

Chris Healy
24 Howard Ct
Goshen, NY 10924

December 14, 2024

The Honorable Joseph Betro, et al.
Town Of Goshen, NY
41 Webster Avenue
Goshen, NY 10924

Dear Supervisor Betro,

Please accept in writing, the comments I made at the December 12, 2024 Town Board Meeting. I have also included the text from the Town of North Hempstead, NY as it relates to their local law on the issue of short term rentals.

Respectfully Submitted,



Chris Healy
c(914) 850-1435

cc: George Lyons, Deputy Supervisor
Richard Florio, Councilman
Douglas Bloomfield, Councilman
Philip Canterino, Councilman
Melissa Gallo, Councilwoman
Rory Brady, Esq.

**INTRODUCTORY LOCAL LAW No. 13 OF 2024
TOWN OF GOSHEN**

**A LOCAL LAW TO AMEND THE GOSHEN TOWN CODE TO ADD, ARTICLE ____
OF CHAPTER 97, "SHORT-TERM RENTALS" TO REQUIRE OWNERS OF SHORT-
TERM RENTALS TO OBTAIN A SHORT-TERM RENTAL PERMIT.**

BE IT ENACTED by the Town Board of the Town of Goshen, Orange County, New York as follows:

SECTION I. LEGISLATIVE PURPOSE AND INTENT

The Town recognizes that it would be beneficial for the Town to control and regulate the use of Short-Term Rentals within the Town of Goshen. The provisions of this section are intended to preserve and protect the health, character, safety, and general welfare of the residential neighborhoods and rural areas where Short-Term Rentals are operated, and to mitigate the adverse effects of Short-Term Rentals.

SECTION II. TITLE

This local law shall be known as and may be cited as Local Law No. __ of 20__, to amend the Town of Goshen Town Code to add Article __ of Chapter 97, entitled "Short-Term Rentals" requiring owners to obtain a Short-Term Rental Permit from the Town of Goshen in order to commence or continue operation of a Short-Term Rental.

SECTION III. AUTHORIZATION

The adoption of this Local Law is in accordance with §264 of New York's Town Law and §10 of the New York Municipal Home Rule Law

SECTION IV. AMENDMENT

The Goshen Town Code, shall be amended to add Article __ to Chapter 97, "Short-Term Rentals" as follows:

§97.1 Definitions.

As used in this chapter, the following term shall have the meaning indicated:

Short-Term Rental - Any portion of real property rented for compensation in exchange for lodging for a period of not more than thirty-one (31) consecutive days. **This may include campgrounds, tent sites or tent platforms and other temporary structures on the parcel.**

Do the tents/structures need to be dismantled and erected every 31 days? Can the tents stay and just change the renters? I don't even want to see my sloppy neighbors leave their garbage cans out 4 days after pickup. I sure don't want to live in a Hooverville shantytown ghetto.

For the purpose of this Chapter, the term Short-Term Rental shall not include a bed-and-breakfast, boarding/lodging house, hotel, motel, or ongoing month-to-month tenancies.

§97.2 Presumption of Dwelling Unit as Short-Term Rental Property.

A. The presence of the following shall create a presumption that all or a part of the property (hereinafter “premises”) is being used as a Short-Term Rental:

(1) All or a part of the premises is offered for lease on a Short-Term Rental website, including but not limited to Airbnb, Home Away and VRBO, for a rental period of less than 31 days; and/or

(2) All or a part of the premises is offered for lease for a period of 31 days or less through any form of advertising; and/or

(3) The parking of motor vehicles on a premises that is not occupied by an owner between the hours of 1:00 a.m. and 6:00 a.m. shall be prima facie evidence that premises was used and occupied during that time by at least one person for each motor vehicle so parked.

What constitutes 'occupied by owner'? How often or how many consecutive days?

B. The foregoing presumptions may be rebutted by evidence presented to the Code Enforcement Officer that the premises is not operated as a Short-Term Rental.

§97.3 Required Permit.

A. Owners shall not use all or a part of the property as a Short-Term Rental without obtaining a revocable Short-Term Rental permit.

B. A Short-Term Rental Permit shall be valid for one (1) years and must be renewed thirty (30) days prior to expiration of current permit if the premises is to continue to operate as a Short-Term Rental.

C. The Short-Term Rental permit is not transferable to a new owner. The new owner of the premises subject to a Short-Term Rental permit must file a new permit application.

D. Notwithstanding the foregoing, those properties with Short-Term Rental commitments existing on the date this section takes effect shall be permitted to honor such existing commitments and continue to make commitments for Short-Term Rentals, but must apply for a permit within 180 days of the Local Law's effective date for all future Short-Term Rental commitments. In the event such application is denied, all commitments shall be cancelled.

§97.4 Short-Term Rental Permit Application Requirements.

A. Applications for a Short-Term Rental Permit may be obtained by application to Town of Goshen, accompanied by payment of a nonrefundable permit fee to be determined from time to time by resolution of the Town Board.

The application shall include the following: **Annual cost?**

- (1) The signatures of all owners or their designated agents;
- (2) A statement authorizing the Code Enforcement Officer to Inspect the property to ensure compliance with all requirements and standards contained within this chapter;
- (3) An acknowledgement of present and ongoing compliance with the Short-Term Rental Standards as defined in this chapter, including, but not limited to, the demonstration of adequate off-road parking spaces for the proposed Short-Term Rental.
- (4) A list of each property owner and the name of any manager or management agency managing the property, including names, addresses, telephone numbers and email addresses of each.
- (5) The name, address, telephone number and email address of a contact person, who shall be responsible and authorized to act on the owners' behalf to promptly remedy any violation of the standards outlined in this Section. The contact person may be an owner, or an agent designated by the owner(s) to serve as a contact person, and shall respond to any correspondence or concern from the Town Code Enforcement Officer within 24 hours.
- (6) An accurate suitable floor plan for each level of the dwelling that can be occupied measuring at least 8.5 Inch by 11 inch, drawn to scale and certified by the applicant.

The floor plan does not need to be prepared by a professional, but must include the following:

- a. The location of buildings and required parking.
- b. Basement - location of house utilities and all rooms including bedrooms, windows, exits and any heating/cooling units.
- c. First floor - all rooms Including bedrooms, windows, exits and any heating/cooling units.
- d. Second floor - all rooms including bedrooms, windows, exits and any heating/cooling units.

It looks to me that everything included in a-e would be useful to emergency services or an engineer. You are expecting the applicant to be honest when they have every incentive to lie.

If it's not accurate, it's useless.

You must require an independent certified surveyor or architect to provide the floor plans.

e. Attic (if present) - all rooms including bedrooms, windows, exits and any heating/cooling units.

(7) A statement that none of the owners of the subject property have had a Short-Term Rental permit revoked within the previous year for any rental properties owned individually or together with others.

B. All completed applications are subject to a Floor Plan Review and Approval by the Code Enforcement Officer.

C. Owners wishing to apply for a variance relating to sleeping capacity, parking capacity, or other standards stated below must petition to the Zoning Board of Appeals. Variance applications will be reviewed by the Zoning Board of Appeals in accordance with § _____ of the Town's Zoning Code.

These standards are safety issues. There is no compromise on safety. No variances at all.

§97.5 Short-Term Rental Standards.

Also a quality of life issue. I built a home in a residential neighborhood, not next to a hotel.

A. Property Requirements

(1) Property must comply and meet all current NYS Uniform Building Codes;

(2) There shall be one working smoke detector In each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be Installed as required by the New York State Uniform Fire Prevention and Building Code;

(3) Evacuation procedures must be posted in each sleeping room to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke detecting or other alarm device;

(4) There shall be an ABC fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be Inspected prior to a renter occupying the property and no less than monthly by the permit holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the permit holder shall be maintained and made available to the Code Enforcement Officer upon request;

(5) The house number shall be located both at the road and on the dwelling unit so that the house number is clearly visible from both the road and the driveway;

(6) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed;

(7) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Code Enforcement Officer during the permitting process. Any defects found shall be corrected prior to permit issuance;

(8) All fireplaces shall comply with all applicable laws and regulations;

(9) The property must have a minimum of one (1) off-road parking space for every bedroom shown on the floor plan Included with the application;

Is that the floor plan that isn't done by an independent agent?

(10) Maximum occupancy for each Short-Term rental unit shall not exceed two (2) people per bedroom shown on the floor plan Included with the application and two (2) people per minimum full size convertible sleeping accommodation furniture (i.e. futon, hide-a-bed) also identified on the floor plan. The maximum occupancy of a Short-Term rental Unit shall not exceed twelve (12) people, including permanent residents and renters;

12 relatives in a residential home for the holidays is a great family memory. If those 12 people are paying to be there, it's a hotel.

(11) In the event that the property has a septic system, the maximum occupancy shall be defined by the capabilities of the septic system, but in no event shall overnight occupancy for any Short-Term Rental Unit exceed twelve (12) people tota;

(12) A septic system at the property must meet all state requirement;

(13) The septic system must have been pumped within the past four years and proof of pumping and satisfactory inspection by a qualified septic disposal firm shall be available to the Code Enforcement Officer. Once a Short-Term Rental permit is issued, the septic system must be pumped at least once every four year;

(14) The water supply to the property must meet all State requirement;

(15) One sign Identifying the Short-Term Rental shall be allowed measuring no more than six square feet on a side. The sign may be double-sided but not Internally lighted. External lighting?

The location, design and dimensions of the sign shall be reviewed and approved by the Code Enforcement Officer prior to Issuance of the permit.

If signage is desired after a permit has been issued, the Short-Term Rental permit holder must submit a request for review and approval to the Code Enforcement Officer prior to Installation. If the property has vehicular access on more than one road, there may be one sign fronting on each road.

B. Insurance Standards

All applicants and permit holders must provide "Evidence of Property Insurance" and a "Certificate of Liability Insurance" indicating the premises is rated as a Short-Term Rental and maintain such insurance throughout the Term of the Short-Term Rental permit.

C. Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with tight-fitting covers at all times to prevent leakage, spilling or odors, and placed where they are not clearly visible from the road except at approximate pickup time.

D. Rental Contract - All applicants and permit holders must have a rental contract, which includes the following:

(1) Maximum property occupancy;

(2) Maximum on-site parking provided; and

(3) Good Neighbor Statement stating:

a. The Short-Term Rental is in a residential area in the Town of Goshen and that renters should be considerate of the residents in neighboring homes;

b. Guests are requested to observe quiet hours from 11:00 p.m. - 7:00 a.m.; **No one who parties until 11PM knows how to turn the**

music off at 11PM. Many Goshen residents start their morning commute at sunrise.

c. All renters will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct:

d. Littering is illegal; and

e. Recreational campfires must be attended.

§97.6 Procedure Upon Filing Application:

A. Short-Term Rental permit applications shall be filed with the Town of Goshen Code Enforcement Officer with all supporting documentations and the nonrefundable permit fee. Only completed applications will be accepted by the Town's Code Enforcement Officer. The Code Enforcement Officer may decline to accept an application for consideration for any of the following reasons:

(1) The application, documentation required by this Section was not included or the full permit fee was not paid,

(2) A previously Issued Short-Term Rental permit was revoked within the past year and defects and/or violations have not been corrected and Inspected by the Code Enforcement Officer.

B. Upon receipt of a completed Short-Term Rental permit application, adjacent property owners of the Short-Term rental will be notified of the application by the Town of Goshen via post card or e-mail.

And do those neighbors have a say in this process?

C. Upon the Code Enforcement Officer's acceptance of the completed permit application, all documents and information required by this Section and the permit fee, the Code Enforcement Officer shall have thirty (30) days to conduct a property Inspection to certify and approve that all Short-Term Rental requirements have been met.

Is this paid for with the fee?

D. Upon approval of the Short-Term Rental Application by the Code Enforcement Officer, a Short-Term Rental Permit will be issued. Short-Term Rental permits issued pursuant to this Section shall state the following:

(1) The names, addresses and phone numbers of each person or entity that has an ownership Interest In the Short-Term Rental property.

(2) The name, address and phone number of a primary contact person who shall be available during the entire time the Short-Term Rental property is being rented.

(3) The maximum occupancy and vehicle limits for the Short-Term Rental property.

(4) Identification of the number of and location of parking spaces available.

(5) Any conditions imposed by the Zoning Board of Appeals and/or Code Enforcement Officer.

§97.7 Conformity and Display of Permit

A. Short-Term Rental permits are subject to continued compliance with the requirements of these regulations.

(1) If the Code Enforcement Officer has probable cause to believe that the homeowner is not in compliance with the provisions of this Law, the Code Enforcement Officer may request permission from an owner of the Short-Term Rental permit to enter the premises and to conduct an Inspection of the Short-Term Rental property for purposes of ensuring compliance with this Section. If the property owner refuses to permit the Code Enforcement Officer to inspect the property, the permit will be revoked. If an inspection

authorized herein Is conducted, the Code Enforcement Officer shall use the results of such inspection in determining whether to revoke the permit;

(2) The Short-Term Rental permit, maximum occupancy limit, maximum parking, contact form and standards shall be prominently displayed Inside and near the front entrance of the Short-Term rental;

(3) The Short-Term Rental permit holder shall ensure that current and accurate information is provided to the Code Enforcement Officer and that they notify the Code Enforcement Officer immediately of any change In the information displayed on the permit. If, based on such changes, the Code Enforcement Officer Issues an amended Short-Term Rental permit; the owners must Immediately post the amended permit Inside and near the front entrance of the Short-Term, Rental; and

(4) The Short-Term Rental permit holder must conspicuously display the Short-Term Rental permit number in all advertisements for the applicable Short-Term Rental.

§97.8 Compliance and Penalties for Offenses.

A. Violations of this Article or of any Short-Term Rental permit issued pursuant to this Article shall be subject to enforcement and penalties prescribed herein.

B. If the Code Enforcement Officer either witnesses or receives information or a complaint of an alleged violation of this Article or of any Short-Term Rental permit issued pursuant to this, the Code Enforcement Officer shall properly record such complaint and immediately investigate the report thereon.

C. If the Code Enforcement Officer determines there is a violationa of 97.3(a) of this Chapter, he/she may issue a court appearance ticket for violation of a Town law.

D. If the Code Enforcement Officer determines there is a violation of a permit issued, the owners shall be notified in writing by first class mail and certified return receipt mail of said violations and the Code Enforcement Officer may take any or all of the following actions:

(1) Attach conditions to the existing Short-Term Rental permit;

(2) Suspend the Short-Term Rental permit. The Notice of Suspension shall be provided to the property owner and a copy filed with the Town Clerk;

(3) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of Notice from the

Code Enforcement Officer or the owner risks revocation of the Short-Term Rental permit;

(4) Issue a court appearance ticket for violation of a Town law;

(5) Revoke the Short-Term Rental permit. Should a permit be revoked, all owners of the Short-Term Rental are prohibited from obtaining a Short-Term Rental permit on the property for one (1) year after the date of revocation. The Code Enforcement Officer shall send Notices of Revocation to property owners and shall file a copy with the Town Clerk.

E. The owner of premises upon which prohibited acts occur shall be jointly and severally liable for all violations of this Article.

G. Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding \$1,000.00 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. A second violation is punishable by a fine not exceeding \$1,500.00. The continuation of any offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§97.9 Application for Renewal of Permit

Renewal permits will be granted for an additional 2-year term If the following conditions are met:

A. Application for renewal of the Short-Term Rental permit shall be made thirty (30) days prior to expiration of current permit and requires payment of renewal fee;

B. At the time of application for renewal, the owner or designated agent must present the previous permit for Short-Term Rental;

C. The property must have undergone an inspection performed by the Code Enforcement Officer; and

D. Any violations must be remedied prior to renewal of a permit for Short-Term Rental.

§97.10 Grounds for Suspension or Revocation of Permit.

The Code Enforcement Officer may immediately suspend a Short-Term Rental permit based on any of the following grounds:

- A. Applicant has falsified or failed to provide information in the application for a permit or the application for permit renewal;
- B. Applicant failed to meet or comply with any of the requirements of this Chapter;
- C. Owner is in violation of any provision of the Code of the Town of Goshen;
- D. Owner has violated any provision of the Penal Code of the State of New York, which violation occurred at, or related to the occupancy of the Short-Term Rental;
- E. Any conduct on the premises, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance; or
- F. Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.

§97.11 Appeals and Hearings.

The property owner Is entitled to appeal the Code Enforcement Officer's determination to the Zoning Board of Appeals when a property owner's application for a Short-Term Rental Permit or a Short-Term Rental Permit Renewal is denied or a Short-Term Rental Permit is revoked. A Notice of Appeal shall be filed with the Town Clerk and the Zoning Board of Appeals within 60 days of the Code Enforcement Officer's filing of the denial or revocation with the Town Clerk. A hearing shall be held by the Zoning Board of Appeals not more than 45 days after the filing of the Notice of Appeal.

SECTION V. VALIDITY AND SEVERABILITY

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

SECTION VI. REPEAL, AMENDMENT AND SUPERSESSION OF OTHER LAWS

All other ordinances or local laws of the Town of Goshen which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

SECTION VII. EFFECTIVE DATE

This Local Law will take effect upon filing in the office of the New York State Secretary of State.

Do we have problems with current homeowners using their property as air bnb's? Are you worried about it becoming worse as more people get into the business? I can write you a law that takes care of both problems. How about a new law that says

No short term rentals in the town of Goshen, NY

And at the end of that sentence, you put a period.

Lewiston, NY did it. North Hempstead NY did it.

NYC is making it so restrictive that it's all but eliminated the practice.

Saratoga Springs only allows Owner Occupied STR's.

Why are we inviting a practice that will cause strife in our neighborhoods? Put weight on our police force to answer complaints. Make more work for our buildings department and code enforcement personnel?

There is no win here. Let's be clear. No one who owns a home in a residential neighborhood has ever said, ya know, things have gotten better since my neighbors turned their homes into short term rentals. That has never been said.

This law is like taking aspirin for a headache. Let's just not have the headache.

I ask that the board consider making a u-turn here and ban STR's outright.

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2022**

**A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE
ENTITLED “ADMINISTRATION AND ENFORCEMENT”**

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to prohibit the establishment and operation of short-term or transient rentals within the Town. The Board recognizes that oftentimes the occupants of such short-term rentals are not invested in, nor do they have any connection to, the Town community and the residential neighborhood in which the short-term rental is located. In instances where the owner of a rental dwelling is not present during a short-term stay, the presence of transient visitors can adversely impact the community because of the potential for excessive noise, parking issues, disorderly conduct, the accumulation of refuse, and other nuisances. In addition, short-term rentals remove housing stock that could otherwise be available for long-term rentals or sale. The provisions of this section are intended to preserve and protect the health, character, safety, and general welfare of the residential and mixed-use neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals.

Section 2.

Sections 2-101 through 2-104 of Article VI of Chapter 2 of the Town Code are hereby amended as follows:

Article VI Rental Dwelling Units

§ 2-101 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CODE ENFORCEMENT OFFICER

The Commissioner of Buildings or the Commissioner of Public Safety of the Town of North Hempstead or their delegates or assistants.

DWELLING UNIT

A ~~[structure or building or part thereof or an area, room or rooms therein, occupied or to be occupied by]~~ **single unit providing complete, independent living facilities for** one or more persons, ~~[as a home or residence]~~ **including permanent provisions for living, sleeping, eating, cooking and sanitation.**

OWNER:

[Amended 5-18-1999 by L.L. No. 6-1999]

- A. Owner, lessee, agent or other person in control of a dwelling unit or any other person or persons or entity or entities having the right to possession of a dwelling unit, except:
- (1) A Public Housing Authority organized as such under the laws of the State of New York;
 - (2) A cooperative corporation whose offering statement or prospectus has been accepted by the New York State Attorney General for filing under General Business Law § 352-e; and
 - (3) A not-for-profit corporation organized to own and operate a low-income or moderate-income senior-citizen housing project in conjunction with the New York State Division of Housing and Community Renewal.
- B. Under this definition, a tenant can be an "owner" in relation to a subtenant.

RENT

A return, in money, property or other valuable consideration (including payment in kind or services or other thing of value), for use and occupancy or the right to the use and occupancy of a dwelling unit, whether or not a legal relationship of landlord and tenant exists between the owner and the occupant or occupants thereof.

RENTAL DWELLING UNIT

A dwelling unit established, occupied, used or maintained for rental occupancy.

RENTAL OCCUPANCY

The occupancy or use of a dwelling unit by one or more persons as a home or residence under an arrangement whereby the occupant or occupants thereof pay rent for such occupancy and use. There is a rebuttable presumption that any occupancy or use of a dwelling unit is a "rental occupancy" if the owner of the building containing the dwelling unit does not reside in the same building.

SHORT-TERM RENTAL PROPERTY

- A. A dwelling unit occupied by persons other than the owner and for which rent is received by the owner, directly or indirectly, in exchange for such rental occupancy for a period of less than 30 consecutive days. The term "short-term rental property" shall not include any lawfully operating commercial hotel/motel business establishment that has been duly issued a certificate of authority by the Treasurer of Nassau County pursuant to section 3(C) of Title 24 of the Miscellaneous Laws of Nassau County. A property or dwelling unit that is offered for occupancy in any medium, including but not limited to advertisement on short-term rental websites, as being available for rental occupancy for a period of less than 30 days shall create a presumption that a property or dwelling unit is being used as a short-term rental property.**

B. The foregoing presumption may be rebutted by documentary or other evidence presented to and satisfactory to the Code Enforcement Officer that the dwelling unit is not a short-term rental property.

§ 2-102 Applicability; more restrictive provisions to prevail.

- A. Scope. This article shall apply to all rental dwelling units located within the unincorporated area of the Town, whether or not the use and occupancy thereof shall be permitted under the applicable use regulations for the zoning district in which such rental dwelling unit is located, as in this article provided.
- B. Applicability. The provisions of this article shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations; and nothing in this article shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other applicable state or local laws, ordinances, codes or regulations. In case of conflict between any provision of this article and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail. The issuance of any permit or the filing of any form under this article does not make legal any action or statement of facts that is otherwise illegal under any other applicable legislation.

§ 2-103 Rental occupancy permit required.

It shall be unlawful and a violation of this article and an offense within the meaning of the Penal Law of the State of New York for any person or entity who owns a dwelling unit in the Town to establish, maintain, use, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy, **regardless of duration of rental occupancy**, without having a valid permit for such rental occupancy, as herein provided. **No rental occupancy permit shall be granted to use a dwelling unit or segment thereof, as a short-term rental property.**

§ 2-104 Application for rental occupancy permit.

- A. Application for a rental occupancy permit for a rental dwelling unit shall be made in writing to the Building Department on a form provided by the Building Department for that purpose.
- B. Such application shall be filed in duplicate and shall contain:
 - (1) The name, address and telephone number, if any, of the owner of the dwelling unit intended for rental occupancy.
 - (2) The street address and Tax Map description (section, block and lot or lots) of the premises intended for rental occupancy or the premises in which the rental dwelling units intended for occupancy are located.
 - (3) The number of persons under and over the age of 18 and the dates of birth of each

person presently residing in or occupying such premises intended for rental occupancy.

- (4) A description of the structure, including:
 - (a) The number of rental dwelling units in the structure;
 - (b) The number of persons intended to be accommodated by and to reside in each such rental dwelling unit; and
 - (c) The number of rooms and the dimensions and use of each room in the structure but outside of the rental dwelling units.
 - (5) For each rental dwelling unit, a description of the unit, including:
 - (a) The number of rooms in the rental dwelling unit; and
 - (b) The dimensions and use of each such room.
 - (6) The name, address and telephone number, if any, of the managing agent or operator of each such intended rental dwelling unit.
- C. Such application shall be signed by the owner of the premises, and the statements of such owner therein contained shall be verified under oath. If an owner is a natural person permanently residing outside of Nassau, Suffolk, Queens, Kings, New York, Richmond, Bronx and Westchester Counties, the application may be signed on behalf of the owner and may be verified by a managing agent having personal knowledge of the facts.
- D. Such application shall be accompanied by the following:
- (1) A property survey of the premises drawn to a scale not greater than 40 feet to one inch; or if not shown on the survey, a site plan, drawn to scale, showing all buildings, structures, walks, drives and other physical features of the premises and the number, location and access of existing and proposed on-site vehicle parking facilities.
 - (2) A building permit application, properly prepared, for all proposed buildings, improvements and alterations to existing buildings on the premises, if any.
 - (3) A copy of the certificate of occupancy or certificate of existing use. No application will be accepted without the submission of a valid certificate of occupancy or certificate of existing use.
- E. In the case of a condominium unit, the application shall be accompanied by a scale drawing or floor plan of the condominium unit, in lieu of a survey or site plan.

Section 3.

Article VII of Chapter 2 of the Town Code is hereby amended as follows:

Article VII Illegal Use and Occupancy

§ 2-135.1 Short-term rentals prohibited.

No dwelling unit or segment thereof, or rooming unit, may be used as a short-term rental property as defined in § 2-101.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this article or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this article, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect October 1, 2022, after filing with the Secretary of State.