to them through the Vermont Rules of Civil Procedure and the Vermont Superior

Court system. No Short-Term Rental activity will be allowed at the property of the appellant pending the appeal process if the STR property is not in good standing with the Town at the time the appeal is submitted. A Short-Term Rental owner shall have 30 days from the issuance of a written action/decision of the STR Administrator in which to file an appeal .

Form of Appeal. Entering an appeal shall be done in writing, either in the form of a PDF attached to an email to TOWNCLERK@londonderryvt.gov, or by physical mail to: Town of Londonderry, c/o Town Clerk, 100 Old School St., South Londonderry, VT 05155.

The appeal shall state all the pertinent facts of the case—including any exhibits and evidence—and the basis for the appeal. The Appeals Board will, via the Town Clerk or another designee of the Town, acknowledge receipt of the appeal within thirty days and schedule a hearing at the next quarterly meeting of the Appeals Board. The Town Clerk or another designee of the Town will alert the appellant to the hearing date, time, and place a minimum of ten days before the scheduled hearing. At the hearing, the appellant shall have the right to testify, to present witnesses on the appellant's behalf, to cross-examine all other witnesses, and to present oral and written evidence on the action being appealed, provided that no new evidence is introduced or presented on appeal that was not previously introduced or presented to the Town Clerk in the submitted appeal.

The STR Administrator may participate in the appeal by explaining his or her action that is under appeal. In addition, the Administrator may present evidence to support his or her decision and may question any witness or evidence presented during the hearing by the person bringing the appeal.

The Rental Housing Appeals Board decision will be issued in writing within thirty days of the hearing and will be final.

No Short-Term Rental activity will be allowed at the property of the appellant during the appeal process if the STR property is not in good standing with the Town at the time the appeal is submitted.

Note: Definitions above are derived from a publication by Vermont's Office of the Secretary of State, entitled *The Players: A review of the roles and responsibilities of local officials with respect to land use regulation in our municipalities*. 24 V.S.A. § 4460. The Rental Housing Appeal Board function and purpose is derived from Vermont statutes concerning a municipal Zoning Board of Adjustment.

The foregoing Policy is hereby adopted by the Selectboard of the Town of Londonderry, Vermont, this 6th day of July 2026 and is effective as of this date until amended or repealed.

Town of Londonderry, Selectboard

Thomas Cavanagh, Chair

James Ameden Jr, Vice-Chair

Leanne Alexander

Jim Fleming

Taylor Prouty