

# Local Law Filing

(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  Village  
(Select one.)

of Saugerties

FILED  
STATE RECORDS  
OCT 25 2023

DEPARTMENT OF STATE

Local Law No. 1 of the year 2023

A local law to amend Chapter 148 of the Code of the Village of Saugerties to introduce registration  
(Insert Title)  
and compliance standards for short-term rental properties.

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Saugerties as follows:

See attached Local Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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 20<sup>23</sup> of the (County)(City)(Town)(Village) of Saugerties was duly passed by the Village Board of Trustees on 10/2 20<sup>23</sup>, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**X (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 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 \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**X (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.

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

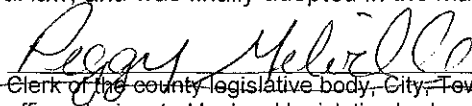
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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 village, 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 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 paragraph \_\_\_\_\_ above.

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

(Seal)

Date: 10/13/2023

**VILLAGE OF SAUGERTIES  
LOCAL LAW NO. 1 OF THE YEAR 2023**

A local law to amend Chapter 148 of the Code of the Village of Saugerties to introduce registration and compliance standards for short-term rental properties.

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

**Section 1. Legislative Intent**

Chapter 148 of the Code of the Village of Saugerties requires the owners of residential rental property within the Village to register with the Village, and to comply with certain performance standards. It is the intent of this Local Law to amend Chapter 148 to bring short-term rental properties in the Village (including, but not limited to, rentals made through AirBnB and VRBO) within the scope of Chapter 148, thereby making it subject to Chapter 148's requirements. In short, the purpose of this Local Law is to modify the language of §148-1 and §148-2(A) as illustrated in this "redline" format quotation of it:

**§ 148-1. Title; purpose; definitions.**

A.

Title. This chapter shall be known as the "Village of Saugerties Rental Property Law" and shall be supplementary to applicable provisions of the existing Code for the Village of Saugerties.

B.

Purpose. The purpose of this chapter is to establish uniform administration and compliance with residential occupancy permits and to establish the responsibilities of parties concerned therewith. This chapter shall provide procedure and standards for the identification and registration of rental properties in order to ensure that the Village of Saugerties has a meaningful, efficient and effective means of communicating with those persons and companies who own rental properties (both short-term and monthly) and to fix the responsibilities on owners to ensure that residential rental property is maintained in accordance with the standards set forth in this chapter and relevant building and property maintenance codes promulgated by New York State.

C.

Definitions. As used in this chapter, the following terms shall have the meanings indicated below:

**ACTION or PROCEEDING**

Any action or proceeding which may be instituted in the Village Court of the Village of Saugerties or the County Court of the County of Ulster or the

Supreme Court of the County of Ulster or any court of competent jurisdiction hearing an alleged violation of any ordinance or law of the Village of Saugerties.

#### BUILDING

Any improved real property located within the Village of Saugerties and used for non-owner-occupied residential or mixed use (commercial-residential) purposes.

#### BUILDING IDENTIFICATION

A number assigned to all buildings located within the Village of Saugerties that must be placed on the building in a conspicuous location and is used for identification of that particular building.

#### CHANGE IN OCCUPANCY

Whenever a tenant shall move away from, willingly quit or vacate, or otherwise express the firm intent to vacate or quit a rental unit.

#### EXIT

That portion of the way of departure from the interior of a building or structure to the exterior, at street or grade level accessible to a street, consisting of:

- (1)  
Corridors, stairways and lobbies enclosed in construction having a fire-resistance rating, including the door opening thereto from a habitable or uninhabitable space;
- (2)  
An interior stairway;
- (3)  
A horizontal exit;
- (4)  
A door to the exterior at grade; or
- (5)  
An exterior stairway or ramp.

#### HABITABLE SPACE

Space occupied by one or more persons for living, sleeping, eating or cooking. Kitchenettes (kitchens with less than 60 square feet) shall not be deemed "habitable space."

#### NONHABITABLE SPACE

Space used for access and vertical travel between stories, as well as space used for kitchenettes, pantries, baths, toilets, laundry, rest, dressing, lockers, storage, utility, heaters and boiler rooms, closets and other spaces for service and maintenance of the building.

#### OWNER

Any individual(s), partnership, corporation or similar business organization, whether for profit or otherwise, in whose name title to a building stands. This includes a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or agent or any other person, firm or corporation directly or indirectly in control of the property.

#### OWNER-OCCUPIED

Property shall be considered owner-occupied when all individual owners, all partners, or all shareholders of a corporation reside there on a full-time basis. Any owner claiming to occupy rental property shall be required, upon the request of the Village of Saugerties, to provide a sworn affidavit providing any information necessary to support the claim that the premises are owner-occupied.

#### PROCESS

A summons or any notice, mandate or any other paper process issued pursuant to any provision of the Code of the Village of Saugerties or any law or regulation of the State of New York.

#### RENTAL PROPERTY

Any non-owner-occupied real property located within the Village of Saugerties that is rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential) purposes. For the avoidance of any doubt or confusion, any "Short-Term Rental Property," as defined in this Chapter also counts as a Rental Property, and is subject to all of the requirements of a Rental Property set forth in this Chapter.

#### RENTAL UNIT

Any non-owner-occupied residential unit.

#### RESIDENTIAL UNIT

One or more rooms with provision for sanitary and sleeping facilities, food preparation, and living and working.

#### SHORT-TERM RENTAL PROPERTY

Any housing or dwelling unit(s) occupied by persons other than the owner or his immediate family for which a fee or compensation, monetary or otherwise, is received by the owner or landlord in exchange for such occupancy, and in which the entire duration of the renter's occupancy is less than one month. This shall include but not be limited to rentals provided by such companies as AirBNB or VRBO. Month to month tenancies shall not be considered short-term rental properties.

#### TENANT

A party whose right to possession of a rental unit is subject to the express or implied consent of the owner.

### **§ 148-2 Property registration. Title; purpose; definitions.**

#### A. Owner Registration

- (1) Any owner of rental property located within the Village of Saugerties shall register that rental property with the Village Building Inspector within 180 days of the effective date of this chapter on a form approved by the Village Building Inspector; provided, however, that the owner of any Short-Term Rental Property located within the Village shall register that property with the Village Building Inspector on the prescribed form no later than March 31, 2024. The form shall be known as a "landlord registration statement" and shall be signed by the owner under oath.
- (2) It shall be unlawful for any owner to offer any unit for rent or to rental any unit or to allow any rental unit to t shall be unlawful for any owner to offer any unit for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this chapter as within the time prescribed for such registration. Failure to receive notice of the registration deadline will not excuse failure to register rental property. It is the owner's responsibility to fulfill the requirements of this chapter.

### **Section 2. Authority**

This local law is adopted pursuant to the Board of Trustees' authority conferred by N.Y.S. Village Law §4-412 and N.Y. Municipal Home Rule Law Article 2.

### **Section 3. Amendment of Saugerties Village Code Chapter 148-1**

Following the filing of this Local Law, §148-1 of the Saugerties Village Code is hereby amended to read as follows, and shall so appear in the Village's Code Book:

**§ 148-1. Title; purpose; definitions.**

A.

Title. This chapter shall be known as the "Village of Saugerties Rental Property Law" and shall be supplementary to applicable provisions of the existing Code for the Village of Saugerties.

B.

Purpose. The purpose of this chapter is to establish uniform administration and compliance with residential occupancy permits and to establish the responsibilities of parties concerned therewith. This chapter shall provide procedure and standards for the identification and registration of rental properties in order to ensure that the Village of Saugerties has a meaningful, efficient and effective means of communicating with those persons and companies who own rental properties (both short-term and monthly) and to fix the responsibilities on owners to ensure that residential rental property is maintained in accordance with the standards set forth in this chapter and relevant building and property maintenance codes promulgated by New York State.

C.

Definitions. As used in this chapter, the following terms shall have the meanings indicated below:

**ACTION or PROCEEDING**

Any action or proceeding which may be instituted in the Village Court of the Village of Saugerties or the County Court of the County of Ulster or the Supreme Court of the County of Ulster or any court of competent jurisdiction hearing an alleged violation of any ordinance or law of the Village of Saugerties.

**BUILDING**

Any improved real property located within the Village of Saugerties and used for non-owner-occupied residential or mixed use (commercial-residential) purposes.

**BUILDING IDENTIFICATION**

A number assigned to all buildings located within the Village of Saugerties that must be placed on the building in a conspicuous location and is used for identification of that particular building.



#### CHANGE IN OCCUPANCY

Whenever a tenant shall move away from, willingly quit or vacate, or otherwise express the firm intent to vacate or quit a rental unit.

#### EXIT

That portion of the way of departure from the interior of a building or structure to the exterior, at street or grade level accessible to a street, consisting of:

- (1)  
Corridors, stairways and lobbies enclosed in construction having a fire-resistance rating, including the door opening thereto from a habitable or uninhabitable space;
- (2)  
An interior stairway;
- (3)  
A horizontal exit;
- (4)  
A door to the exterior at grade; or
- (5)  
An exterior stairway or ramp.

#### HABITABLE SPACE

Space occupied by one or more persons for living, sleeping, eating or cooking. Kitchenettes (kitchens with less than 60 square feet) shall not be deemed "habitable space."

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Space used for access and vertical travel between stories, as well as space used for kitchenettes, pantries, baths, toilets, laundry, rest, dressing, lockers, storage, utility, heaters and boiler rooms, closets and other spaces for service and maintenance of the building.

#### OWNER

Any individual(s), partnership, corporation or similar business organization, whether for profit or otherwise, in whose name title to a building stands. This includes a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or agent or any other person, firm or corporation directly or indirectly in control of the property.

#### OWNER-OCCUPIED

Property shall be considered owner-occupied when all individual owners, all partners, or all shareholders of a corporation reside there on a full-time basis. Any owner claiming to occupy rental property shall be required, upon the request of the Village of Saugerties, to provide a sworn affidavit providing any information necessary to support the claim that the premises are owner-occupied.

#### PROCESS

A summons or any notice, mandate or any other paper process issued pursuant to any provision of the Code of the Village of Saugerties or any law or regulation of the State of New York.

#### RENTAL PROPERTY

Any non-owner-occupied real property located within the Village of Saugerties that is rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential) purposes. For the avoidance of any doubt or confusion, any "Short-Term Rental Property," as defined in this Chapter also counts as a Rental Property, and is subject to all of the requirements of a Rental Property set forth in this Chapter.

#### RENTAL UNIT

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#### RESIDENTIAL UNIT

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#### SHORT-TERM RENTAL PROPERTY

Any housing or dwelling unit(s) occupied by persons other than the owner or his immediate family for which a fee or compensation, monetary or otherwise, is received by the owner or landlord in exchange for such occupancy, and in which the entire duration of the renter's occupancy is less than one month. This shall include but not be limited to rentals provided by such companies as AirBNB or VRBO. Month to month tenancies shall not be considered short-term rental properties.

#### TENANT

A party whose right to possession of a rental

And, following the filing of this Local Law, §148-2(A) of the Saugerties Village Code is hereby amended to read as follows, and shall so appear in the Village's Code Book:

**§ 148-2 Property registration. Title; purpose; definitions.**

**B. Owner Registration**

- (3) Any owner of rental property located within the Village of Saugerties shall register that rental property with the Village Building Inspector within 180 days of the effective date of this chapter on a form approved by the Village Building Inspector; provided, however, that the owner of any Short-Term Rental Property located within the Village shall register that property with the Village Building Inspector on the prescribed form no later than March 31, 2024. The form shall be known as a "landlord registration statement" and shall be signed by the owner under oath.
- (4) It shall be unlawful for any owner to offer any unit for rent or to rental any unit or to allow any rental unit to t shall be unlawful for any owner to offer any unit for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this chapter as within the time prescribed for such registration. Failure to receive notice of the registration deadline will not excuse failure to register rental property. It is the owner's responsibility to fulfill the requirements of this chapter.

**Section 4. Effective Date**

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