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Clayton vacation rental checklist

Johnston County, North Carolina | Rules checked November 6, 2026

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Clayton is Johnston County's biggest rental market. We couldn't find its zoning ordinance online, so ask the town whether zoning allows a short-term rental at your address. Stays owe 6.75% sales tax plus Johnston County's 3% and Clayton's 2% occupancy taxes.

> Part of Clayton is in Wake County, where Wake County's 7.25% sales tax and 6% occupancy tax apply. Ask the town whether its 2% also applies on the Wake side.

Licensing steps

STATE OF NORTH CAROLINA

- [ ] **Know who owes the tax**
  Whoever collects the rent reports the sales and occupancy tax: the platform, your rental agency, or you. Airbnb collects state and county sales tax and all local occupancy taxes on its bookings. If guests pay you directly, register with the Department of Revenue for sales tax and with your county or town for occupancy tax.
  NCDOR business registration: https://www.ncdor.gov/taxes-forms/business-registration

- [ ] **Use a written vacation rental agreement**
  The Vacation Rental Act covers owners and agents renting for vacation stays under 90 days. Have the guest accept a written agreement with the required notices, hold advance payments in a trust account, and keep the home fit and habitable with working smoke and carbon monoxide alarms.

- [ ] **Check your zoning**
  Towns can't require you to register a rental, but they can limit short-term rentals to certain zoning districts, require a zoning permit, and set parking, trash, and safety standards. Pick your area for the local rules.

JOHNSTON COUNTY, NORTH CAROLINA

- [ ] **Taxes on each stay**
  Stays under 90 days owe 6.75% sales tax plus the local occupancy tax. Airbnb collects both on its bookings. If guests pay you directly, file sales tax with the Department of Revenue. Johnston County's 3% occupancy tax applies countywide, plus 2% inside Benson, Clayton, Four Oaks, Kenly, Selma, and Smithfield. Ask the county and your town where direct-booking hosts file.

- [ ] **Then your city or area**
  Zoning rules for short-term rentals are set by each city or town, and by the county outside town limits. Pick your area.

TOWN OF CLAYTON

- [ ] **Taxes on each stay**
  Stays under 90 days owe 6.75% sales tax plus the local occupancy tax. Airbnb collects both on its bookings. If guests pay you directly, file sales tax with the Department of Revenue. Johnston County levies 3% and Clayton adds 2%. For direct bookings, ask the town and the county where to file each.

- [ ] **Ask about zoning**
  Ask the Town of Clayton Planning Department whether zoning allows a short-term rental at your address and whether you need a zoning permit. Check your HOA rules too.

Official sources

UNC School of Government: Occupancy taxes and Airbnb. https://www.sog.unc.edu/node/374926

North Carolina General Assembly: Vacation Rental Act (G.S. Chapter 42A)-
. https://ncleg.gov/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_42A.html

UNC School of Government: Short-term rental regulations after Schroeder-
. https://www.sog.unc.edu/blogs/coates-canons/short-term-rental-regulations-after-schroeder-0

Magellan Strategy Group (published by the NC Restaurant & Lodging Association): 2026 Profile of North Carolina Occupancy Taxes and Their Investment (July 2026). https://www.ncrla.org/wp-content/uploads/2026/08/2026-North-Carolina-Occupancy-Taxes-July-2026_opt.pdf

Town of Clayton (American Legal Publishing): Town Council minutes, February 26, 2026 Council Retreat Day 2-
. https://codelibrary.amlegal.com/codes/claytonnc/latest/m/2026/2/26/1