

In City Council: March , 2026

Be it Ordained by the City Council of the City of Brockton the following Temporary Order regarding Short Term Rentals to Expire on July 31, 2026, and be enacted upon majority vote of the City Council:

Whereas, the City of Brockton's Zoning Ordinance does not expressly regulate or permit short-term rental of residential properties, and unlisted uses may be prohibited by default; and

Whereas, the 2026 FIFA World Cup competition will feature multiple matches at Gillette Stadium in Foxborough, Massachusetts in June and July 2026, with significant additional visitor activity expected in the surrounding region, including Brockton; and

Whereas, this event is expected to bring hundreds of thousands of visitors to the region, creating a temporary shortage of lodging accommodations and a unique economic opportunity for Brockton residents and businesses; and

Whereas, while short-term rental of Brockton single family residences presents potential benefits to Brockton residents, concerns exist regarding public safety, neighborhood impacts, enforcement consistency, compliance with state building/fire/health codes, liability exposure for the City, and the need to preserve private property restrictions, such as condominium bylaws or homeowner association rules; and

Whereas, Massachusetts General Laws Chapter 64G (as enacted by Chapter 337 of the Acts of 2018) provides a statewide framework for short-term rentals, including mandatory property registration, taxation, and \$1,000,000 minimum liability insurance, while authorizing local regulation without preemption;

Now, Therefore, Be It Ordained that, for the limited purpose of accommodating 2026 FIFA World Cup-related visitor demands, subject to the following conditions and requirements, the City of Brockton hereby temporarily allows Short-Term Rentals of Residential Properties as defined below:

Sec. _____ - Purpose and Intent

This Ordinance is enacted to temporarily allow homeowners to rent properties during the 2026 FIFA World Cup competition, maintaining at all times a safe, healthy environment in which residents of the City of Brockton and visitors may live during the 2026 FIFA World Cup competition, and to protect against conditions that cause or create a nuisance and undermine the ability of residents to enjoy their property and the immediate neighborhood.

Sec. _____ - Definition

A "Short-Term Rental" means a habitable dwelling unit, or portion thereof, rented or used for occupancy of 31 consecutive days or less, and is not a hotel, motel, lodging house, rooming house, or bed & breakfast establishment as defined in M.G.L. c. 64G, § 1.

Sec. _____ - Effective Period

This temporary allowance shall be effective from April ____, 2026 (the date on which it is signed by the Mayor, to July 31, 2026, and shall automatically expire at 11:59 p.m. on July 31, 2026, without further action. Upon expiration, Short-Term Rentals shall revert to the status under the existing Zoning Ordinance, i.e., no grandfathering or permanent permission is granted.

Sec. _____ - Permitting

Operators using their primary residence or portion thereof for Short-Term Rental shall apply to the Commissioner of Buildings for a temporary permit. The permit application shall require, at a minimum:

1. Proof of ownership
2. A basic floor plan, showing the area dedicated to rental use
3. A parking plan, showing no more than one parking spot per bedroom
4. 24 hour contact information
5. Proof no outstanding taxes are owed to the City of Brockton
6. Copy of the certification of registration per M.G.L. Chapter 64G
7. Copy of a smoke detector certificate of compliance.

Sec. _____ - Compliance

All Short-Term Rentals shall fully comply with:

1. The Massachusetts State Building Code, Fire Code, and applicable health ordinances;
2. M.G.L. c. 64G, including mandatory registration with the Massachusetts Department of Revenue (DOR), issuance of a Certificate of Registration, collection/remittance of state and any local room occupancy excise taxes, and maintenance of liability insurance of not less than \$1,000,000 per occurrence.
3. Properties shall be subject to inspection by the Building Commissioner, Fire Department, or Health Department prior to issuance of a temporary permit, satisfying, without limitation:
 - a. Smoke and Carbon Monoxide detection appropriate to the occupancy, UL listed, and placed in correct locations;
 - b. Sufficient egress routes and bedroom egress windows that are code compliant and unimpeded

- c. Sufficient utilities in place negating the need for extension cords and temporary HVAC
- d. No open building permits or violations on the property
- e. Sanitary cooking and bathing facilities per the state sanitary code.

Issuance of the temporary permit will confirm temporary zoning eligibility and code compliance during the effective period only; it does not override private restrictions (e.g., Homeowners' Association agreements, Condominium Master Deeds, rental covenants).

Sec. _____ - Nuisance

No Short-Term Rental shall create or result in the disruption of the peace, tranquility, or safety of the immediate neighborhood it is located in through the production of noise, vibration, light, glare, trash, fumes, odors, traffic, parking congestion, or any other nuisance beyond that which normally occurs in the immediate neighborhood.

Sec. _____ - Private Agreements and City Liability Disclaimer

Any lease or rental agreement for a Short-Term Rental is a private contract solely between the lessor (owner/operator) and lessee (guest). The City of Brockton is not a party to such agreements and assumes no responsibility for terms or enforcement.

Nothing in this Temporary Order shall override or invalidate any prohibition or restriction on short-term rentals in a Homeowners' Association Agreement, Condominium Master Deed, rental agreement, or other private covenant as consistent with M.G.L. c. 64G, § 15.

The City of Brockton expressly disclaims any and all liability arising from or related to Short-Term Rentals permitted hereunder, including but not limited to property damage, personal injury, disputes between parties, or non-compliance with private agreements. Operators assume full responsibility and risk.

Sec. _____ - Enforcement and Non-Criminal Disposition

Any Owner who violates any provision or this ordinance or regulation promulgated hereunder may be subject to a civil fine. Pursuant to the authority granted by M.G.L. Chapter 40, sec. 21D, said violation may be enforced in the manner provided in such statute. The civil fine for such violation shall be \$300. Each day a violation occurs shall be a separate offense.

Operators without a required permit or in non-compliance with state mandates will face penalties under City Ordinances and/or M.G.L. c. 64G.

In accordance with M.G.L. Chapter 64G, section 14(v), a civil penalty not to exceed \$5,000 for any violation of this ordinance may be assessed.

Sec. _____ - Severability

If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Sec. _____ - Adoption Procedure

This temporary ordinance shall be adopted in accordance with M.G.L. c. 40A, § 5, including any required public hearing, notice, and planning board input (if applicable) and shall expire at 11:59 p.m. on July 31, 2026.