

TOWN OF ROCKLAND

OFFICE OF THE SUPERVISOR

P.O. Box 964, Livingston Manor, New York, 12758
845-439-5450 Ext. 102

Town of Rockland-Short Term Rentals Local Law (Draft 3-21-23)

1. Legislative intent and purpose

This section is enacted to establish a permitting process for short term residential rentals to protect the general health, safety, and welfare of the residents of the town of Rockland and to provide a means for the monitoring of such rentals. The law is also enacted to protect the safety of renters in accordance with the NYS Uniform Fire Prevention and Building Code.

2. Definitions

- a) **SHORT-TERM RENTAL**- A property in which at least one room in a residential dwelling unit or habitable accessory structure is rented for periods of less than 30 consecutive days, but not including a Hotel, Motel, Inn, Campground or Bed and Breakfast
- b) **OPERATOR**-Any responsible individual who has charge, care or control of a structure or premises which is rented for occupancy. Such person may be the property owner, a local property manager, or agent of the owner, and must be available to respond to tenant and neighborhood questions or concerns and authorized to take remedial action and respond to any violation of this chapter.
- c) **HABITABLE STRUCTURE**- any enclosed roofed structure fit for human habitation and containing amenities such as bathing and cooking facilities; “Habitable Structure” may refer to a house, or apartment where sleeping accommodations are provided. A habitable structure must meet the applicable requirements of the NYS Uniform Fire Prevention and Building Code.

SHORT TERM RENTAL PLATFORM- internet based companies that show information for short-term rentals and offer services to complete transactions between the property owner and the renter; also referred to as third-party brokers or booking companies.

- d) Septic Disposal system must be town sewer or compliant sub surface system.

3. Application, Permit required.

- a) Short-term rentals are allowed in all zoning districts where residential dwellings are permitted. (2)
- b) All Short-term rental uses require an inspection and operating permit from the building Department as outlined herein. No STR operating permit shall be issued without the unit having passed inspection. (3)
- c) Each permit shall be valid for one year from the date it is issued and shall be renewed annually and at the time any of the conditions of the rental which are governed by this chapter are changed.

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- d) A separate permit shall be required for each individual short-term rental unit.
- e) A Biannual fee of \$250.00 for short-term rental inspections and permits shall be set by the Town Board.
- f) STR operating permits shall be issued only in the name of the owner of the short-term rental unit.
 - i.) A single owner may obtain a maximum of two short-term rental permits per parcel.
 - ii.) Permits shall be issued to primary or seasonal residences only.
 - iii.) Permits cease to be valid when there is a change in ownership.
 - iv.) Existing and operating short-term rentals shall be permitted to continue in accordance with 185-31 of this zoning law.
 - v.) The number of guests in a short-term rental facility shall be commensurate with the capacity of the unit(s).
- g) Advertising the availability of an unpermitted unit, including listing such unit on an internet-based, short-term rental platform, is a violation of this Chapter.

4) Requirements

- a) Local Contact Person
 - i.) Each owner of a short-term rental shall designate themselves, property manager or agent as a contact person who has access and authority to assume management of the unit and take remedial measures.
 - ii.) The contact person shall be a minimum age of 21 and reside within 40 miles of the short-term rental unit.
 - iii.) The contact person shall respond to incidents and violation within two hours.
 - iv.) Any property maintenance, building code. Or other violations on the rental unit property must be remedied within 48 hours; otherwise, alternative arrangements for the safe lodging of guests shall be provided.
- b) Site conditions, Parking
 - i.) All parking for short-term residential properties must be provided on-site, or at alternate permitted locations, as identified and described on the permit application form.
- c) Signs, Notices
 - i.) Exterior Signage. A 911 address sign shall be posted clearly at the entrance to the property's access driveway. No advertising signs are permitted for the use on the premises.
 - ii.) Interior Signage. All units must have a prominently displayed legible notice containing the following information:
 - 1. The 911 address of the property

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2. Local emergency contact and owner information, including telephone number(s) at which they may be reached on a 24-hour basis.
 3. Evacuation information
 4. Location of fire safety equipment
 5. Instructions concerning the storage and/or disposal of trash, recyclables and, if applicable, compost, including the garbage pickup schedule
 6. Other important rules such as maximum occupancy, noise limits, trash pickup schedules and guidance on the utilization of fire pits, fireplaces, wood stoves, etc.
 7. Notification that an occupant may be cited and fined for creating a disturbance, failing to conform to parking and occupancy requirements, or for violating other provisions of this chapter.
 8. Location of parking for overnight and day guests, the maximum number of all vehicles allowed to be parked on the property and the requirement that parking is not permitted in any public road right-of-way unless such designated right-of-way is not parking restricted.
 9. Location of nearest urgent care and emergency medical facilities.
 10. A copy of the short-term permit.
- d) Insurance
- i.) All operators must supply proof to the town of Home Insurance Coverage that specifically covers the short-term rental unit. Operators must also hold all other necessary insurance coverage, including liability that covers injury and damage to hosts, guests, and others.
- e) Health and Safety Equipment
- i.) All short-term rental units must include the necessary safety equipment, including but not limited to the following:
 1. One fire extinguisher per floor, smoke detectors must be installed in every bedroom, common space, and kitchen, and be kept in operation order.
 2. Carbon Monoxide Detectors-Functioning carbon monoxide detectors shall be installed in every bedroom, common space, and kitchen, and be kept in operating order.
 3. Medical care- All units must have a basic medical kit identified and available, consisting of basic medicines, bandages and other first aid equipment.
 4. Any other applicable requirements of the NYS Uniform Fire Prevention and building Code.
- f) Quality of Life
- i.) If stored outside, short term rentals shall provide secure, water-tight, lidded, and wildlife-proof garbage receptacles for recyclable materials and non-recyclable waste, preferably in an enclosed structure. Scheduled pick-up shall be provided, and receptacles shall not be left outside for more than 24 hours.
 - ii.) Short term rentals shall not generate objectional noise, or vibration, glare, odors, or other impacts that unreasonably interfere with any person's own enjoyment of their residence. In the event of an incident or violation at the property, the owner or manager must respond to complaints with 40 minutes of the initial call from the local or state official reporting it.

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5) Enforcement and Penalties

- a) Enforcement Duties
 - i.) Enforcement of this Chapter is the duty of the Code Enforcement officer, who shall have the right of entry to determine compliance with the terms of this chapter and the terms of the permit.

- b) Penalties for Offenses
 - i.) Any person who violates any provision of this section shall be guilty of a violation, punishable in accordance with §185-39 of this zoning law.