

## **QUALITY HOUSING INITIATIVE**

### 1) GOALS

- Promote public health and safety
- Improve the quality of existing housing and rental stock
- Develop an inventory of rental units
- Opportunity to improve existing housing stock
- Mitigate negative impacts of vacation rentals
- Enable residents to remain in the community

### 2) CONSIDERATIONS

- Transient rentals are important to the economics of the community

### 3) DEFINITIONS:

**TRANSIENT RENTAL:** Any pattern of rental (including vacation rentals) or leasing under which a residential building or structure, single or two family dwelling, condominium, townhouse, guest house, cottage, cabin, attached or detached apartment, fractional ownership unit, time share unit or accessory dwelling is rented as a living quarters for any period of less than 30 days.

EVERY TRANSIENT RENTAL WOULD BE REQUIRED TO HAVE ONE OF THE FOLLOWING TYPES OF PERMITS

**No- Fee Permit** – Any transient rental where the lease period and /or the cumulative rental or lease period is less than 15 days per calendar year.

**Fee Permit**– Any transient rental where the lease period and /or the cumulative rental or lease period is more than 14 days per calendar year

### 4) OCCUPANCY RATES:

Allowable occupancy rates would be calculated as 2 times the number of "sleeping areas" as defined in the NYS Uniform Code + 2 additional occupants

*A sleeping area is any living area that is not a kitchen or lavatory of at least 70 sq. ft. with 2 emergency egresses (windows included) and access to a lavatory without passing through another room*

Examples:

2 Bedrooms- 4 occupants for 2 bedrooms + 2 = 6 maximum

4 Bedrooms- 8 occupants for 4 bedrooms +2 = 10 maximum

6 Bedrooms- 12 occupants for 6 bedrooms + 2 = 14 maximum

## APPENDIX 1-Initial Proposal (October 7, 2015)

Studio apartments – 2 occupants for the first 220 sq ft. One additional occupant for each additional 100 sq. ft. of living space

Example: 550 sq. ft. studio = 2 for 220 sq ft  
3 for 330 remaining sq ft  
5 maximum occupancy

### 5) PUBLIC HEALTH / SAFETY REQUIREMENTS:

- Street-side emergency numbers displayed (proper 911 signage)
- Working Smoke Alarms on each level + one in each sleeping area
- Carbon Monoxide alarms if source exists
- Chimney cleaned within one year
- Working Fire Extinguisher – 1 in kitchen area + 1 for each fireplace
- Metered water (connected to municipal system)
- Certificate of Insurance
- Trash container or pick-up plan sufficient for occupancy levels-
- Rough Floor plan sketch (to determine occupancy rate)
- Emergency contact information (address / phone numbers of responsible person within 25 miles)

Additional considerations:

- Owner signs awareness of local ordinances- noise / parking
- All units must comply with NYS Property Maintenance law.

### 6) NON-COMPLIANCE

Advertising as a rental unit is presumptive evidence of renting

Failure to obtain a permit is considered non-compliance

Permit, visible from the street, must be displayed during rental period

Enforcement provisions mirror Land Use Code:

*First offense \$0- \$350 / up to 6 months jail*

*Second offense (within 5 yrs.) \$350 - \$ 750 – (6 months jail)*

*Third and subsequent offenses (within 5 yrs.) \$750- \$1000 (6 months jail)*

*Any continued violation after 24 hours is new offense*

*Each person over occupancy limit is a separate offense*

*Offenses deemed a misdemeanor for CPL purposes*

If a property has 3 violations in one calendar year the permit may be suspended for a one-year period

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### 7) FEES

Fee should cover the cost of administration. This would include a full time person in the Building and Code Enforcement Office in addition to administrative need such as computers, software, printing forms, etc.

Committee recommends fee of \$200 per bedroom for a one year permit

Any revenues in excess of administrative can be used to improve the quality and energy efficiency of existing housing and rental stock

### 8) ADMINISTRATION PROCESS :

Permits are issued by Building Department

Applicants apply with notarized affidavits (including a sketch plan of the unit)

Process should be online using electronic data as much as possible (Forms scanned / Data base shared and accessible)

No fee permit- includes specific dates (maximum 8 days) – notarized affidavits used in lieu of inspection

### 9) NEXT STEPS:

- Edit concepts as suggested by Town and Village Boards
- Develop Resolution / Local Law
- Identify administrative needs (computer, software, internet connections)
- Develop application forms and display permit
- Determine timeline for enactment / implementation
- Schedule the Public Hearing process

Revisit impact of legislation after one-year of experience