

Village of Stamford Local Law ____ of 2022

Short Term Rentals

Section I – 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. Many residents list their properties as Short Term Rentals on web-based booking sites such as AirBnB; or other social media platforms. Short Term Rentals offer many benefits to property owners and residents in our community such as increased income, however, they also create potential health, safety, and quality of life detriments to the community. In recognition of the widespread popularity of Short Term Rentals, and in recognition that many Short Term Rentals are already operating in the Village, the purpose of this Local Law is to regulate the safety and use of Short Term Rentals. The following local law imposes mandatory regulations and requirements on all Village of Stamford property owners that desire to rent/lease 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 which are proportional to those imposed on similar uses such as Bed & Breakfasts, Inns, Hotels, and Motels, thereby protecting the property owners, occupants of such housing and the residents of the Village of Stamford.

Section II – Definitions

Bed Room – An interior room, as defined under the NYS Uniform Fire Prevention and Building Code; that is meant to afford sleep to a person. A legal bedroom must

- Have a minimum of 80ft² and no dimension measuring less than eight (8) feet.
- Have a minimum ceiling height of eight (8) feet, unless the bedroom is in a basement, where it must have a minimum ceiling height of seven (7) feet.
- Have at least one window that opens to a street, yard, garden or court on the same lot.
- Have at least two means of egress, whether the egress is via window or door, it must be operable from inside without the use of keys, tools or special skills. Must also meet Fire Code size requirements for means of egress.
- Monitored by a smoke and carbon monoxide alarms.
- Cannot serve as the passage to another room.

Dwelling Unit – A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space (other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit.

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

Local Emergency Contact – The individual specifically named on the STR application and permit who must be available and authorized to *promptly* deal with emergencies and STR guest issues, and compliance with STR compliance issues in the absence of the Property Owner or Property Manager; the Local Emergency Contact must be able to respond within one (1) hour to all emergencies. The Local Emergency Contact can also be the Property Manager.

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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).

Property Manager – 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 in the Property Owner's absence. The Property Manager can also serve as the Local Emergency Contract.

Rental – For purposes of this definition, "Rental" shall mean an agreement granting use or possession of a residence, in whole or in part, to a person or group in exchange for consideration valued in money or other valuable consideration. Motels, hotels and bed & breakfasts are excluded from this definition.

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) – As defined by New York State, is 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, as defined under the NYS Uniform Fire Prevention and Building Code, 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 III – House Rules & General Regulations

A. House Rules

- (1) As required by New York State 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:
 - a) Instructions for dialing 911 for emergency/fire/ambulance assistance
 - b) An emergency exit plan
 - c) The location of fire extinguishers
 - d) A property map that clearly depicts the Short Term Rental property boundaries and a statement that unit occupants may be liable for illegal trespassing
 - e) Procedures for waste removal
 - f) Rules for noise

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- g) Parking shall be allowed solely in designated parking spaces
- h) If allowed by the property owner, specify that outdoors fires shall be made solely within a firepit/fireplace, woodstove etc., i.e. no open burning
- i) 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
- j) Name, address and telephone number of the Property Owner, Property Manager or Local Emergency Contact whole will be responsible and available for emergencies and problems that may arise

B. General Regulations

- (1) 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.
- (2) The Local Emergency Contact shall be able to respond within one (1) hour
- (3) In the absence of the Property Owner, a local Property Manager shall be appointed
- (4) Copies of the permit must be displayed in the dwelling unit in a place where it is easily visible to the occupants
- (5) The Short Term Rental address location/911 address shall be clearly and conspicuously marked on the Short Term Rental property
- (6) One parking space per Sleeping room within the Short Term Rental shall be made available within the Zoning Law of the Village of Stamford
- (7) Parking shall not restrict access of fire and safety vehicles
- (8) Waste Removal is the responsibility of the Property Owner. Waste will be kept in an approved container. The Property Owner / Property Manager will arrange for regular waste removal. Renters do not have the authority to use the Harpersfield Transfer Station without a Town of Harpersfield permit.
- (9) Permits for operation of a Short-Term Transient Rental may not be assigned, pledged, sold, or otherwise transferred to any other persons, businesses, entities, or properties

Section IV – Application, Permit Requirements & Authority

- A. 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 V of this Local Law
 - (1) Short Term Rental properties in operation prior to the Effective Date of this Local Law shall have 90 days from the Effective Date to submit a Short Term Rental permit request in accordance with this Local Law. The Short Term Rental property, will be allowed to remain in operation during these 90 days and pending the go/no go decision to approve or deny the permit request has been received. Should the Permit Application be denied, operations must cease immediately and until a permit can be obtained.
 - (2) The permit to operate a Short Term Rental will expire one year from the date of issue by the Code Enforcement Officer / Village Clerk.
 - (3) To avoid interruption of Permitted status, it is recommended that the owner/operator of an STR property file there renewal application at least two months prior to expiration.

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- B. Permit Application – The initial permit application must contain the following minimum requirements and must be submitted to the Village of Stamford Code Enforcement Officer. The application must be approved and a permit issued prior to operation; except as noted in Section IV.A.(1)
- 1) STR property address
 - 2) Contact Information. The names, addresses, email address(es) and day/night telephone numbers of the property owners, property manager and local emergency contact, shall be included on the application
 - (a) If the property owner does not live within one hour response time to the Village of Stamford, then they must designate a local Property Manager, or Local Emergency Contact.
 - 3) Delaware County Bed tax Registration #
 - 4) Short Term Rental Description. A floor plan of each bedroom and sleeping room, including the 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) Plan. The applicant shall submit a plan 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. See instructions for plan generation Appendix A to the Application Form
 - 6) Fire & Safety Compliance. Documentation of location and existence of fire extinguishers in compliance with NYS Uniform Fire Prevention and Building Code
 - 7) 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.
 - 8) Waste Removal. The applicant shall state how garbage is to be removed from the property. The applicant is responsible for all refuse and garbage removal. The applicant shall be responsible for either (a) contracting with a refuse company or (b) the owner or property manager shall remove garbage on a weekly basis. If there is a dumpster located on the property, the location of the dumpster shall be depicted on the plan submitted with the application
 - 9) Parking. The number of off-street parking spaces to be provided shall be stated on the application. Off street parking shall be provided to accommodate the occupancy of the short term rental unit, ~ one (1) parking space for each bedroom and/or sleeping room, unless otherwise allowed by the Village of Stamford Zoning Law and at the discretion of the Village of Stamford Code Enforcement Officer. Vehicles shall not be parked on front lawns.
 - 10) Proof of Short Term Rental Insurance. The Insurance Company and policy number are to be indicated on the application.
- C. Permit Fees – Fees associated with this process are to cover the cost of inspection, administration and enforcement of this Local Law.

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- a) Initial permit fee – a \$150 fee will be assessed with the initial permit application for the first bedroom / sleeping room within a property; and a \$75 fee for each additional bedroom/sleeping room permitted at the same time.
 - b) Permit renewal – for a permit renewal, which has been kept current, or expired through no fault of the owner; the renewal fee will be \$75 for each bedroom/sleeping room.
 - c) Should a permit be allowed to expire for longer than six (6) months, initial permit fee rates will once again apply.
- D. Authority – The Village of Stamford Code Enforcement Officer shall have the authority to administer this Local Law and has the authority to decline an application for any of the following reasons:
- (1) Incomplete application, including missing and insufficient required supporting documentation
 - (2) The intended Short Term Rental does not meet Uniform Fire Code regulations
 - (3) The intended Short Term Rental does not meet the definitions in this Local Law

Section V - Enforcement & Penalties

Property Owners of Short Term Rental units shall obey all applicable laws, ordinances and regulations of the Village of Stamford, Town of Stamford, Delaware County and the State of New York, and shall be subject to the enforcement and penalty proceedings contained in this Local Law.

The following process shall be followed in the event of a complaint alleging a violation of these regulations or a permit issued under these regulations:

- A. The complaining party shall first attempt to contact the person designated on the permit, this information can be obtained from the Village Clerk, in an effort, to come to an equitable solution.
- B. If an equitable solution cannot be agreed upon by the owner and complaining party, including the inability to promptly reach the contact person, the complaining party may file a complaint with the Village of Stamford Code Enforcement Officer by submitting written complaint including the date, time and nature of the alleged violation as well as a statement that the complainant either unsuccessfully attempted to contact the contact person or did contact the contact person and the alleged violation was not adequately resolved.
 - (1) Note the type of issues that would be expected to be raised to the Code Enforcement Officer are those impacting health and safety or violation of Village Laws.
- C. The Village of Stamford Code Enforcement Officer will investigate, if the Code Enforcement Officer finds that a violation of the Short Term Rental Permit or of this Local Law, or any applicable regulation or law; the Code Enforcement Officer shall have the discretion to take necessary enforcement measures deemed appropriate under the circumstances, taking into account the nature/severity of the violation, whether the violation was knowingly or unknowingly committed and /or presents risk to public safety. Enforcement actions that may be taken, but not limited to:
 - (1) A warning issued to the Property Owner
 - (2) A negotiated modification of the Short Term Rental permit to include conditions tailored to address/remedy the violation and prevent further violation in the permit term

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- (3) An order of remedy issued to the Property Owner
 - (4) Suspension of the Short Term Rental Permit for up to six (6) months
 - (5) Revocation of the Short Term Rental Permit
 - (6) If the investigation of the complaint proves the complaint valid, a \$50 investigation fee may be charged at the discretion of the Code Enforcement Officer.
- D. Should the Short Term Rental permit be revoked, the Property Owner(s) may not apply to reinstate the permit for period of One (1) Year.
- E. A decision to modify, suspend or revoke a permit will be provided to the Property Owner and may be appealed for a period of 30 days from the date received. The Property Owner will provide a written request for appeal to the Board of the Village of Stamford. The Village Board will hear the appeal at the next regularly scheduled meeting. The decision of the Code Enforcement Officer is stayed until the hearing. During the appeal evidence provided by the Property Owner and the Code Enforcement Officer shall be considered and decide the status of the appeal. In doing so the Village Board may uphold the decision of the Code Enforcement Officer, reject it, or modify it.
- F. A failure to obtain a Short Term Rental Permit required under Section IV of this Local Law shall be punishable by a fine or penalty 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).
- G. Each week, or part thereof, that the violation continues shall be deemed a separate and distinct offense punishable in like manner.
- H. The Village of Stamford Code Enforcement Officer is authorized to issue appearance tickets for violations of this Local Law.

Section VI – Effective Date

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



Village of Stamford – STR Law Appendix A Property Plan Instructions

I - In developing your property plan please make sure the plan has the minimum drawn or noted

- a) Property boundaries
- b) Existing Property features
 - Buildings/ Structures
 - Well/septic location, if applicable
 - Parking locations/number of spaces
 - Fire extinguisher locations
 - Adjacent street(s)
 - Water bodies on property
 - Neighboring buildings within 100'

II – Any number of methods of generating a property plan are acceptable

- a) Hand drawn to scale
- b) CAD drawing
- c) Web based map. This is by far the easiest way to generate a property plan. The easiest way to do this is by using the Delaware County C.O.M.I.T website. To create a property plan using this website
 1. Got to the Delaware County C.O.M.I.T website, <https://spatial.vhb.com/comit/>
 2. The Site will open with a map of Delaware County to the right of the screen
 3. In the upper left hand corner of the map, type in the STR property address
 4. The property will come up on the screen, satellite view, roughly centered with a grey dot, property boundaries and Property Tax ID#
 5. On the right hand side of the map, on the tile ribbon, click the Print icon
 6. The Export Screen will open
 7. At the top of the box type in a file name for the map
 8. Select page setup type is defaulted to landscape A3, which should work fine. Other options are available
 9. PDF file format is the default format. This is the recommended file format
 10. Click EXPORT button towards the bottom of the box
 11. At the bottom of the box under Exported Files your file name with a .pdf extension will appear
 12. Click on this file extension, your PDF map will open
 13. Save this file to your computer
 14. Print file and add information required above
 15. Attach property plan to your permit application



Village of Stamford - Short Term Rental Permit Application

STR Physical Address:		
Property Owner Contact Information		
Address:	Phone #: Day – Night –	Email Address:
Property Manager / Local Emergency Contact Information		
Address:	Phone #: Day – Night –	Email Address:
Delaware County Bed Tax Registration #:		
STR Insurance Carrier:		Policy #:
Short Description of Property:		
Property Plan Attached to Application <input type="checkbox"/> Yes <input type="checkbox"/> No See Appendix A for Instructions		
Fire Safety information Listed on Property Plan <input type="checkbox"/> Yes <input type="checkbox"/> No		
Maximum Occupancy Requested by Owner:		
Refuse Removal Plan:		
Parking Plan Information Listed on Property Plan <input type="checkbox"/> Yes <input type="checkbox"/> No For Village Use Only Below		
<input type="checkbox"/> Permit Application Approved <input type="checkbox"/> Permit Application Denied List Reason for Denial: _____ _____		
Maximum Occupancy Approved: _____		
Total Fee: _____		
Code Enforcement Officer Signature: _____ Date: _____		
Permit # Issued: _____		
Payment Received: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Village Clerk Signature: _____ Date: _____		