

Local Law Filing

www.dos.state.ny.us/corps

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town x Village

(Select One)

of Island Park

Local Law No. 4 of the year **2020**

A local law supplementing Code of the Village of Island Park §450 is hereby adopted to read as follows:

§450 entitled Rental Properties is amended as follows:

A. DEFINITION

TRANSIENT RENTAL PROPERTY

A rental dwelling or dwelling unit occupied by persons other than the owner or a family member of the owner and for which rent is received by the owner, directly or indirectly, in exchange for such rental occupation for a period of less than six (6) months. For the purposes of this Code, the term “transient rental property” shall refer to all non-owner-occupied dwelling units rented for a period of less than six (6) months and shall not include:

- 1- Properties used exclusively for nonresidential commercial purposes in any zoning district; or
- 2- Any legally operating hotel/motel business operating exclusively and catering to transient clientele; that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel business .

B. PRESUMPTION OF DWELLING AS A TRANSIENT RENTAL PROPERTY

- 1- The presence of the following shall create a presumption that a dwelling unit is being used as a transient rental property:
 - a. The dwelling unit or any room therein is offered for lease on a short-term rental website, including Airbnb, Home Away, VRBO and the like for a period of less than six (6) months
 - b. The dwelling is offered for lease in any medium for a period of less than six (6) months
- 2- The foregoing presumption may be rebutted by evidence presented to the Code Enforcement Official that the dwelling unit is not a transient rental property

C. TRANSIENT RENTALS

Transient rental, or licensing, or the advertisement thereof by any means, by an owner or long-term tenant for the use of a single-family or two-family dwelling or a portion thereof located in any residence district for a term of less than six (6) months while the owner or long-term tenant does not occupy the premises is prohibited.

D. PENALTY

Any person, association, firm, or corporation who or which violates any provision of this chapter or assists in the violation of any provision of this chapter shall be guilty of a violation, punishable by:

- 1- A fine of not less than \$250.00 and not exceeding \$1,000 for conviction of a first offense; and \$250 a day for every day the property is in violation of this Code.
- 2- A fine of not less than \$500.00 and not exceeding \$2,000 for conviction of a second offense; and \$250 a day for every day the property is in violation of this Code.
- 3- A fine of not less than \$1000.00 and not exceeding \$3,000 for conviction of a third offense; and \$250 a day for every day the property is in violation of this Code.

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town x Village
(Select One)

of Island Park **as follows:**

This local law shall take effect immediately upon filing with the Secretary of State.