

DRAFT PROPOSED SHORT-TERM RENTAL REGULATIONS FOR THE TOWN OF COPAKE, NY

INTRODUCTION

It is the intent of the Short-Term Rental (STR) Working Group to make recommendations/suggestions to Copake Town Board that balance the rights of all property owners as it related to STRs.

The STR Working Group proposes the following Regulations for STRs in the Town of Copake.

EXEMPTIONS

The following rental situations are exempt from STR rental regulations and not required to register with the Town of Copake. Please note that Copake town laws with regard to noise, parking, and other regulations shall remain in effect for the owner and their guests.

1. Any properties that are only rented for 30 days or more at a time.
2. A hosted STR where the Owner only rents a room or rooms in a Principal Dwelling or Accessory Dwelling in which the Owner resides and sleeps overnight during the entire rental period(s). If owner is away overnight, a nearby and responsible designee needs to be readily available.

DEFINITIONS

Accessory Dwelling: A Dwelling attached to or on the same lot as the Principal Dwelling of the property.

Designated Contact: The primary person that will be contacted by neighbors, the Town, or a representative of the Town to respond to immediate complaints or issues. This may be the Owner or a designee of the Owner.

Dwelling: A building used as living quarters, with provisions for cooking, eating, sanitation, and sleeping.

Owner: The person, persons, or legal entity holding title to the Principal Dwelling and Accessory Dwelling, if applicable.

Principal Dwelling: A Dwelling used by the Owner as the main living quarters of the property.

Rental Period: The period of consecutive days a STR is rented to one guest or associated group of guests.

Short Term Rental (STR): The rental of a Dwelling or portion thereof to provide lodging for transient guests for any period of less than thirty (30) days. This definition specifically excludes licensed Bed and Breakfast Establishments, Inns, Hotels, Motels, Campgrounds, and Conference Centers.

STR Guest: Any and each person in a group staying in a Dwelling for a period of less than 30 days.

Un-hosted Short-Term Rental (STR): The short-term rental of an entire Primary Dwelling or Accessory Dwelling from which the Owner does not reside and sleep overnight during the entire rental period.

PROPOSED REGULATIONS & LOCAL LAWS FOR SHORT TERM RENTALS

1. REGISTRATION AND PERMIT REQUIRED FOR SHORT-TERM RENTALS

Owners wishing to operate a Short-Term Rental must register their intent by applying for a STR Permit, which will include:

- A. Name and contact information of Owner, of if owned by a legal entity, that legal entity's owner. Contact information shall include mailing address, physical contact address, email address, and a phone number at which Owner can be reliably contacted at any time.
 - a. Owner must be the same person or entity holding title to the property in Town records.
 - b. Owner must also provide the phone number of a Designated Contact, if not themselves, and back-up to handle any issues.
- B. Evidence of ownership.
 - a. One legal document to support Owner's attestation that they are the owner of the property, such as property tax receipt, driver's license, voter registration, federal or state tax returns showing property address as Owner's residential address, or other persuasive documentation sufficient to prove ownership.
 - b. Confirmation that property taxes are paid in full.
- C. Attestation that required health and safety provisions have been met for State and Local Building Codes [add hyperlink] including: [Add major provisions below for clarity]
- D. Attestation that Homeowner has an active insurance policy including appropriate STR insurance for the property.
- E. [Information on property specifications that is listed on county filings, including:
 - a. Number of bedrooms
 - b. Number of bathrooms]
- F. Attestation that trash and recycling will be removed weekly, when the premises is occupied, or more often if necessary, and follow mandatory guidelines per Columbia County rules. Any trash exceeding the capacity of garbage containers shall be organized in a clean and neat manner.
- G. An email acknowledgement or certified mail receipt from owners of all abutting properties, including those across the street, that are also within 500' of the STR dwelling confirming that said neighboring property owners have been advised of the Owner's intention to operate as a STR.
- H. STR Permit must be renewed annually.
- I. On application for renewed STR Permit, Owner must attest that property specs remain as represented in initial registration or describe all changes accurately and completely. A non-refundable fee shall be charged upon receipt of each registration and application for STR permit.

2. UNHOSTED SHORT-TERM RENTAL

The rental for a period of less than 30 days of an entire Dwelling, in which the owner is not present during the rental period, will be permitted as an Un-hosted STR under the following conditions:

- A. The name and contact information of the Designated Contact and back-up must be shared with all owners of properties abutting the property line and within 500' of the STR dwelling, as well as with the Town.
- B. The Designated Contact or back-up must address complaints or issues, from STR Guests or residents of the Town, within one hour of notification or receipt.
- C. The Principal STR Guest must be at least twenty-one years old.
- D. The maximum number of days that can be rented in any calendar year is [XXX] days.
- E. An Un-hosted STR must also comply with all other local laws and regulations.

3. TOWN REGULATIONS

Community standards in Copake expect that residents and STR Guests will refrain from disturbing the surrounding neighborhood. Owners are responsible for clearly communicating to their STR Guests pertinent local laws as can be found at <https://ecode360.com/CO1534>, including, but not limited to the following:

- A. Excessive noise between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the Dwelling shall be prohibited.
- B. Local parking regulations shall be upheld. Parking on town roads is prohibited.
- C. Trash and recyclables shall be removed weekly.
- D. Owners whose STR Guests violate Town laws and ordinances may be subject to fines and/or have their STR Permit suspended or revoked.
- E. STR Guests who are reported for violating these rules are themselves subject to all local laws.

4. EXPIRATION OF STR PERMIT WITH SALE OR TRANSFER OF PROPERTY

STR Permits issued in the Town of Copake are non-transferable.

- A. All STR Permits are rendered null and void upon any change in ownership of the property.
 - a. New Owners must register for and obtain a new STR Permit prior to any STR of the property.

5. REQUIRED POSTINGS AND COMMUNICATIONS

All necessary safety, operational, and community standards information must be made available in a prominent location in the STR, for easy access of guests and visitors, including:

- A. County 911 address information.
- B. All contact information for Owner, Designated Contact, and back-up.
- C. Parking and noise regulations, and trash and recycling plans.
- D. Currently active registration letter.

PROPOSED SCHEDULE OF PENALTIES AND FEES

Fees for Registration and Inspection:

- 1. [\$100-\$200 depending on expected town costs] non-refundable fee to be charged upon receipt of initial Registration/Application and annually for STR Permit.

Penalties for Non-Compliance

- 1. Operating an Un-hosted STR without registration will incur a [TBD] monthly fine. Such fine shall be waived if the Hosted STR complies within 30 days of notification of non-compliance by the Town.
- 2. Failure to comply with any rules for a registered STR shall result in a [TBD] fee on the first offense, [TBD] fee on the second offense, and [TBD] fee on the third offense for each calendar year. Each additional violation shall incur a [TBD] fee and result in the suspension of a license to rent for three months from the date of the infraction. The host may appeal any infraction to [need to decide how these are handled].
- 3. An Owner who operates a STR without registration for [TBD] and has repeatedly ignored notices from the Town to come into compliance will be denied a permit to operate.