



**SHORT TERM RENTAL LAW TOWN OF MARBLETOWN
LOCAL LAW NO. 4 of 2019**

**A LOCAL LAW AMENDING CHAPTER 200 ZONING LAW OF
THE TOWN OF MARBLETOWN, ULSTER COUNTY, NEW YORK
TO PERMIT SHORT- TERM RENTALS.**

Be it enacted by the Town Board of the Town of Marbletown as follows:

SECTION 1 PURPOSE

This Local Law is enacted to allow the use of housing units in the Town of Marbletown for short term rental purposes so as to enhance the tourism economy of the Town while protecting the safety of renters and the privacy for residences and freedom from nuisances; ensuring that the value of housing is tied to its use for residential purposes, helping to maintain the affordability of both home ownership and rental units; encouraging the development of appropriate sized short term rental facilities in the commercial areas of the community where allowed; and, continuing the use of housing for traditional bed and breakfast accommodations.

SECTION 2 INTENT AND AUTHORITY

The intent of this Local Law is to regulate the use of residential structures for short term rental purposes by defining such uses in the Town of Marbletown Zoning Law, and providing quality of life, environmental, land use, building code safety and STR operational requirements to be met in permitting these uses to be established. This Local Law is intended to apply to all existing and future housing units in the Town as the requirements for the establishment of a short-term rental.

The Town Board intends to work jointly with a local Housing Authority designated by Town Board in the creation of a Homeownership Program and shall apply all or a portion of the fees generated by this Local Law to the fund. The Town Board shall at its organizational meeting establish the maximum amount of funds collected which shall be maintained in an allocated fund for the intended purpose, funds not used in any proceeding fiscal year shall be

carried over for future usage until such time as the Town Board determines by amending this Local Law to terminate the fund.

This Local Law is adopted in accordance with Articles 9 and 16 of the Town Law of the State of New York which grants the Town of Marbletown the authority to enact local laws for the purpose of promoting the health, safety and welfare of the Town, and in accordance with Municipal Home Rule Law, Article 2, Section 10, that gives the Town of Marbletown the power to protect and enhance its physical environment.

SECTION 3 APPLICATION PROCESS

A. Application process and required submittals:

- (1) Provide a completed annual permit application and fee, as designated by the Town Board by Resolution.
- (2) Provide a **safety/egress plan**, to be posted in rental unit in a visible location and on the back of each bedroom door.
- (3) A **parking layout plan** identifying where parking is to be located is required and shall accommodate sufficient parking for tenants and residents. The parking shall include 1 parking space per bedroom plus 1 additional space. Parking design and placement shall be accommodated off-street and shall not restrict access for fire and safety vehicles.
- (4) Provide **waste removal plan**. Garbage shall not be allowed to remain outside for a period greater than 24 hours at curbside and shall be placed within a container. Property owner shall be responsible for clean-up of any garbage strewn by animals.

B.

- (1) For **non-owner occupied** STR's, the name and contact information of the designated Host shall be provided to the Building Department and shall be posted in the STR. Both the property owner and the Host will be responsible for addressing renter issues and compliance with STR requirements within 24 hours. When host contact information changes the Building Department will be notified and STR posted Renter Notices shall be revised accordingly.

- (2) Property shall be locatable on GPS and Address location shall be clear demarcated on the property.
- C. STR's must register with Ulster County (per Ulster County Local Law #5 of 1991) and a copy of said registration is to accompany STR Applications to the Town of Marbletown Building Department.
- D. STR's must pass a yearly fire/safety inspection and the report of said inspection is to be attached to STR annual renewal permit applications. All STR units must comply with NYS Building Code requirements and shall have no open violations.
- E. STR shall be limited to Single Rentals (multiple rentals simultaneously are not permitted) per home.
- F. The STR establishment shall not have more than ten occupants as lodgers and limited to a maximum capacity of 2 guests per bedroom. Children 8 years old and under are not counted as guests.
- G. Complaints and Violations issued by the Town of Marbletown CEO will be considered at annual renewal. Three (3) Violations within any 12-month period or portion thereof will be grounds for permit termination.
- H. Only the property owner is permitted to register an STR. An individual property owner can register or have an interest in one (1) non-owner occupied STR unit. Registration by a corporation whose owners have an interest in more than one (1) STR's is prohibited in residential districts. Registrations are not transferable. The maximum number of units that can be registered by any property owner is 1 Owner Occupied and 1 Non-Owner Occupied.
- I. The Town Board shall set caps on the number of both owner occupied STR's and non-owner occupied STR's, on an annual basis, permitted within the Town and shall establish the fee schedule on an annual basis.
- J. Host will provide guests with copies of local laws, pertaining to noise, fire, safety requirements. Emergency contact information as well as E911 address of property shall be clearly identifiable.
- K. A property map that clearly depicts the property boundaries shall be provided. Street address of property shall be clearly identifiable from the street and shall be posted in a visible location on the bedroom door.

- L. Approved STR's will be assigned a registration number that must be included in all rental listings, both print and on-line and posted within the STR.
- M. Exterior advertising is prohibited.
- N. Temporary Structures, Tents, Trailers and RV's are not contemplated in this regulation and are prohibited for the purpose of STR.
- O. STR are prohibited in multi-family dwellings with 3 or more units unless Owner occupies one of the dwelling units.
- P. STR shall be permitted in all Zoning Districts with the exception of Industrial.
- Q. Failure to comply with these standards may result in denial or cancellation of STR Applications/Approval.
- R. Three or more violations of this Local Law may lead to revocation of an approved STR operating permit and fines. Property owner shall not be permitted to reapply for a new STR permit for a period of 6 months after revocation.
- S. The Town Board shall establish by resolution annual fees, penalties for non-compliance and violations, and may establish the maximum number of permits issued by the Marbletown Code Enforcement Officer. This resolution may be amended or changed by the Town Board as needed.

SECTION 4 - DEFINITIONS

HOST

A designated adult who lives within a 10-mile distance from the STR property and is required to be available to promptly deal with emergencies and other STR renter issues and compliance with STR operating requirements in the owner's absence.

SHORT TERM RENTAL (STR)

An accessory use or supplementary business allowing a Short-Term Rental (less than thirty days) of at least one room in a private home or habitable accessory structures. Property owners seeking to operate a Short-Term Rental must apply for and receive from the Town of Marbletown a Short-Term Rental Registration and post the Marbletown Registration Number on all on-line listings. Registrations are good for one (1) calendar year, and the total number of properties owned by or in which an interest is held by an individual person(s) or entity offering STRs is limited to one (1) Owner Occupied and one (1) Non-Owner Occupied.

SHORT TERM RENTAL (STR) NON-OWNER OCCUPIED

A supplementary business in a private home or habitable accessory structure in which the entire private residence is rented for less than 30 days and no host/owner is present, and in which no public restaurant is maintained, and no other commercial services are offered. STR non-owner occupied establishments must have a designated local Host as defined herein; and must comply with the other STR Standards.

SECTION 5 . ZONING AMENDMENT

ARTICLE 200, ZONING, is hereby amended as follows:

§200-8, Schedule of Use Regulations, shall be amended by adding, a new use category entitled Short Term Rentals, which shall be permitted, subject to issuance of a permit by the Marbletown Building Department, under the heading ACCESORY USES, and shall be added under residential uses as Permitted (P), in all zoning districts.

SECTION 6 EFFECTIVE DATE

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