

# Short-Term Rental (STR) Ordinance - Health, Safety, & Welfare Introduction & Implementation

## Board Directive

In January 2024, the Board of Supervisors directed staff to study short-term rentals and their potential impacts. A subcommittee, consisting of members from the Board of Supervisors and the Planning Commission, was established and met on August 1, 2024, and January 31, 2025.

## Planning Commission - Work Session & Action

On May 6, 2025, the Planning Commission tabled a draft ordinance focused on health, safety, and welfare. To gather public input, a community survey was conducted and closed on June 13, receiving over 90 responses. The survey results were reviewed during a Planning Commission work session on July 1.

Following revisions, the ordinance was reconsidered by the Planning Commission on August 5 and recommended for approval by a 5-0 vote. Commissioner Dale's motion included a recommendation to remove the proposed permit fee from the ordinance and instead incorporate it into the County's fee compendium, allowing for future adjustments through the annual budget process to reflect administrative costs.

## Number of STR's

Estimates indicate there are approximately 650 active short-term rentals (STRs) in Rockingham County, with around 340 located within Massanutten. (The Massanutten Property Owners Association renews its agreements annually, with all expiring on December 31.) However, data sources vary, with total estimates ranging from 425 to 1,000.

## Implementation - Workload Analysis

Each permit is expected to require an average of two (2) hours of staff time. Properties that require extensive corrective actions to achieve compliance may require additional time.

Workload calculation:

$650 \text{ STRs} \times 2 \text{ hours per permit} = 1,300 \text{ staff hours}$   
 $1,300 \text{ staff hours} \div 40\text{-hour work week} = 32.5 \text{ staff weeks}$

It is unknown whether all STR operators will register voluntarily in the first year, which may affect both staff workload projections and the permit fee revenue needed to fund the position.

Annual renewals—submitted by signed affidavit if no changes have occurred—are expected to require less staff time than initial applications. However, establishing a complete registry is expected to take several years. Ongoing responsibilities include the intake and review of new STR operations, continued and possible expansive code enforcement, annual renewal notifications, and regular communication with operators.

## Staffing Recommendation & Cost Estimate

To ensure the effective implementation and administration of the STR ordinance—while preserving the department's capacity to manage other core functions and a growing workload—the addition of one full-time Grade 7 position within the Zoning or Planning Division will be necessary.

The estimated annual cost of the position, including benefits, is \$70,000-\$85,000. Ideally, this would be funded through the proposed STR permit fee, which will be considered during the annual budget process. However, it is important to note that the amount of fee revenue collected each year may vary as permits are expected to be received gradually.

Other costs to consider include software to collect data from advertising sites and large outreach/renewal mailings.

### **Implementation**

Under the proposed ordinance, existing short-term rentals must apply by July 1, 2026. If the ordinance is adopted, the permitting and review process will be established, but must remain flexible, as the proposed annual renewal program is a new process to the Department of Community Development. Key details—such as the number of STRs, application volume, and code enforcement needs—are still unknown. Flexibility will be critical to effectively manage these uncertainties during implementation.

**AN ORDINANCE  
RENAMING THE TITLE OF CHAPTER 9, HEALTH AND SANITATION  
AND  
REPEALING AND RE-ENACTING CHAPTER 9, ARTICLE II, SECTIONS 9-3 THROUGH 9-9  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

**BE IT ORDAINED** by the Board of Supervisors of Rockingham County that the title of Chapter 9, Health and Sanitation, of the Code of Ordinances is hereby amended and renamed as CHAPTER 9 – HEALTH AND SAFETY.

**BE IT FURTHER ORDAINED** that Chapter 9, Article II, Sections 9-3 through 9-9, Reserved, be and hereby are repealed and re-enacted as follows:

**Chapter 9 – HEALTH AND ~~SANITATION~~ SAFETY**

**Article II. – SHORT TERM RENTAL**

**Sec. 9-3. Definitions.**

For the purpose of this chapter, the following words and phrases have the respective meanings:

***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 ownership or possessory capacity, or the agent or broker for the party in ownership or possessory capacity.

***Short-term Rental.*** The provision 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.

**Sec. 9-4. Short-term Rental Permit**

- (a) It is unlawful to advertise, operate, or offer property as a short-term rental without first obtaining the administrative permit.
- (b) The Operator of a short-term rental must obtain an administrative permit from the Department of Community Development for each dwelling, lodging, or sleeping accommodation offered as a short-term rental. Written consent of the property owner for the proposed short-term rental must be included with the permit application, if the operator is not the owner of the property.
- (c) Properties operated as short-term rentals at the time of adoption of this ordinance have until July 1, 2026 to submit applications.
- (d) The Operator must submit an application for initial approval.
- (e) I of short-term rental use to the Department of Community Development before offering any room or space for short-term rental. A completed application includes the following:
  - 1) a property management plan, as described below;

- 2) unless the property is served by public sewer, verification of the approved septic system from the Department of Health;
  - 3) proof of liability insurance coverage for use of the property as a short-term rental;
  - 4) authorization for inspection of the premises by county officials to verify compliance with all applicable ordinances; and
  - 5) payment of the application fee.
- (f) The property management plan must include:
- 1) Maximum overnight occupancy (not to exceed two (2) occupants per bedroom plus four (4) additional occupants)
  - 2) a schematic drawing of the premises in a form acceptable to the Department of Community Development showing the location on the parcel of the room or space offered for short-term rental, any additional structures on the parcel, setbacks, vehicular access to the short-term rental to include width of drive aisle, and on-site parking areas. On-site parking must be adequate for the proposed occupancy.
  - 3) the fire safety and evacuation plan, including the evacuation diagram for each bedroom; and
  - 4) the name and contact information of the operator and any designated Responsible Agent. The term Responsible Agent is described below.
- (g) The Department of Community Development may require the operator to provide supplemental documentation and additional information within the property management plan during the review process.
- (h) Before the Department of Community Development may issue the administrative permit to the operator, the fire marshal, in consultation with the building official, must approve of the short-term rental use as set forth in the application. The fire marshal's review must consider the following:
- 1) The occupancy characteristics of the structure as described and permitted in all applicable building permits and certificates of occupancy, including but not limited to consideration of the number of bedrooms having acceptable ingress and egress;
  - 2) sufficiency of the fire safety and evacuation plan and evacuation diagram as provided in the property management plan (and posted in an accessible location within the short-term rental);
  - 3) adequacy of access to the premises for emergency vehicles and personnel; and
  - 4) any other feature of the premises or structure determined by the fire marshal to be relevant to a particular application.
- (i) A short-term rental permit is valid for one year from the date of issuance. Short-term rental permits are non-transferable to another operator or property.
- (j) The operator may renew the short-term rental permit by submitting a renewal application and payment of the permit renewal fee to the Department of Community Development. The renewal application must include an affidavit of compliance verifying that the operator has complied with all terms and conditions of the previous permit and any applicable ordinances. If structural changes have been made to the property, the operator must submit a revised property management plan as part of a renewal application. The Department of Community Development may require fire marshal

review and approval of any revised property management plan submitted as part of the renewal application.

- (k) Obtaining a short-term rental permit does not prohibit rental of the subject property for thirty consecutive days or longer.
- (l) The Department of Community Development must provide a list of properties on which short-term rentals are permitted to the Commissioner of the Revenue.

#### **Sec. 9-5. General Standards**

- (a) The operator may only advertise and operate a short-term rental consistent with the terms of the short-term rental permit issued by the Department of Community Development.
- (b) The operator must designate a Responsible Agent who must respond to an emergency or a complaint at all times the premises is occupied as a short-term rental. The Responsible Agent must be at least eighteen (18) years of age and respond within thirty (30) minutes of contact and attempt to address the concern. If necessary, the Responsible Agent must respond in person on the premises within two (2) hours of initial contact to address concerns arising in connection with the short-term rental. The operator must provide the name, telephone number, and email address of the Responsible Agent to the Department of Community Development and owners of all properties adjoining the short-term rental property.
- (c) The operator must provide and maintain smoke alarms in good working order on each floor and in every bedroom and must install an operational fire extinguisher in a visible and readily accessible area within each dwelling unit. Each emergency egress required by law or the short-term rental permit must remain clear of any obstruction.
- (d) The property owner and operator consent to inspection of the short-term rental unit by the county's code compliance officer upon reasonable notice to verify that operation of the rental unit complies with all applicable statutes, ordinances, regulations, and permits.
- (e) The operator must keep a record of all short-term rental bookings for a period of two years and provide a copy of the record to the county's code compliance officer and Commissioner of the Revenue upon request. No guest may occupy a short-term rental more than twenty-nine (29) consecutive nights.

#### **Sec. 9-6. Exemptions.**

The provisions of this article do not apply within the corporate limits of any incorporated town in the county or to hotels, motels, bed and breakfast establishments, time- shares, or campsites.

#### **Sec. 9-7. Administration and enforcement.**

The Department of Community Development has all necessary authority to administer and enforce the provisions and requirements of this article, including the ordering, in writing, of any condition found in violation of this article or any applicable federal, state, or local statutes, ordinances, regulations, or permits, and the bringing of legal action to ensure compliance with this article, including permit revocation, injunction, abatement, or other appropriate action or proceeding.

The Department of Community Development may revoke the permit upon three (3) violations within a twelve (12) month period of non-compliance with the terms of the short-term rental permit or any applicable federal, state, or local statutes, ordinances, regulations, or permits.

The Department of Community Development must revoke the permit upon five (5) violations within a twenty-four (24) month period of non-compliance with the terms of the short-term rental permit or any applicable federal, state, or local statutes, ordinances, regulations, or permits.

The notice of permit revocation must be sent to the operator and property owner by certified mail to the address(es) of the owner and operator on file with the county. The notice must include a statement setting forth the factual basis for revocation and the right of appeal to the County Administrator. Revocation of permit is final unless a written request for appeal is filed within fifteen (15) days of the date of notice.

The property may not be operated, advertised, or offered as a short-term rental for a period of twelve (12) months following revocation of the permit. The authority to revoke a short-term rental permit, as provided in this section, is cumulative to any other remedy allowed at law or equity.

**Sec. 9-8. Appeal.**

The County Administrator (or his designee) must review the revocation and inform the operator and property owner of his determination within forty-five (45) days of the filing of the appeal.

Petitions contesting any final decision of the County Administrator revoking a short-term rental permit must be filed with the Clerk of the Circuit Court of Rockingham County within thirty (30) days of the decision being appealed.

All other portions of Chapter 9 continue as they were, reaffirmed and unaffected.

*Rockingham County*  
**Short Term Rental  
Ordinance: Health,  
Safety, Welfare**



# Background/Process

In January 2024,  
the Board of  
Supervisors  
directed staff

The Short-Term  
Rental Committee  
was formed

Included staff, 2  
Board Members,  
and 1 Planning  
Commissioner

Met August 1,  
2024, January 31,  
2025, and  
February 11, 2025

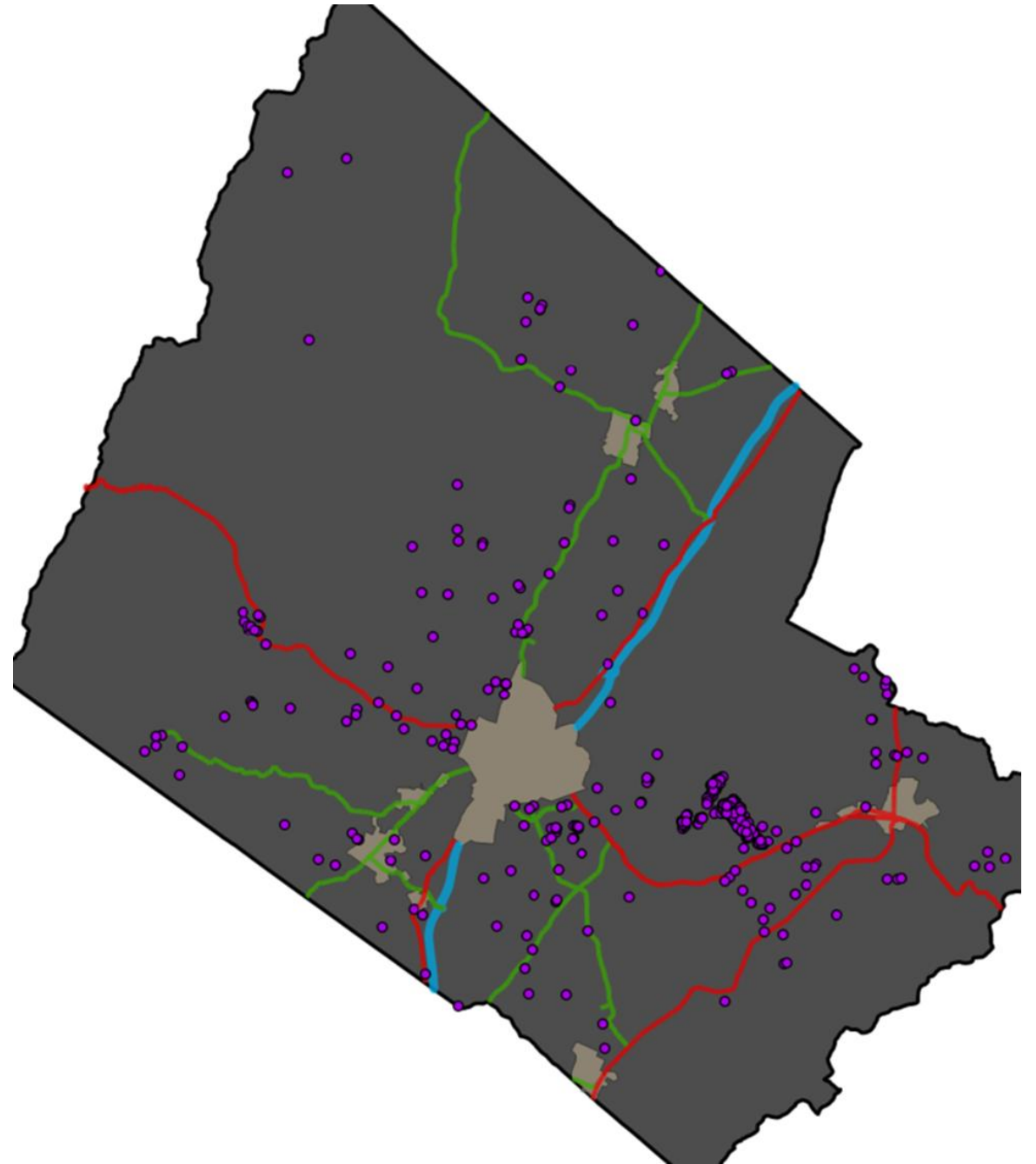
Draft ordinance  
pertaining to  
health, safety, and  
welfare

If this ordinance is  
approved, the STR  
committee will  
reconvene after one  
year of  
implementation to  
review the possibility  
of a land use  
ordinance.

# Number of STR's

Number of short-term rentals in Rockingham County is unknown. Estimates have ranged from 425 to 1,000

The majority (340) are estimated to be located within the Massanutten Property Owner's Association



# Definition of STR

**State code definition:** A short-term rental is defined as any occupancy of a residential property for fewer than 30 consecutive days

STR's are differentiated from hotels, motels, and bed & breakfasts. These establishments are regulated separately and more comprehensively by the Virginia Department of Health and County Code

- This ordinance would not apply to time-shares or campsites

# Complaints

Estimated 4-8 complaints received annually for STR's

Received complaints include:

- Septic – would be addressed
- Trash – already addressed
- Noise – not addressed
- Parking – would be addressed
- Exceeding maximum occupancy – would be addressed
- Unlawful occupancy - would be addressed
- Absence of owner response – would be addressed

# Short-Term Rental Comparatives

## Towns that have HSW regulations:

- Broadway, Dayton, Elkton, and Grottoes

## Surrounding localities that have HSW standards:

- Augusta, Bath, Clark, Fauquier, Page, Shenandoah, Warren, Harrisonburg and Staunton cities

# Administrative Permit Includes:

Property Management Plan

VDH septic verification

Proof of liability insurance coverage

Authorization for inspection of the premises

Permit fee (would be addressed during budget process)

# Property Management Plan Includes:

Occupancy limit

Schematic drawing

Adequate access for emergency vehicles

Fire safety and evacuation plan

Responsible agent contact information

# Code Enforcement


Repeated violations may result in permit revocation:

- 3 violations in 12 months = possible revocation
- 5 violations in 24 months = mandatory revocation

If revoked, the property cannot operate as a short-term rental for 12 months

# Appeals of Revocation

Submitted to the county administrator for review and a decision within 45 days



If revocation is upheld by the county administrator, the operator has the right to file an appeal with the circuit court within 30 days of the decision

# Annual Renewal

Fee applies (would be addressed during budget process)

If no changes, an affidavit can be signed

Full application review would be required for changes

# Reviewers:

Zoning

Building

Fire & Rescue

Virginia Department of Health

***The administrative permit would be issued through and enforced by the Department of Community Development***

# Implementation – The Unknowns

Will STR operators register voluntarily?

Will additional staff be required?

Will permit fees cover a new staff member in first years of implementation?

How many applications will require code enforcement?

How many STR's currently exist?

Will additional software be required for the renewal process?

# Implementation – Possible Costs

## **Host Compliance Software – to ‘scrape’ data**

- \$23,000 annually (**existing expense/already allocated**)

## **Evolve Software Applications – to assist with renewals**

- Unknown at this time

## **Regular outreach and mailings**

- \$2,000 annually

## **Additional staff to administer and enforce**

- \$70,000 to \$85,000 annual cost to County (to be funded by permitting fees)

## **Other?**

**PUBLIC NOTICE**

Rockingham County will hold a public hearing on October 22, 2025, meeting, commencing at 7:00 p.m., at the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia, in the Fire and Rescue Training Room to take public comment on the supplemental appropriation of funds for the acquisition of Massanutten Water and Sewer Authority.

**Massanutten Water and Sewer Authority**

The purpose of this amendment and appropriation is to authorize the expenditure of \$30,700,000 of proceeds from the General Fund Reserve to be reimbursed through a debt issuance in the spring of 2026 and paid for by the users of the Massanutten Water and Sewer Authority. An additional \$300,000 is requested to cover the costs of attorney’s fees in fiscal year 2026. All attorneys’ fees expended by the County will be reimbursed by the Authority.

**Rockingham County General Fund  
FY 2025-26**

	<b>Adopted</b>	<b>Amended</b>
<b>Revenue:</b>		
General Fund, Fund Reserve	\$ 0	\$ 30,700,000
Capital Fund, Fund Reserve	\$ 0	\$ 300,000
<b>Expenditure:</b>		
Transfer to Massanutten Water and Sewer Authority		
	\$ 0	\$ 30,700,000
Capital Projects, Massanutten Water and Sewer Authority		
	\$ 0	\$ 300,000