



Department of State  
Corporations, State Records & UCC

New York State  
Department of State  
DIVISION OF CORPORATIONS,  
STATE RECORDS AND  
UNIFORM COMMERCIAL CODE  
One Commerce Plaza  
99 Washington Ave.  
Albany, NY 12231-0001  
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

3 of the year 20 25

Local Law Title: A LOCAL LAW PROVIDING FOR REGULATIONS PERTAINING TO SHORT-TERM  
RENTALS

Be it enacted by the VILLAGE BOARD of the  
*(Name of Legislative Body)*

County  City  Town  Village  
*(Select one)*

of TANNERSVILLE as follows on the attached pages:  
*(Name of Local Government)*

For Office Use Only

FILED  
STATE RECORDS  
SEP 22 2025  
DEPARTMENT OF STATE

Department of State Local Law Index Number: 3 of the year 20 25

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

# Local Law Filing

(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 ascribed as local law number 3 of 2025 of the ~~(County)(City)(Town)~~ (Village) of TANNERSVILLE was duly passed by the VILLAGE BOARD OF TRUSTEES on AUGUST, 21 2025 in accordance with the applicable 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, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ (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, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. 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, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. Such local 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 village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

## Local Law Filing

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

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having 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.

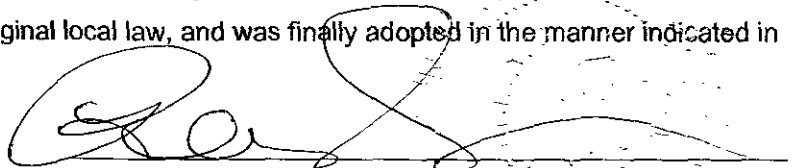
### 6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number \_\_\_\_\_ 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 towns 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 the paragraph <sup>1</sup> \_\_\_\_\_ above.

(Seal)



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

08/25/2025

(Date)

## **Village of Tannersville**

Local Law No.#3 of 2025

### **A Local Law Providing for Regulations Pertaining to Short-Term Rentals**

Be it enacted by the Village Board of the Village of Tannersville as follows:

**Section I.** A new Local Law is hereby enacted as appears in Schedule "A" attached hereto.

#### **Section II. Severability**

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

#### **Section III. Effective Date**

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State. Enforcement of this local law shall be deferred for a period of one hundred eighty (180) days from its effective date to allow time for the Code Enforcement Officer to process any applications for short-term rental permits. Upon the effective date of this law, applications for Short-Term Rental permits may be submitted to the Village of Tannersville.

### **SCHEDULE "A"**

#### **A Local Law Providing for Regulations Pertaining to Short-Term Rentals**

##### **§ 1. Purpose and Scope**

- A. The Board of Trustees of the Village of Tannersville has determined that it is necessary, given the popularity of such online phenomena as Airbnb, VRBO and other such sites whereby owners of residential properties rent out all or parts of their properties on a short-term basis, to enact reasonable regulations to ensure that the public health, safety, well-being and quality of life including parking, noise pollution, traffic, proper garbage removal, wastewater treatment, water quality, ingress/egress, fire control, etc. of all Village residents is preserved while also ensuring that the health, safety and well-being of those persons renting such properties are also protected. Accordingly, in order to respect the property rights and interests of all homeowners in the Village of Tannersville, this local law seeks to achieve

a balance between those who offer their homes as short-term rental properties and those who choose not to do so.

- B. The Board of Trustees of the Village of Tannersville, therefore, establishes regulations for the administration and enforcement of residential “Short Term Rental Permits” hereinafter referred to as an “STRP”, requirement for all short-term rental units within the corporate boundaries of the Village of Tannersville in all Zones of the present or Future Zoning laws which shall be deemed a “Special Permit” use under the Zoning law subject to the rules and regulations contained herein as applicable only to “STR Special Permits. Additionally, this chapter provides for the periodic renewal of the Special permit, of all landlords and short-term residential rental property owners for the purpose of regulating the living and safety conditions of such short-term residential rental properties and for maintaining an inventory of available short-term rental housing.
  
- C. The Village of Tannersville reserves the right to adopt regulations to carry out the provisions and purposes of this section by resolution.
  
- D. This local law is enacted pursuant to the requirements set forth in the New York State Village Law and Municipal Home Rule Law (S.885C / A.4130C).

## **§ 2. Definitions**

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Rooming/Boarding House: An owner-occupied building in which rooms are offered for rent on a transient basis, and which may or may not involve the offering of meals.

Short-Term Rental: A dwelling unit that is rented, in whole or part, to any person or entity for a period of less than 30 consecutive nights, and includes any residential building or apartment, single- or two-family dwelling, multiple family dwelling, condominium, townhouse, guest house, cottage, cabin or RV or any unique sleeping structures which are rented as living quarters with a kitchen for any period less than 30 consecutive nights. This definition excludes hotels, bed and breakfast establishments and school or non-profit dormitories. "Rental" means an agreement granting use or possession of a residence, in whole or part, to a person or group in exchange for consideration valued in money, goods, labor, credits, or other valuable consideration. Use of a short-term rental by a record owner of a property shall not be considered to be a rental under this section.

Accessory Dwelling Unit: An accessory dwelling unit (ADU) is a legal and regulatory term for a secondary house or apartment that shares the building lot of a larger, primary home. The unit cannot be bought or sold separately, but they are often used to provide additional

income through rent or to house a family member.

Short-Term Rental Platform: An entity which the owner of a Dwelling Unit or Accessory Dwelling Unit utilizes for the advertisement and reservation of their Dwelling or Accessory Dwelling Unit as a Short-Term Rental. Such entities shall include but not be limited to AirBNB and VRBO.

Full Bathroom: A full bathroom shall mean a room in a home for personal hygiene activities containing a toilet, a sink and a shower or bathtub.

Half-Bath: A half bathroom shall mean a room in a dwelling for personal hygiene activities containing only a toilet and a sink.

Occupant: Any persons (including children) located on the short-term rental property between the hours of 10:00 p.m. and 6:00 a.m. The maximum number of occupants on the property between said hours shall be as noted in this local law. The maximum number of daytime guests between 6:00 a.m. and 10:00 p.m. shall be limited to no more than twice the nightly occupants.

CEO: Code Enforcement Officer

Hosted Property: A Short-Term rental in a dwelling or premises that has the owner residing at the property as their principal residence and is on-site while it is being used as a Short-Term Rental.

Unhosted Property: Short-Term Rental in a dwelling or premises that the owner does not reside at the property as their principal residence and is not on-site while it is being used as a Short-Term Rental.

LPM: Local Property Manager, means a natural person who is authorized by the rental unit owner to make decisions for the owner about rental, occupancy and maintenance of the rental unit, or a licensed, or bonded, and/or insured company engaged primarily in providing such services for hire.

### **§ 3. Required Permit**

- A. Owners shall not use their property as a short-term rental without obtaining a revocable short-term rental permit from the Village of Tannersville Chief Enforcement Officer.
- B. A short-term rental permit shall be valid for one year and must be renewed up to 90 days prior to expiration of current permit expiration 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. However, these properties must apply for a permit within 180 days of the local law's effective date for all future short-term rental commitments.
- E. In the event such application is denied, all commitments shall be cancelled.

#### **§ 4. Short-term rental permit application requirements and intake**

- A. Applications for a short-term rental permit may be obtained from the Village of Tannersville Code Enforcement Officer or the Village of Tannersville Clerk. Short-term rental permit applications shall be submitted to the Code Enforcement Officer or Village of Tannersville Clerk, accompanied by payment of a nonrefundable permit fee set by resolution of the Village Board. Additionally, there will be a non-refundable inspection fee set by resolution of the Village Board.

The application shall include the following:

- (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 acknowledgment 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, if available.
- (4) A list of each property owner and the name of any LPM, designated agent manager or management agency managing the property, including names, addresses, telephone numbers and email addresses of each.
- (5) If applicable, a copy of a shared road agreement for any STRs owned or operated at a location with a shared road.
- (6) The name, address, telephone number and email address of at least 2 (two) contact person(s), who shall be responsible and authorized to act on the owners' behalf to promptly remedy any violation of the standards outlined in this ordinance. A third contact may be added as an option. 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 Village of Tannersville, or any of its designees, within one hour (60 minutes) and must be available 24 hours per day, 7 days per week.

- (7) 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 available parking. If no parking is available on-site then a note stating thus will be sufficient.
    - (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.
    - (e) Attic (if present): all rooms including bedrooms, windows, exits and any heating/cooling units.
  - (8) If parking is available on-site then a parking layout or plan accommodating maximum occupancy listed on application.
  - (9) A statement that none of the owners of the subject property have had a short-term rental permit revoked in any jurisdiction within the previous year for any rental properties owned individually or together with others.
  - (10) Certificate of insurance or a statement acknowledging that the applicant has sufficient STR insurance coverage, designating the property as a STR with the property owner's insurance broker and carrier.
  - (11) A sworn statement of the owner that all village taxes and water rates are up to date and not in arrears. This will be confirmed by the Village clerk.
- 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 (if available), or other standards stated below must petition to the Short-Term Rental Review Board of the Village of Tannersville.

## § 5. Short-term rental standards

### A. Property requirements.

- (1) 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.
- (2) 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.
- (3) There shall be a 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, or it's agent, shall be maintained and made available to the Code Enforcement Officer upon request.
- (4) The fire number for the property 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.
- (5) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
- (6) 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.
- (7) All fireplaces, fireplace inserts, or other fuel burning heaters and furnaces shall be vented and properly installed, and flues cleaned within 12 months of application for permit and upon any renewals.
- (8) **Parking Requirements**
  - (a) If applicable, all parking availability shall be in compliance with Code Enforcement Officer's review.
- (9) **Maximum Overnight Occupancy Standards**
  - (a) The maximum overnight occupancy per STR shall be 2 occupants per bedroom plus 2 additional occupants.

- (b) Any short-term rental unit that can occupy more than 11 individuals may require site plan approval from the Village of Tannersville Planning Board before a short-term rental permit may be issued by the Code Enforcement Office.
- (10) Each bedroom shall be compliant with the New York State Building Code.
- (11) If the water supply to the STR is provided by well water, the applicant must provide a water test result of the potable water supply of the rented dwelling that complies with Subpart 5-1 (non community water system) of the New York State Sanitary Code. Subsequent water tests shall be required upon annual renewal of the STR Permit.
- (12) Any short-term rental must be insured by an insurer licensed to write insurance in the state of New York or procured by a duly licensed excess line broker pursuant to section two thousand one hundred eighteen of the insurance law for at least the value of the dwelling, plus a minimum of five hundred thousand dollars coverage for third party claims of property damage or bodily injury that arise out of the operation of a short-term rental unit. Notwithstanding any other provision of law, no insurer shall be required to provide such coverage.
- (13) Garbage and Refuse Requirements
  - (a) Garbage containers shall be bear-proof containers, always secured with tight-fitting covers to prevent leakage, spilling or odors.
  - (b) All STR Permit holders shall comply with all village laws and ordinances enacted for the public health and safety of village residents.
  - (c) The Village of Tannersville reserves the right to enforce all enacted local ordinances, laws including those that pertain to dumpsters, refuse and trash.
- (14) Corporate events, and/or commercial functions are strictly not allowed unless the property owner has submitted plans and received approvals via the Village Planning Board during Site Plan review.
- (15) Map of property for guests showing boundaries & landmarks of property to prevent trespassing will be available to all guests of the short-term rental.
- (16) Rental contracts may need to be furnished upon request by the Village and/or its designated agents (eg: Code Enforcement Officer, Town

Police, State Police)

B. Response Time Requirements

- (1) All emergency calls from the Village or renters must be responded to by the designated agent or LPM within thirty (30) minutes. If required be on site, STR Permit holder or it's designated operator, tradesman, or any designated agent must be on-site of the property within sixty (60) minutes of the phone call.

**§ 6. Procedure upon filing application**

- A. Upon filing permit and paying nonrefundable fee, a provisional permit may be issued at the discretion of the Code Enforcement officer. Provisional permit is valid for 30 days.
- B. Upon the filing with the Code Enforcement Officer of the permit application, permit fee, and all documents and information required by this section, the Code Enforcement Officer shall have 30 days to review the application and then either issue the permit, with or without conditions, or notify the applicant in writing that the application has been denied along with the reason or reasons for denial. If a permit is issued, the permit shall bear the signature of the Code Enforcement Officer.
- C. Reasons for Permit Denial: The Code Enforcement Officer may decline an application for any of the following reasons:
  1. If the application is deemed to be required to obtain site plan approval from the Village of Tannersville Planning Board.
  2. If the application is incomplete, the documentation required by this section or regulations adopted by the Village of Tannersville was not included with the application or the full permit fee, in an acceptable form of payment, was not included with the application.
  3. If the Code Enforcement Officer previously issued a short-term rental permit to any of the owners needing to sign the short-term rental permit application and any of such owners had a short-term rental permit revoked within the previous year.
  4. If the affidavit from the owners or if an inspection conducted by the code Enforcement Officer as authorized in this section evidences that the subject property is not in compliance with this section of the Village of Tannersville Code.

5. If the site plan required to be submitted with the application does not comport with the requirements of this section.

**§ 7. Short-term rental permits issued pursuant to this section shall state the following:**

- A. The names, addresses and phone numbers of every person or entity that has an ownership interest in the short-term rental property and of a primary contact person who shall be available to respond to or investigate complaints during the entire time (24 hours per day) the short-term rental property is being rented;
- B. The maximum occupancy and vehicle limits for the short-term rental unit;
- C. Identification of the number of and location of parking spaces, if available on-site.
- D. A statement that littering is illegal;
- E. A statement that all fires must be attended; Any outdoor fire located within the limits of the Village of Tannersville must be extinguished before left unattended.
- F. A statement that renters must comply with and be provided with a copy of the noise ordinance of the Village of Tannersville or any successor noise ordinance which set strict limits on noise levels between 9:00 p.m. and 9:00a.m., which ordinances will be enforced by the Code Enforcement Officer, the Village of Tannersville Police Department, Greene County Sheriff's Department, the New York State Police, or any law enforcement agency properly exercising jurisdiction over the short-term rental property or incident;
- G. A statement that the short-term rental permit may be revoked for violations;
- H. Any conditions imposed by the Village of Tannersville Code Enforcement Officer;
- I. That the permit shall expire on December 31 of each year.

**§ 8. Quantity, 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 shall 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 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, contact form, [bearwise.org](http://bearwise.org) "How Bearwise Are you Checklist", and standards, and emergency numbers 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.
- (4) The short-term rental permit holder must conspicuously display the short-term rental permit number in all digital and physical listings for the applicable short-term rental, however need not display the permit number in social media postings.
- (5) The short-term rental permit must be conspicuously displayed within the exterior of the front door of the property.

## **§ 9. Compliance and penalties**

- A. Violations of this section or of any short-term rental permit issued pursuant to this section shall be subject to enforcement and penalties prescribed in this chapter.
- B. Owners of short-term rental units shall obey all applicable laws, ordinances and regulations of the Village of Tannersville, Greene County, New York State and the United States of America, and shall be subject to the enforcement and penalty provisions contained in the Village of Tannersville Village Code and any other federal, state or local law.
- C. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this section or of any short-term rental permit issued pursuant to this section, the Code Enforcement Officer shall

properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer determines there is a violation of this code, 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 Village 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 non-compliance with Village 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 year after the date of revocation.
- (6) The Code Enforcement Officer shall send notices of revocation to property owners and shall file a copy with the Village Clerk.

D. 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:

- (1) The complaining party may contact the contact person designated on the permit, a law enforcement agency, the Code Enforcement Officer or any other person or entity which could assist in resolving the complaint, and describe the problem from which the complaint arises and indicate the desired remedy.
- (2) The contact person shall, within sixty minutes of receiving the complaint, respond to the complaint and remedy as soon as reasonably possible any situation that is out of compliance with these regulations or with the permit for the property. The Fire Department Dispatch will have the names and contact information for each contact person to provide to a complaining party.
- (3) If the response is not satisfactory to the complaining party (including the inability to promptly reach the contact person), the complaining

party may file a complaint with the Code Enforcement Officer by submitting a written complaint. The form of the complaint shall be established by the Code Enforcement Officer and may be filed in person, by mail, by email or online. The complaint shall provide pertinent information 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 but the complaint was not adequately resolved. A failure to attempt to contact the contact person will not excuse a violation.

- (4) If the Code Enforcement Officer finds a violation of the permit or of this section, the Code Enforcement Officer may do any of the following depending on the circumstances:
  - (a) Attach reasonable conditions to the existing short-term rental permit;
  - (b) Suspend the short-term rental permit;
  - (c) Revoke the short-term rental permit; or
  - (d) issue a violation or warning.
- (5) Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit sooner than one year after the date of revocation.
- (6) The Village of Tannersville may also initiate enforcement proceedings under the Village of Tannersville Village Code at any time following receipt of a complaint.
- (7) Any fees associated with a court appearance ticket shall be borne by the property owner. If found guilty of non-compliance with applicable law, the fees shall be at minimum, equal to one year of permit fees.
- (8) Decisions of the Code Enforcement Officer will be provided to the parties and may be appealed, within 30 days of receipt of the decision, by the owner or by the complainant.
- (9) Any property owner found in willful violation of the provisions of this local law shall be required to reimburse the Village for its reasonable costs of enforcement, including reimbursement for staff time and reasonable attorney's fees.
- (10) The Code Enforcement Officer or his designee shall have the right

to inspect the short-term rental property to ensure it complies with the provisions of this section at any reasonable time of day upon giving reasonable notice to the owner or occupant of said unit.

#### **§ 10. Application for renewal of permit**

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

- A. Application of the short-rental permit shall be made 60 days prior to expiration of current permit and requires payment of renewal fee.
- B. At the time of 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 if required at his discretion.
- D. Any violations must be remedied prior to renewal of a permit for short-term rental.
- E. A sworn statement of the owner that all village taxes and water rates are up to date and not in arrears. This will be confirmed by the Village clerk.
- F. If STR has a well, current water test must be provided that complies with Subpart 5-1of the NYS Sanitary Code.

#### **§ 11. Grounds for suspension or revocation of permit**

- A. The Code Enforcement Officer may immediately suspend a short-term rental permit based on any of the following grounds:
  - 1. Applicant has falsified or failed to provide information in the application for permit renewal.
  - 2. Applicant failed to meet or comply with any of the requirements of this chapter.
  - 3. Owner is in violation of any provision of the Code of the Village of Tannersville.
  - 4. 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.
  - 5. Any conduct on the premises, which disturbs the health, safety,

peace or comfort of the neighborhood or which otherwise creates a public nuisance.

6. Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
7. Failure to remain current on village tax and water payments.

## **§ 12. Appeals and hearings**

### **A. STR Appeals Board ("STR Appeals Board")**

1. The STR Appeals Board shall be comprised of the members of the Village of Tannersville Planning Board. The Mayor of the Village of Tannersville shall chair the STR Appeals Board.
2. Appeals arising under this Local Law shall be governed by this local law. Decisions and determinations made by the Code Enforcement Officer shall be made in writing and provided to the owner and complainant, if any.
3. Said decision/determination may be appealed to the STR Appeals Board within thirty (30) days of receipt of the decision.
4. The decision/determination appealed from shall not be stayed unless the STR Appeals Board agrees to grant appellant a stay upon his/her/its application for such stay. The STR Appeals Board shall have all the powers and duties prescribed by this Code and may reverse, affirm, or modify wholly or partly any order, requirement, decision or determination as in its opinion ought to be made.

### **B. STR Appeals Board General Procedures**

1. An owner, complainant or other party who wishes to appeal the decision or determination made by the Code Enforcement Officer shall make a written request for a hearing to the Village Clerk, and the STR Appeals Board shall endeavor to hear the appeal within thirty (30) days of the request.
2. At the hearing the tribunal shall not be bound by strict rules of evidence and may accept evidence, including reliable evidence offered by the property owner, the complaining party, the Code Enforcement Officer and any other witness with relevant evidence. The STR Appeals Board shall make its decision within ten (10) days

of the hearing.

3. The STR Appeals Board shall conduct regular or special meetings at such time and place as may be determined necessary by the Chairman and all such meetings shall be open to the public with proper public notification. Three members of the STR Appeals Board present for the meeting shall constitute a quorum for the transaction of business.
4. The STR Appeals Board shall keep proper records of its proceedings and written notice of any special meeting of the STR Appeals Board shall be given to the members at least 24 hours prior to the date set for such a meeting.
5. (Intentionally Omitted)
6. The STR Appeals shall hold hearings regarding appeals by owners of the denial suspension, revocation, or nonrenewal of short-term rental permits. If the STR Appeals Board determines whether a permit should not have been denied, suspended, revoked or should have been renewed, such a determination shall be submitted in writing to the Village Clerk and the Code Enforcement Officer for proper action.

Applicants shall have the right to appeal any decision of the STR Appeals Board pursuant to CPLR Article 78 to the Supreme Court of the State of New York in and for Greene County.

### **§ 13. Penalties for Offenses**

- A. Any person, association, firm, company or corporation which violates any provision of this section or assists in the violation of any provision of this section shall be guilty of a violation punishable:
  - (1) By a fine or penalty of not less than \$500.00 and not exceeding \$1,000.00 for a first offense or. This fine may be suspended at the discretion of the CEO upon compliance with the law.
  - (2) By a fine or penalty of not less than \$1,000.00 and not exceeding \$2,000.00 for a second offense.
  - (3) By a fine or penalty of not less than \$2,000.00 and not exceeding \$5,000.00 for a third offense.
  - (4) Each week's continued violation constitutes a separate additional violation.

- B. Any person or entity that fails to register a short-term rental property with the Village, as required by this Ordinance §3 Paragraph A, shall be subject to a civil penalty of no less than five thousand dollars (\$5,000.00) per occurrence in which an STR guest resides within the STR.
- C. In the event the Village of Tannersville seeks injunctive relief or some other form of relief from a Court to enforce the provisions of this section then in such event the defendant/respondent shall pay the legal fees and expenses incurred by the Village in such court proceeding.

#### **§ 14. Miscellaneous**

- A. The short-term rental agreement, whether written or oral, must contain a provision whereby the owner or owner's representative shall terminate the rental in the event the short-term rental permit is suspended or revoked at least one full week prior to the commencement of the rental term.
- B. Any revocation of short-term rental permit due to health, safety or fire concerns shall cause immediate termination of any in progress rentals.

#### **§ 15. Fees**

Any and all fees shall be reviewed annually at the discretion of the Village Board set by resolution and maintained upon the Village website and on file in the Village Clerk's Office. Failure to pay any fees shall result in revocation or denial of any permit.