Agenda Item 5
December 4, 2018
Public Hearing

MEMORANDUM

November 30, 2018

TO: County Council

FROM: Jeffry L. Zyontz, Senior Legislative Analyst

SUBJECT: Expedited Bill 37-18, Transient Housing – Short-Term Rental License Appeals

PURPOSE: Public Hearing – no Council votes required

Expedited Bill 37-18, Transient Housing – Short-Term Rental License Appeals, sponsored by Lead Sponsor Councilmember Floreen, was introduced on November 13, 2018. A Planning, Housing and Economic Development Committee worksession is tentatively scheduled for January 17 at 9:30 a.m.

Bill 37-18 would amend the appeal process for Short-Term Rental Licenses. It would allow any person aggrieved by an approval, denial, revocation or suspension of a short-term rental license to appeal the decision to the Board of Appeals. In the absence of this provision, an aggrieved party must bear the time and cost of an appeal to the Circuit Court.[1]

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[1]#HomestayLicenses, homestays, short-term rentals, and home rental license appeal

Expedited Bill No. 37-18
Concerning: Transient Housing – Short-Term Rental License Appeals
Revised: 10-23-2018 Draft No. 1
Introduced: November 13, 2018
Expires: May 13, 2020
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Floreen

AN EXPEDITED ACT to:

(1) amend the appeal process for Short-Term Rental Licenses

By amending

Montgomery County Code
Chapter 54, Transient Lodging Facilities
Sections 54-48

Boldface	*Heading or defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets]	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets]]	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 54-48 is amended as follows:

54-48. Appeals.

Any person aggrieved by an approval, denial, revocation or suspension of a bed and breakfast license or short-term rental license may appeal the decision to the Board of Appeals. The Board of Appeals must hold a hearing on the appeal within 30 days after the notice of appeal has been filed, and must act on the appeal within 30 days after the hearing.

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

LEGISLATIVE REQUEST REPORT

Expedited Bill 37-18
Transient Housing – Short-Term Rental License Appeals

DESCRIPTION:	Expedited Bill 37-18 would allow any person aggrieved by an approval, denial, revocation or suspension of a short-term rental license to appeal the decision to the Board of Appeals.
PROBLEM:	In the absence of this provision, an aggrieved party must bear the time and cost of an appeal to the Circuit Court.
GOALS AND OBJECTIVES:	The goal of Bill 37-18 is to allow a more efficient appeal process for short-term rental issues.
COORDINATION:	Department of Health and Human Services
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Department of Health and Human Services
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	Not applicable

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