

LOCAL LAW FILING- SHORT TERM RENTAL LAW

VILLAGE OF CHAUMONT

Local Law No. 1 of the year 2023

A Local Law to Amend the Village of Chaumont Land Development Code to add a new Section 660; Short Term Rentals.

Be it enacted by the Board of Trustees of the Village of Chaumont as follows:

Section 1. AUTHORITY. This local law is adopted pursuant to Article 6 of the Village Law, the New York State Executive Law, §10 of the Municipal Home Rule Law; and Section IX of the New York State Constitution.

Section 2. INTENT and PURPOSE. The Board of Trustees of the Village of Chaumont has determined that the current Land Development Code of the Village of Chaumont does not adequately address the operation of Short Term Rentals. It is the purpose of this local law to establish regulations for the operation of same.

Section 3. ENACTMENT. The Board of Trustees of the Village of Chaumont hereby enacts a new Section to the Village of Chaumont Land Development Code, Section 660; Short Term Rentals as follows:

Section 660; SHORT TERM RENTALS

A. Purpose and intent; authority.

The Board of Trustees of the Village of Chaumont has determined that short term transient rentals are an essential, compatible, and beneficial segment of the community. Short Term Rentals provide the community with needed vacancy for visitors who support local business and provide a source of income for Village residents. This legislation is to provide regulation and assistance to the community,

Short Term Rental owners, and visitors providing benefits to all while minimizing complaints and concerns. This chapter is adopted pursuant to New York Municipal Home Rule Law.

B. Definitions.

As used in this chapter, the following words shall have the meanings indicated:

DWELLING UNIT: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with provision for living, cooking, sanitary and sleeping facilities provided for the exclusive use of one family or household.

RENTAL: Granting use of a dwelling unit in whole or part to a person or group in exchange for some form of valuable consideration.

SHORT TERM RENTAL: A dwelling unit, which may or may not be inhabited by the owner of record or their immediate family, that is rented, in whole or in part, for a period of less than 30 consecutive days to any person or entity, but not including a hotel, motel, inn, campground or bed and breakfast.

SHORT TERM RENTAL OWNER: Any entity having an ownership interest in a dwelling unit which is used as a Short Term rental.

SHORT TERM RENTAL PROPERTY: The entire area under the ownership or control of the Short Term rental owner, including, as applicable, the parcel of land on which a Short Term rental is located, together with the dwelling and any other structures on the parcel.

C. Short Term Rental Standards.

Short Term Rentals shall comply with all New York State and Village of Chaumont zoning and building requirements.

Short Term Rentals shall comply with the Property Maintenance Code of New York State, section 404, for the purposes of determining occupancy.

In addition, Short Term Rental units shall comply with the following:

1. The number of vehicles permitted overnight at the Short Term Rental shall be determined by the amount of adequate parking space available at the Short Term Rental. On-street parking shall not impede public free entrance and exit to the neighborhood.
2. Each Short Term Rental owner shall provide for weekly trash removal and secure garbage and recycling storage to prevent leakage, spillage, and odors. Trash shall be placed where not clearly visible from the street until required pick up time. Trash may be set for pick up no more than 24 hours prior to scheduled pickup.
3. Each Short Term Rental shall have a house number, visible from street or road.
4. Short Term Rental owners must sign the application/ registration form to operate a Short Term Rental Unit.
5. These rules and regulations shall be enforced by the Short Term rental owner and, if necessary, the Village of Chaumont Zoning Enforcement Officer (ZEO). As a minimum, the rules and regulations shall address prohibition of the following behaviors: fighting, violence, tumultuous or threatening behavior, unreasonable noise, abusive or obscene language or gestures in public.

D. Application and Permit

All owners of Short Term Rentals are required to obtain an application/registration form from the Village of Chaumont in order to obtain a permit to operate.

All residents are encouraged to address complaints directly to the Short Term Rental Owner. If unable to remediate the complaint, the resident may contact the Village of Chaumont.

All new owners must acquire a permit from the Village of Chaumont before the opening date of a Short Term Rental. Failure to comply will result in the owner being prohibited from using the property as a Short Term rental until such time as a permit is requested and issued.

E. Enforcement and Penalties:

Any individual, partnership, corporation or other firm owning, operating, occupying, or maintaining a Short Term Rental or Short Term Rental Property shall comply with all the

provisions of this chapter and all orders, notices, rules, regulations, or determinations issued in connection there with.

Whenever the Village Zoning Enforcement Officer (ZEO) finds that there has been a violation of this chapter, or any rule or regulation adopted pursuant to this chapter, the ZEO will issue a notice of violation to the person, individual, partnership or corporation owning, operating, or maintaining the Short Term Rental or Short Term Rental Property in which such violation has been noted. It will be the responsibility of the owner to correct the situation within thirty days, unless immediate action is determined to be necessary.

1. All notices of violation in a calendar year will be mailed by the Village ZEO.
2. The second notice of violation in a calendar year may result in a fee of \$50.00 payable to the Village of Chaumont.
3. The third notice of violation in any calendar year may result in a fee of \$100.00 as determined by the Village of Chaumont.
4. The fourth notice of violation in any calendar year results in permit revocation prohibiting the operation of the Short Term Rental for a period of one year. Operation in violation of a revoked permit will be referred to the Village Attorney for enforcement.

F. Contact Person.

The Short Term Rental Owner must provide all owners of property adjacent to the Short Term Rental with the name, address and telephone number of a contact person or entity. Such contact person or entity must be able to address, by either telephone or in person, any complaint received regarding the Short Term Rental site within one hour of receiving the complaint. A copy of the contact person or entity name, address and phone number shall be maintained on the property and made immediately available upon request from law enforcement officers or Village Code Enforcement personnel.

Section 4. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this local law shall be adjudged invalid, such judgment shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and shall not affect, impair, or invalidate any other part or portion of this local law.

Section 5. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.) I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2023 of the Village of Chaumont was duly passed by the Village Board of Trustees on _____ in accordance with the applicable Village Board provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted _____
(Elective Chief Executive Officer)*
on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 20____, and was (approved)(not approved) _____ (repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there _____ be none, the chairperson of the county legislative body, the mayor of a city or Lyme, or the supervisor of a Town where such officer _____ is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general)election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the Village of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ___ above.

Erin Fulton, Village Clerk
Village of Chaumont

(seal)

Date:

(Certification to be executed by County Attorney, Corporation Counsel, Village Attorney, Lyme Attorney or other authorized attorney of locality.)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title: James Burrows, Attorney
Village of Chaumont

Date: