

**ORDINANCE AMENDING AND REENACTING SECTION
SECTION 10-3-13 AND 10-3-204 - RELATED TO SHORT TERM RENTAL
OF THE CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA**

Be it ordained by the Council of the City of Harrisonburg, Virginia:

Section 10-3-13. – Penalties.

- (1) Any person, firm, or corporation found in violation of any provision of this chapter, upon conviction shall be guilty of a class 1 misdemeanor, unless designated as a civil penalty under subsection (2).
- (2) Civil penalties.
 - a. A violation of the following provisions of the Zoning Ordinance shall be punishable by a civil penalty of \$100.00 for a first offense, \$200.00 for a second offense, and \$500.00 for each subsequent offense arising from the same set of operative facts:
 - i. Operating a short-term rental in violation of ~~Section 10-3-205~~ [the Zoning Ordinance](#).
 - b. Each day during which any violation punishable by a civil penalty is found to have existed shall constitute a separate offense; however, in no event shall any such violation arising from the same set of operative facts be charged more frequently than once in any ten-day period, nor shall a series of violations arising from the same set of operative facts result in civil penalties exceeding a total of \$5,000.00.
 - c. The designation of a particular violation of this chapter as subject to civil penalties shall be in lieu of criminal sanctions under subsection (1), provided, however, that when such civil penalties total \$5,000.00, the violation may be prosecuted as a criminal misdemeanor.

Section 10-3-204. – Registration.

Section 10-3-204. – ~~Registration~~[Reserved](#).

~~(1) Prior to operation, the operator of any short-term rental shall register the property with the Zoning Administrator, unless exempt from registration pursuant to Section 15.2-983(B)(2) of the Code of Virginia, as amended. Registration shall be valid January 1st (or~~

~~from the date the registration first occurs) through December 31st of the calendar year, and shall be renewed annually.~~

~~(2) Each registration shall be specific to the operator and property and is nontransferable.~~

~~(3) Registration shall be subject to evidence of compliance with the requirements of this Chapter and payment of a \$50.00 fee to cover the costs of establishing and maintaining the registry.~~

~~*Penalties.* Any person, firm or corporation that operates a short-term rental without first registering shall be subject to a civil penalty of \$100.00 for the first offense and \$500.00 for each subsequent offense. Each contract for guest lodging created without first registering shall constitute a separate offense. Unless and until an operator pays the penalty and registers such property, the operator may not continue to offer such property for rental~~

This ordinance shall be effective from the 23rd day of July, 2019. Adopted and approved this 23rd day of July, 2019.

MAYOR

ATTESTE:

CITY CLERK