

LOCAL LAW No. 2 2024
TOWN OF STUYVESANT
ESTABLISHING REGULATIONS REGARDING SHORT TERM RENTALS

Be it enacted by the Town of Stuyvesant as follows:

Section 1. Title

This Local Law shall be known as “A Local Law Establishing Regulations Regarding Short Term Rentals.”

Findings; The Town Board of the Town of Stuyvesant hereby finds the following;

- A. It is in the best interest of the residents of the Town of Stuyvesant to regulate the use of dwellings for short term rentals (STRs).
- B. STRs have a positive economic impact within the Town by increasing tourism activity and providing an additional source of income for homeowners and are therefore permitted subject to regulations herein.
- C. It is the intent of these regulations to balance the rights of property owners in Stuyvesant to open their homes to short-term rental use, with the rights of other homeowners who wish to enjoy the rural and residential character of the town.

Section 2. Authorization

This local law is enacted pursuant to the requirements set forth in the New York State Town Law and Municipal Home Rule Law.

Section 3. Definitions

SHORT-TERM RENTAL AND VACATION RENTAL –Any portion of Real Property, furnished apartments or living units in a dwelling ordinarily occupied for residential purposes rented in exchange for lodging for a period of not more than 31 consecutive days or otherwise directly by the owner or through an owner's agent or hosting platform. Hereinafter referred to as “STR”.

HOSTED PROPERTY - owner resides on the property on which an STR is located.

UNHOSTED PROPERTY - owner not living on property but must have a Local Property Manager- Person in charge of managing property.

OWNER AND/OR OPERATOR – Person or entity that owns the parcel of land on which the STR is operated or the person or entity that conducts the business of the STR.

LOCAL PROPERTY MANAGER (LPM) – Person that lives within the Town or within 30 miles of the Unhosted Property STR. Responsibilities of the LPM include assuring that all rules and regulations are met by guests including noise, parking and shall respond to all complaints from the Town or the public. Name, address and phone number of the LPM must be filed with the permit application to the Town. Any change in the required information shall be filed with the Town within five days of such change.

Section 4. Regulations

- A. Every new STR must obtain a permit prior to commencing operation and every current STR within the Town of Stuyvesant must register for a permit from the Town Code Enforcement Officer (CEO). The CEO, within 30 (thirty) days of the receipt of a complete application, shall conduct an initial inspection of the following items and upon successful completion, the initial permit shall be issued.
- i. The occupancy of the building utilized for the STR shall not exceed the number of persons approved by the CEO based upon bedrooms, in accordance with the New York State Building Code.
 - ii. STRs will be limited in occupancy to sleeping 15 persons or less. Any establishment that can house and sleep more than 15 persons will not be considered an STR and will be subject to the same rules and regulations as hotels/motels.
 - iii. All parking for STRs must occur on the parcel. No parking on any roads by STR guests, renters or visitors will be allowed. Failure to comply at all times with the requirements herein shall result in a revocation of the permit until remedied and approved by the CEO.
 - iv. The applicant shall provide an emergency number on the application and shall prominently post such number in the property. All emergency calls from the Town or renters must be responded to within sixty (60) minutes.
 - v. Proof of hazard/liability insurance in an appropriate amount is recommended, and is insured by an insurer that is licensed to write insurance in this state for at least the value of the dwelling plus a minimum of three hundred thousand dollars coverage for third party claims of property damage or bodily injury that arise out of the operation of the short term rental unit.
 - vi. Each permit shall have a term of one (1) year and must be renewed at the expiration of one year, with the appropriate fee as set by resolution of the Town Board from time to time. On application for renewal Owner must attest that property specifications remain as represented in any initial registration or describe all changes accurately and completely. CEO may request annual inspection but must inspect every three years.
- B. The fee for such inspection shall be set by resolution of the Town Board from time to time. Permits shall be applicable to one tax parcel only. If the STR covers more than one parcel, the owner must obtain a permit for each parcel utilized as an STR.
- C. The owner of every STR within the Town of Stuyvesant shall apply for an initial permit within 180 days of the effective date of this local law. Failure to do so shall be punishable by a civil fee in an amount to set by resolution of the Town Board.
- D. STR permits shall be issued only to the property owner of the STR being registered.

- E. Failure to meet New York State Sanitary Code Standards shall require that STR owner or operator to notify guests of the failure, and provide potable bottled water to the guests, until such time as the failure is remedied.
- F. All current non-resident owners/operators of STRs may continue operation but shall apply for an initial permit within 180 days of the effective date of this local law. Failure to do so shall be punishable by a civil fee in amount to be set by resolution of the Town Board. The annual renewal requirements set forth above shall also apply.
- G. At any time a violation is issued, the host has thirty days to remedy the violation. If a host receives three violations and the violations are not remedied and the host is still renting the dwelling, revocation of said license will ensue. If the owner is found guilty of having three violations in any calendar year, the permit shall be revoked. The CEO shall inspect the STR after each violation.
 - 1. First violation: warning
 - 2. Second notice: \$500
 - 3. Thirds notice; \$1000
 - 4. Fourth notice ; \$1500, etc.
- H. Fire safety requirements including smoke alarms, C02 alarms, and fire extinguishers, in accordance with the most recent version to the National Fire Safety Code. Fire extinguisher certification is required every 12 months. The owner/operator shall submit an affidavit affirming that the property continues to be in compliance with the National Fire Safety Code at the time of each renewal.
- I. The 911-Fire number of the rental property shall be prominently displayed at the curb of the property in numerals at least 4 inches high. Each unit shall have a conspicuously posted list of emergency contact phone numbers for Police, Fire and Poison Control.
- J. In any STR with 5 bedrooms or more, placards must be placed within the rental, delineating clear route of exit in case of emergency in every bedroom, to be affixed to the back, inside surface of the bedroom door.

Section 5. Enforcement

- A. Violations of this Local Law shall be enforced in the same manner of violations of the Town Zoning Law.
- B. Any appeals shall be sent to the towns ZBA and processed under Town Law §267-b (1) relating to interpretations and shall follow the same public hearing and decision-making process as set forth in such section.

Section 5. Effective

This Local Law shall take effect immediately in accordance with the requirements of the New York State Municipal Home Rule Law.

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