

VILLAGE of STAMFORD LOCAL LAW 1 2023

SHORT TERM RENTALS

Section I – A local law providing those properties, in The Village of Stamford, being rented on a short-term transient basis meet certain minimum safety and regulatory requirements ensuring the safety, general welfare and health of persons occupying Short Term Rentals and neighboring properties.

Section II – Purpose

With the increase in tourism over the past several years in the region, there has been an increase in the number of property owners renting to tourists on a short-term transient basis. Short Term Rentals offer many benefits to property owners and residents in our community however, they also create potential health, safety, and quality of life detriments to the community.

The purpose of this Local Law is to regulate the safety and use of Short-Term Rentals by imposing mandatory rules and regulations, as required by the NYS Uniform Codes, on all Village of Stamford property owners that desire to rent their property on a short-term transient basis. The purpose of such regulations and requirements are to assure that the properties being rented meet certain minimum safety and regulatory requirements, thereby protecting the property owners, occupants, and the residents of the Village of Stamford.

In discussion of STR's in relation to existing Zoning, The Board of Trustees finds that STR's would have little impact on existing Village Zoning, in that the Short-Term Rental Permit process outlined in this Local Law will meet the requirements of the Site Plan Review process of the Zoning Law; therefore in regards to STR's only, this Local Law will take precedence over the Zoning Law.

Section III – Definitions

House Rules – A set of rules that applies to renters of Short-Term Rentals.

Local Property Manager/Emergency Contact – The individual specifically named on the STR application and permit who has been designated by the owner of the STR property with the authority and responsibility for handling the day- to-day operation of the STR property; and who is required to be available to respond within one (1) hour to all emergencies and authorized to *promptly* deal with emergencies and STR guest issues.

Property – A parcel of property and dwellings & structures contained on said parcel located within the boundaries of the Village of Stamford, NY.

Property Owner – An individual or group of individuals holding legal/equitable title to a property offered as a *Short-Term Rental* (STR).

Rented in Part – A *Short Term Rental* in a residence that is being occupied in part by the *Property Owner* and in part by the *Short-Term Rental* guest(s).

Rented in Whole – A Short Term Rental in a residence rented in its entirety by Short Term Rental guest(s).

Short Term Rental (STR)– A residence that is rented or leased in whole or in part, for a period of 30 days or less, to one entity. Any dwelling unit, that is rented or leased for a period of 30 days or more, to an individual or families who then allow others to the dwelling for period of 30 days or less, shall be considered a Short-Term Rental unit and will be subject to this local law and require a permit for such use.

Sleeping Room – An interior room other than a bedroom that may serve to afford sleep to a person, however, sleep shall not be the primary function of the room. Examples include, but are not limited to, a living room, family room, den or great room which may be furnished with a futon, convertible couch, or other sleeping surface. All sleeping rooms

shall meet NYS Uniform Fire Prevention and Building Code mandates for bedrooms. (i.e., size, ceiling height, access, egress, lighting and ventilation, electrical outlets, heat, and smoke and carbon monoxide alarms).

Section IV – House Rules

All *Short-Term Rental* properties shall post for renters of each dwelling unit, a listing of *House Rules*. *House Rules* must incorporate, but are not limited to, the following:

- (1) Name, address and telephone number of the *Property Owner or Property Manager* who will be responsible and available for emergencies and problems that may arise
- (2) Instructions for dialing 911 for emergency/fire/ambulance assistance
- (3) An emergency exit plan
- (4) The location of fire extinguishers
- (5) A property map that clearly depicts the *Short-Term Rental* property boundaries and a statement that unit occupants may be liable for illegal trespassing
- (6) Procedures for waste removal
- (7) Rules for noise
- (8) Parking shall be allowed solely in designated parking spaces
- (9) If allowed by the *Property Owner*, specify that outdoors fires shall be made solely within a firepit/fireplace, woodstove etc., using only clean wood or charcoal. i.e., no open burning
- (10) If allowed by the *Property Owner*, instructions for fires in firepit/fireplace, woodstove etc. If not allowed by the *Property Owner*, a statement to this effect

Section V- General Regulations

Permit Requirement – It shall be unlawful to use, establish, maintain, operate, occupy, rent, or lease a *Short-Term Rental* within the Village of Stamford without first having obtained a Short-Term Rental Permit. The failure or refusal to obtain a Short-Term Rental Permit shall be a violation of this law and is punishable as outlined in Section VI of this Local Law

- A. *Short Term Rental* properties in operation prior to the Effective Date of this Local Law shall have 90 days from the Effective Date to obtain a Short-Term Rental Permit in accordance with this Local Law. *The Short-Term Rental* property will be allowed to remain in operation during these 90 days, unless the Short-Term Rental Permit Application is denied. Should the Permit Application be denied, operations must cease immediately and until a permit can be obtained.
- B. The permit to operate a *Short-Term Rental* in any given year will expire on December 31st, except an initial permit filed after November 1st of a calendar year shall be allowed to run through December 31st of the subsequent year. All renewal permits shall run from January 1st through December 31st of the calendar year and must be renewed at least thirty (30) days prior to the expected expiration of the existing STR permit by submitting a complete application with the appropriate fee. Applications are due to the village clerk no later than November 31st. All permits will be renewed when appropriate inspections are completed. Late applications will be considered “Initial” for the purpose of the annual permit fee.
- C. The structure utilized as a Short-Term rental shall have a valid Certificate of Occupancy.
- D. *Short Term Rental* shall be limited to single family dwellings, and are prohibited in multi-family dwellings.
- E. *Short Term Rental* shall not rent more than five (5) bedrooms/sleeping rooms and shall be limited in occupancy to sleeping ten (10) persons or less. Any rental with more than five (5) bedrooms that can sleep more than ten (10) persons shall not be classified as a STR and will be subject to the same rules and regulations as hotels/motels.
- F. In all *Short-Term Rentals*, a Fire-Safety Notice shall be affixed to the occupied side of the entrance door of each bedroom for transient use indicating all of the following:
 - (1) Location of fire extinguishers
 - (2) Means of egress.

- (3) Location of means for transmitting fire alarms, if any.
- (4) Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.
- G. Generally, parking shall comply with the Village of Stamford Zoning Law and not restrict access of fire and safety vehicles. Off-street parking shall be provided to accommodate the occupancy of the *Short-Term Rental*. One parking space for each bedroom and *sleeping room*. Vehicles shall not be parked on front lawns. The Codes Officer does have discretion on the number of required spaces on a case basis.
- H. The *Property Owner / Property Manager* is responsible for all refuse and garbage removal. Refuse will be kept in an approved container. The *Property Owner / Property Manager* shall be responsible for either (a) contracting with a refuse company or (b) the *Property Owner* or *Property Manager* shall remove garbage on a weekly basis.
- I. Permits for operation of a *Short-Term Rental* may not be assigned, pledged, sold, or otherwise transferred to any other persons, businesses, entities, or properties.
- J. When *Short Term Rental* contact information changes, the Stamford Village Clerk will be promptly notified and Short-Term Rental House Rules shall be revised accordingly.

Section VI – Application Requirements

- A. Permit Application – The initial permit application must be submitted to the Village of Stamford Code Enforcement Officer along with the required permit application fee. The application must be approved and a permit issued prior to operation.
- B. The application must be complete and contain the following minimum requirements.
 - (1) *Short Term Rental* address and SBL#.
 - (2) Contact Information: The names, addresses, email address(es) and day/night telephone numbers of the property owners, property manager/local emergency contact.
 - (3) Delaware County Occupancy Tax Registration #.
 - (4) Short Term Rental Description: A floor plan of each bedroom and sleeping room, including the said dimensions of said rooms, occupancy of each room and the methods of ingress and egress (examples: doors and windows) shall be included with the application. No kitchen shall be occupied for sleeping purposes
 - (5) Plat: The applicant shall submit a plat of the property showing approximate property boundaries and existing features, including buildings, structures, well, septic system, parking spaces, firepits/outdoor fireplaces, driveways, streets, streams and other water bodies, and neighboring buildings within one hundred (100) feet of the *Short-Term Rental* unit.
 - (6) Maximum Occupancy. The maximum intended occupancy requested by the property owner shall be stated on the application. The Code Enforcement Officer shall establish the maximum occupancy. The Code Enforcement Officer shall limit the number of occupants.
 - (7) Waste Removal. The applicant shall state how garbage is to be removed from the property. If there is a dumpster located on the property, the location of the dumpster shall be depicted on the plat submitted with the application
 - (8) Parking. The number of off-street parking spaces to be provided shall be stated on the application.
 - (9) Proof of *Short-Term Rental* Insurance. The Insurance Company and policy number are to be indicated on the application and the Declaration Page must be provided.

Section VII – Inspections

- A. Initial Inspection: The CEO shall conduct an initial inspection of the following items and upon completion and compliance, the initial Short Term Rental Permit shall be issued.
 - (1) The structure has a valid Certificate of Occupancy or Compliance.
 - (2) The structure meets NYS Building Code and does not pose a hazard to life, health, or public safety.

- (3) The occupancy of the Short-term rental shall not exceed the number of persons approved by the CEO based upon these regulations and in accordance with the current New York State Building Code
- (4) Fire safety requirements including smoke alarms, CO2 alarms, fire extinguishers and egress will be in accordance to the current New York State Fire Code. Fire extinguisher certification is required every twelve (12) months.
- (5) The 911 address of the rental property shall be prominently displayed at the curb of the property in numbers at least four (4) inches high.
- B. Annual fire/Safety Inspections: The CEO shall make annual fire/safety inspections to determine the condition of short-term rentals to ensure compliance with this chapter and other applicable laws. For the purpose of performing inspections, the code official may enter, examine and survey, at all times, all buildings, dwelling units, guest rooms and premises on presentation of the proper credentials. The Owner or Host of an establishment, or the person in charge, shall give the code official free access to the building.

Section VIII - Enforcement

- A. *Property Owners of Short-Term Rental* units shall obey all applicable laws, ordinances, and regulations applicable to the Village of Stamford and shall be subject to the enforcement and penalty proceedings contained in this Local Law.
 - (1) The Village of Stamford Code Enforcement Officer shall investigate, written complaints submitted on the provided Compliant Form.
 - (2) Whenever the CEO finds on inspection of the physical premises or review of applicable records of any *Short Term Rental*, that conditions or practices exist that violate any provision of this Local Law, the Property Maintenance Code, or any other Law, Rule or Regulation, or that the establishment has failed to comply with any provision, prohibition or requirement related to the registration, reporting, collection, segregation, accounting, disclosure or payment of county bed taxes, the CEO, at their discretion, shall serve upon the *Property Owner* either an Order, in writing, directing that the conditions therein be remedied within the time specified in the Order, or an Appearance Ticket requiring the holder of such permit to appear before the Town Justice of the Local Criminal Court at a time to be specified in such Appearance Ticket. Said Order or Appearance Ticket shall be served personally or by certified mail.

Section IX- Penalties

- A. A failure to obtain a *Short Term Rental* Permit required under Section IV of this Local Law shall be punishable by a fine of not less than two hundred and fifty dollars (\$250) nor greater than five hundred dollars (\$500) for the first offense; a conviction of a second offense, within a five (5) year period of the first conviction shall be punishable by a fine or penalty of not less than five hundred dollars (\$500) nor greater than one thousand dollars (\$1,000).
 - (1) Each week, or part thereof, that the violation continues shall be deemed a separate and distinct offense punishable in like manner.

Section X – Fees

- 1. Fees will be established by the Code Enforcement Officer and approved by the Board of Trustees.
- 2. Fees will be reviewed and adjusted and approved by the Board as necessary.
- 3. Fees will be paid prior to the issuance of the STR permit certificate.

Section XI- Separability

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed invalid; all other provisions hereof shall remain valid and enforceable.

Section XII – Effective Date

This Local Law shall become effective upon filing with the Secretary of the State of New York.

SHORT-TERM RENTAL FEE SCHEDULE

2023

Permit Fees- Fees associated with this process are to cover the cost of administration enforcement and inspection.

- A. Initial Permit Fee
 - (1) a \$150.00 fee will be assessed with the initial permit application for the first bedroom / sleeping room within a property.
 - (2) a \$75.00 fee for each additional bedroom / sleeping room.
- B. Permit Renewal Fee
 - (1) A permit renewal, which has been kept current, will be assessed a fee of \$75.00 for each additional bedroom / sleeping room.
 - (2) Initial Permit Fees apply to all expired permits.
- C. Fire/Safety Inspections: fees will be assessed as per the current Village of Stamford Fire/Safety Inspection Fee schedule.

This Local Law shall take effect immediately upon the filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Enacted: _____, by the Village Board of the Village of Stamford.

Robert Schneider
Mayor, Village of Stamford

I hereby certify that this local law, designated as Local Law No. ____ of 2023, was duly passed by the Village Board of the Village of Stamford on _____, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript there from and of the whole of such original local law, and was finally adopted in the manner indicated above.

(SEAL)

Jamison Hanway, Village Clerk

Date: _____