



City of Cambridge

Executive Department

YI-AN HUANG
City Manager

CMA 2025 #176
IN CITY COUNCIL
June 23, 2025

To the Honorable, the City Council:

Please find attached communication from City Solicitor Megan Bayer regarding Short-Term Rental Ordinance proposed amendments.

Yi-An Huang
City Manager



Megan B. Bayer
City Solicitor

Elliott J. Veloso
Deputy City Solicitor

Kate M. Kleimola
First Assistant City Solicitor



CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Assistant City Solicitors

Paul S. Kawai
Sean M. McKendry
Diane O. Pires
Sydney M. Wright
Evan C. Bjorklund
Franziskus Lepionka
Andrea Carrillo-Rhoads
Joseph R. Posner

Public Records Access Officer
Seah Levy

June 23, 2025

Yi-An Huang
City Manager
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: *Short-Term Rental Ordinance Amendments*

Dear Mr. Huang:

Enclosed please find proposed amendments to the Short-Term Rental Zoning Ordinance. The proposed amendments, prepared by the Law Department and the Inspectional Services Department (ISD), are in response to ISD's recommendations to the City Council on changes to the ordinance as outlined in its October 21, 2024 report to the City Council. Among the proposed changes, the amendments would further define what constitutes a short-term rental unit, establishing a new category for "operator-occupied short-term rental units" and add conditions regarding their authorized use. The proposed amendments clarify that all short-term rentals must comply with all the state building code, fire code, sanitary code, and all other state and local habitability requirements. The proposed amendments add requirements that operators of short-term rental units must provide booking information and other related documentation upon request by the City. The amendments also add additional enforcement mechanisms to enable ISD to issue fines or revoke registration from operators of short-term rental units for violations of the ordinance or state regulations.

We believe that the changes proposed will provide a more effective regulatory process for short-term rental facilities in the City and enable greater enforcement for noncompliance. Should the City Council wish to proceed with this recommendation, the amendments should be adopted as a City Council zoning petition.

Very truly yours,

Megan B. Bayer
City Solicitor

Attachment

MARKUP VERSION – *Additions and creations underlined, deletions in strikethrough* Short-Term Rental (STR) Zoning Ordinance

Amendments to Section 4.60 – Short-Term Rentals

Amend Section 4.60 to read as follows:

4.60 SHORT-TERM RENTALS

4.61 Purpose. This Section 4.60 "Short-Term Rentals" is intended to make the operation of short-term rentals legal for Cambridge residents, protect the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

4.62 Definitions.

a. Short-term rental. Any rental of a residential dwelling unit; or any rental of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of less than thirty (30) twenty-eight (28) consecutive days. The following types of short-term rental are permitted by this Section:

1. Operator-occupied short-term rental. The short-term rental of at least one but no more than three (3) individual bedrooms within a dwelling unit that is the primary residence of its operator. The operator must also occupy the dwelling unit for the duration of the short-term rental.

2. Owner-adjacent short-term rental. The short-term rental of a dwelling unit in its entirety that is not the primary residence of the operator, but is located within a residential building with a total of four or fewer dwelling units where all dwelling units in the building are owned by the operator, and one of the dwelling units in the building is the primary residence of the operator.

b. Short-term renter. Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a short-term rental for a duration of less than thirty (30) twenty-eight (28) consecutive days.

c. Short-term rental operator. The person or persons offering a dwelling unit or bedroom for short-term rental, who may be either the owner or the primary leaseholder of the dwelling unit with the written permission of the property owner ~~and the condominium association if applicable.~~

d. ~~Operator-occupied~~ Booking agent. A third party or entity that facilitates reservations and/or collects payment for a short-term rental. The short-term rental on behalf of a dwelling unit, or of no more than three (3) individual bedrooms within such dwelling unit, that is the primary residence of its an operator.

~~e. Owner-adjacent short-term rental. The short-term rental of a dwelling unit that is not the primary residence of the operator, but is located within a residential building with a total~~

~~of four or fewer dwelling units where all dwelling units in the building are owned by the operator, and one of the dwelling units in the building is the primary residence of the operator.~~

4.63 Applicability. The requirements of this Section 4.60 shall apply to all districts where residential uses are allowed, but shall not apply to principal transient accommodations.

4.64 Requirements. Short-term rentals are permitted as an accessory residential use in existing dwellings in all districts where residential use is permitted, subject to the following requirements:

1. Only operator-occupied short-term rentals and owner-adjacent short-term rentals are permitted.
2. All short-term rental operators shall register with the Inspectional Services Department prior to short-term rental use and occupancy in conformance with Section 4.67 below.
3. A dwelling unit or bedroom offered for short-term rentals shall comply with all building code, sanitary code, fire code, and all other state and local habitability requirements for occupancy.
4. A dwelling unit or bedroom offered for short-term rentals shall comply with all standards and regulations promulgated by the Commissioner of Inspectional Services.
5. A short-term rental operator may make available no more than one (1) dwelling unit for operator-occupied short-term rentals, which may include the separate short-term rental of no more than three (3) individual bedrooms, and one (1) dwelling unit for owner-adjacent short-term rentals.
6. Operators of short-term rentals shall remit to the appropriate body all fees and taxes as required by the City and/or State authorities.
7. Short-term rental operators shall maintain liability insurance appropriate to cover the short-term rental use.
8. An owner-adjacent short-term rental may be rented only as a whole unit to one party of short-term renters at any one time and not rented as separate bedrooms to separate parties.
9. An operator ~~of an operator~~-occupied short-term rental ~~during which must be present in the unit for the duration of the rental while renting up to three (3) individual bedrooms. If the operator is away from the dwelling unit for more than seven (7) consecutive days may be rented only as a whole unit, they must rent out the unit in its entirety to one party of short-term renters at any one time and not rented as separate bedrooms to separate parties..~~
10. The number of individual bedrooms made available for ~~operator-occupied short-term rentals~~ guest accommodations within a dwelling unit shall not be greater than the number of lawful bedrooms in the dwelling unit.
11. Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.
12. Commercial meetings and uses are prohibited in short-term rentals.

13. All operators shall produce any and all booking and registration information, transaction details, reports, records, or other documentation related to short-term rentals upon request by City officials. Such records shall be maintained for a period of three years or longer if required by law. Failure to provide such information or documentation upon request by City officials shall constitute grounds for revocation of short-term rental authorization and any other penalties as authorized by law.

14. Any person who offers a unit as a short-term rental, or any booking agent who accepts a fee for booking a unit as a short-term rental, where such unit is not an eligible residential unit or is otherwise not in compliance with the provisions of this ordinance, shall be fined \$300 per violation per day. Each day's failure to comply with a notice of violation, or any other order, shall constitute a separate violation. ISD may also seek an injunction from a court of competent jurisdiction prohibiting the offering of a unit as a short-term rental

4.65 Procedural Requirements.

1. The following information shall be provided to all short-term renters and posted in all ~~owner-adjacent~~ short-term rentals in a manner to be determined by the Inspectional Services Department:

- a. Instructions for disposal of waste per the City's recycling and composting programs.
- b. An emergency-exit diagram in all bedrooms used for owner-adjacent short-term rentals and on all egresses from the dwelling unit.
- c. Contact information for the short-term rental operator, or when the operator is not present, the contact information for a locally available contact designated to respond to all emergencies and problems that may arise during the rental period, whether from renters, neighbors or municipal authorities.
- d. The certificate of registration for the short-term rental.

~~2. The operator of an owner-adjacent short-term rental shall keep accurate books and records, make them available upon request of the Inspectional Services Department, and maintain such books and records for a period of three years.~~

4.66 Regulations. The Commissioner of Inspectional Services shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 4.60 "Short-Term Rentals."

4.67 Registration.

1. All dwelling units offered for short-term rentals shall register with the City and secure a certificate of registration according to standards set forth by the Commissioner of Inspectional Services, and pay all associated fees. The certificate of registration shall require the operator to agree to abide by the requirements of this Section 4.60. ~~If the operator is not the owner of the property, the operator shall provide written evidence that the owner and the condominium association if applicable has consented to the short-term rental use of the property.~~ All operators shall provide the City with proof that one of the units in the structure is used as the operator's primary residence, either by: 1) providing proof of enrollment in the Cambridge residential tax

exemption program, or 2) providing an affidavit, signed under the pains and penalties of perjury, stating that the dwelling being used for short-term rental is the operator's primary residence, a property title or tenancy agreement along with a photo-ID driver's license or state issued identification containing the applicant's photo ID and property address, and a government or utility correspondence with operator's name and address issued within the last three (3) months.

2. Prior to issuing or renewing a certificate of registration, the Inspectional Services Department shall conduct an inspection to verify that each dwelling unit and bedroom to be rented to short-term renters:

- a. Meets all building code requirements for occupancy.
- b. Meets all other requirements of this Section 4.60 "Short-Term Rentals" and regulations promulgated by the Commissioner of Inspectional Services.
- c. It is the responsibility of the short-term rental operator to renew its certificate of registration every five years or upon change of operator or owner.

3. Any property or property dwelling unit in violation of any building, zoning, sanitary, or fire code shall have their certificate of registration suspended or revoked as set forth in the Short-Term Rental Regulations. No certificate of registration shall be issued to any property or property dwelling unit in violation of any building, zoning, sanitary, or fire code until all violations have been resolved as set forth in the Short-Term Rental Regulations.

4. Inspectional Services shall have the right to revoke, suspend, or prohibit a certificate of registration as set forth in the Short-Term Rental Regulations.

4.68 Effective Date. The provisions of this Section 4.60 "Short-Term Rentals" shall take effect on April 1, 2018. Beginning on October 1, 2017, or on an earlier date as may be determined by the Commissioner of Inspectional Services, the City may receive applications for registration, conduct inspections, and issue certificates of registration for short-term rentals to operators who apply before the effective date.