

**TOWN OF IRVINGTON
ORDINANCE AMENDMENT #2024-08.uc**

**An Ordinance Amendment to Clarify Termination of Short-Term Rental
Conditional Use Permits**

WHEREAS, Town Council regulates Short Term Rentals (“STRs”) in its zoning ordinance regulations; and

WHEREAS, Town Council wishes to expressly add certain conditions under which an STR conditional use permit (“CUP”) would automatically terminate to include conditions of termination otherwise applicable to grandfathered STRs; and

WHEREAS, the legal authority for the proposed amendment is the Town Charter and §§ 15.2-2201, 15.2-2280, 15.2-2285 and 15.2-2286 of the Code of Virginia (1950), as amended.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Town Council of the Town of Irvington, Virginia does hereby adopt Section 154.186 (“Termination of STR Conditional Use Permits”) as part of the Town Code Chapter 154 Subchapter “Short Term Rentals” as follows:

TITLE XV: LAND USAGE

Chapter 154. ZONING

....

SHORT TERM RENTALS

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§ 154.186 Termination of STR Conditional Use Permits.

In addition to any other means by which an STR conditional use permit may terminate, including without limitation an expiration date, a conditional use permit granted for an STR shall **automatically** terminate if Town Council, after compliance with the notice and public hearing requirements of Virginia Code section 15.2-2204, revokes any STR conditional use permit due to a change in circumstances, including without limitation any of the following:

- (A) Violations of Chapter 154’s Subchapter on “Short Term Rentals” or other applicable state or local laws.
- (B) The STR ceases active operation for more than ten months. “Active operation” during that period shall include a minimum of two *bona fide* rentals to unrelated guests, payment of STR transient occupancy taxes, and compliance with the safety and insurance regulations of Section 154.184 of this Chapter.
- (C) The property on which the STR operates changes title ownership, beneficial interest, or effective control.
- (D) The STR ceases to be validly registered with the Town, or if exempted, the STR Operator fails to have a valid business license permit with the Town.

The Zoning Administrator shall report to Council at or before its next regular meeting all STR conditional use permits terminated.

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BE IT FURTHER ORDAINED AND ENACTED, that this ordinance shall take effect immediately.

DATE ADOPTED:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Mayor, Town Council of Irvington, Virginia