



## Short-Term Rentals: Safety Criteria Evaluated During Inspection

### FIRE EXTINGUISHERS

There have been several different types of fire extinguishers found during the initial inspections conducted. But all units are to have the 2A-10BC rated extinguisher. A fire extinguisher that is rated **2A:10 BC means** it has a firefighting capacity equivalent to: 2.5 Gallons of Water and 10 Square Feet for a BC Type Fire. The extinguisher should be mounted on the wall in plain sight, on each level of the dwelling. If the extinguisher is in a cabinet or closet, that area shall be visibly marked, on the outside, to identify the location of the extinguisher.

### SMOKE DETECTORS

Smoke detectors must be installed and functioning properly in every living area and bedroom within the dwelling.

### EMERGENCY EGRESS

#### R310.2.1 Minimum Opening area-

Emergency and escape rescue openings shall have a net clear opening of not less than 5.7 square feet. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from inside, including the tilting or removal of the sash as the normal operation. The net clear height opening shall be not less than 24 inches, and the net clear width shall not be less than 20 inches.

Exception: Grade floor or below grade openings shall have a net clear opening of not less than 5 square feet.

#### R310.2.2 Windowsill height:

Where a window is provided as the emergency escape and rescue opening, it shall have a sill height of not more than 44 inches above the floor, where the sill height is below grade, it shall be provided with a window well in accordance with Section R310.2.3

#### R310.2.3 Window wells:

The horizontal area of the window well shall not be less than 9 square feet, with a horizontal projection and width of not less than 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required by Section R3102.3.1 shall be permitted to encroach not more than 6 inches into the required dimensions of the window well.

**R310.2.3.1 Ladders and steps:**

Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully opened position. Ladders or steps required by this section shall not be required to comply with Sections R311.7 and R311.8. Ladders or rungs shall have an inside width of not less than 12 inches, shall project not less than 3 inches from the wall, and shall be spaced not more than 18 inches on center vertically for the full height of the window well.

**R310.2.3.2 Drainage:**

Window wells shall be designed for proper drainage by connecting to the buildings foundation drainage system required by Section R405.1 or by an approved alternative method.

Exception: A drainage system for window wells is not required where the foundation is on well-drained soil or sand -gravel mixture soils in accordance with the United Soil Classification System, Group I soil, as detailed in table R405.1

**EVACUATION PLAN**

An evacuation plan should be posted on every floor of the dwelling. The plan should reflect the general layout of the unit and should show the emergency exits (i.e.- windows, doors). Some examples of evacuation plans can be found at <https://evacuation-planner.com/>

Please ensure that everything in the unit is up to date with the current requirements BEFORE the inspection is conducted. If the property does not meet the requirements, it will not pass the inspection and will need to be re-inspected. The property should not be rented until it has passed the compliance inspection and been issued the short-term rental certificate.

## **ARTICLE IV. - SHORT TERM RENTALS**

Sec. 5.5-70. - Short-term rental registry.

*Operator.* The proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

*Short-term rental.* The provisions of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a charge for the occupancy.

- (a) This division shall establish a short-term rental registry and require operators within Franklin County to register their rental annually. The registration shall require the operator to complete a short-term rental application through electronic means or on forms provided by Franklin County that entails the following:
  - (1) Provide the name of the operator for the address.
  - (2) Provide the property owner name and physical address(es) of the property being rented.
  - (3) The initial registration is due on or before July 1, 2020. Renew registration on or before July 1<sup>st</sup> of each calendar year thereafter.
  - (4) Provide registration fee annually of two hundred dollars (\$200.00) on or before July 1<sup>st</sup> each year.
- (b) To qualify as exempt from registering under this ordinance, an operator must be:
  - (1) Licensed by the real estate board or be a property owner who is represented by a real estate licensee;
  - (2) Registered pursuant to the Virginia Real Estate Time-Share Act (§ 55-360 et seq.);
  - (3) Licensed or registered with the department of health, related to the provision of room or space for lodging; or
  - (4) Licensed or registered with Franklin County, related to the rental or management of real property.
- (c) Operator shall present evidence of such other licensing or registration to the office of planning and community development to qualify for exemption.
- (d) Should such registration or licensing cease, the operator shall forthwith submit an application and register on the county's short-term rental registry.
- (e) If an operator who is required to register under this ordinance fails to do so while offering such lodging for rent, or rents such lodging:
  - (1) S/he shall be subject to a fine of five hundred dollars (\$500.00) per violation; or
  - (2) S/he shall be prohibited from continuing to offer any property for short-term rental, unless and until the operator pays the fine(s) and registers subject property.
- (f) Upon multiple violations on more than three (3) occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental on a specific property, an operator may be prohibited from registering and offering that property for a period of two (2) years.

(g) The requirements of this division do not supersede the requirements found in chapter 25, zoning or other requirements of the Franklin County Code or Code of Virginia, as amended.

([Ord. No. 15-05-2020](#), 5-19-20)

**STATE LAW REFERENCE- ENABLING LEGISLATION, CODE OF VIRGINIA § 15.2-983.**

Sec. 5.5-71. - Reserved.

Sec. 5.5-72. - Short term rentals.

The following general regulations apply to all short-term tourist rental of residential dwellings:

- (a) The use of the dwelling unit for short-term rentals shall be primarily for residential purposes related to tourism or vacationing.
- (b) There shall be no change in the outside appearance of the dwelling or premises, or other visible evidence of the conduct of such short-term rentals.
- (c) There shall be no more than two (2) adults per bedroom occupying the dwelling at any one time. An adult, for the purpose of this regulation, is any person over the age of three (3). The number of bedrooms in dwellings relying upon septic tanks and drain fields for sewage disposal shall be determined by reference to health department permits specifying the number of bedrooms for which the supporting system was designed. A notice shall be clearly posted in the dwelling indicating approved occupancy of the dwelling.
  - All properties, which are constructed as multiple bedroom units and served by a septic system, will be required to be validated for compliance by either Operation Permits on file or documentation from the Virginia Department of Health.
  - The VA Department of Health can be contacted at 540-484-0292 to obtain a copy of the septic permit
- (d) All vehicles of tenants shall be parked in driveways or parking areas designed and built to be parking areas. In the case of multifamily dwellings, all vehicles must be parked in spaces specifically reserved for the dwelling unit being rented.
- (e) All boats of tenants shall be parked on the lot on which the dwelling is located. In the case of multifamily dwellings boats must be parked in areas specifically reserved for the dwelling unit being rented.
- (f) Noise generated off the lot or off the premises shall be in no greater volume or pitch than normally expected in a residential neighborhood.
- (g) A type 2A-10BC fire extinguisher shall be mounted on the wall in common area or kitchen on each floor in the dwelling. Smoke detectors must be installed and functioning properly in every living area and bedroom within the dwelling. Each bedroom shall

comply with building code requirements for egress. An evacuation plan shall be provided in the home and clearly visible to renters.

- (h) The owner of a dwelling used for short term rental shall give the county written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards. An annual inspection shall be performed by the County.

( [Ord. No. 15-05-2020](#) , 5-19-20)