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Smithfield vacation rental checklist

Isle of Wight County, Virginia | Rules checked November 7, 2026

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Smithfield allows short-term rentals for no more than 104 nights a year. Renting rooms or part of the home you live in is allowed by right in residential areas; renting a whole house as its main use takes a Town Council special use permit. You need a town business license, $500,000 in liability insurance, and a notarized affidavit. Stays pay 6% sales tax plus the town's 6% lodging tax.

> Breaking the rules can cost you your town business license.

Licensing steps

COMMONWEALTH OF VIRGINIA

- [ ] **Know who pays the tax**
  When a platform like Airbnb books the stay, it collects and pays the state sales tax and the local lodging tax for you. If guests pay you directly, register with Virginia Tax for sales tax and with your county or city for the transient occupancy tax.
  Register a business with Virginia Tax: https://www.tax.virginia.gov/registering-new-business
- [ ] **Register with your locality if it has a registry**
  Many counties and cities require short-term rental hosts to register every year. Registration is a simple filing (your name, each address, and the owner's permission if you lease the home), but listing an unregistered rental can cost up to $500 per violation.
- [ ] **Check your zoning**
  Counties and cities keep their power to decide where short-term rentals are allowed and whether you need a zoning or use permit. HOA and condo rules still apply on top. Pick your area for the local rules.

ISLE OF WIGHT COUNTY, VIRGINIA

- [ ] **Then your town or area**
  Smithfield and Windsor set their own zoning. Pick your area.

TOWN OF SMITHFIELD

- [ ] **Check which kind of rental you have**
  Renting part of the home you live in counts as a homestay and is allowed by right in residential areas. Renting a house as its main use, a unit in a mixed-use building, or an accessory building needs a special use permit from Town Council, which can also waive the standard limits.
- [ ] **Get a business license and file the affidavit**
  Get a Town of Smithfield business license, then sign and notarize the town's short-term rental affidavit. Attach proof of at least $500,000 in liability insurance that covers renting to guests, and confirm the home has licensed trash service.
  Smithfield STR affidavit (PDF):
  https://smithfieldva.gov/DocumentCenter/View/104/Short-Term-Rental-Affidavit-Application-PDF
- [ ] **Taxes on each stay**
  Stays under 90 days owe 6% sales tax, and stays under 30 days also owe the local transient occupancy tax. Airbnb collects both on its bookings. If guests pay you directly, file sales tax with Virginia Tax. Smithfield's lodging tax is 6% (Virginia Tax chart); you're responsible for it as the operator. Ask the town how direct bookings file it, and whether the county's 5% also applies.

House rules for guests

Nights per year: 104 maximum

Noise: Town noise ordinance (Chapter 38)

Who to contact

Town of Smithfield: 757-365-4200

Official sources

Virginia Tax: Guidelines for sales tax on accommodations (P.D. 21-116)-
. https://tax.virginia.gov/laws-rules-decisions/rulings-tax-commissioner/21-116

Virginia General Assembly: Short-term rental registries (Va. Code § 15.2-983). https://law.lis.virginia.gov/vacode/15.2-983/

Town of Smithfield: Smithfield Zoning Ordinance, Article 2, Section Z (Short-Term Rentals), updated 2025-
. https://www.smithfieldva.gov/DocumentCenter/View/143/Article-02-Gen-Reg-Updated-2025PDF

Town of Smithfield: Short-Term Rental Affidavit (2020-09-01 version)-
. https://smithfieldva.gov/DocumentCenter/View/104/Short-Term-Rental-Affidavit-Application-PDF

Virginia Tax: Virginia Locality Transient Occupancy Rate Chart (as of July 1, 2025)-
. https://www.tax.virginia.gov/sites/default/files/inline-files/transient-occupancy-tax-rate-chart_18.xlsx