

The Town of Barnstable is considering short-term rental regulations that change residential zoning law and force you to complain using nuisance laws. Sit back. It's story time.

THE STORY of NUISANCE LAWS and ZONING



Nuisance laws date back to the Late Middle Ages, and the reign of Henry III of England, the House of Plantagenet.

If you objected to how a neighbor was using his property (and it was “his”), you complained to municipal authorities and the dominant merchant class who decided such things.

Nuisance complaints were mostly boundary disputes between neighbors, and grievances about vagrants, brothels, rubbish disposal, and the contents of chamber pots carelessly dumped.

In 1908, the Los Angeles City Council passed the first zoning ordinance in the United States.

The ordinance established residential, commercial, and industrial districts. Homeowners used to rely on nuisance laws to keep slaughterhouses and warehouses of dynamite out of their neighborhoods. Zoning created large districts with identical laws and allowed land uses.



New York was next in 1916. And that law became the blueprint for zoning in the rest of the country.

In the 20th century, zoning replaced urging good behavior and forcing neighbors to complain.

For public officials, it's far less cumbersome a system. Zoning separates land uses that are incompatible and likely to cause conflict. It assures home buyers that their neighborhood won't suddenly, unpredictably change. It protects quality of life and property values.

Today, communities use zoning to help control Airbnb-type short-term transient rentals.



We're not the first, fifth, or twenty-fifth tourist-friendly community to deal with juggernauts Airbnb, Vrbo, HomeAway, and services like theirs offered by other commercial interests. See examples of successful regulations at www.BarnstableWatch.com.

You can also check out the sensible regulations we propose, they're posted for public review.

We based our proposal on the Hamptons, a diverse group of seaside villages with residents, weekenders, and lots of tourism. Sound familiar? There's an easy summary before the actual regs, so it can take you just minutes. *Got questions? Ask them on the "Contact" page.*