

Proposed new legislation:

Section TBD. Short Term Rental.

(1) Purpose. The purpose of this section is to establish a set of regulations applicable to publically advertised non-hosted short term rentals of residential property. These regulations are in addition to all other provisions of this Chapter. In the adoption of these standards the Board of Trustees find that non-hosted short term rentals have the potential to be incompatible with surrounding residential uses, especially when several are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full-time residents. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and will not act to harm and alter the neighborhoods they are located within.

(2) Definition. A non-hosted single-family or two-family dwelling, or an accessory dwelling unit, in which at least one and not more than three bedrooms are publically advertised for overnight accommodation, the rates for which including lodging only, and in which no public restaurant is maintained and no other commercial services are offered. A qualifying property must be the owner's primary residence and be owner occupied for at least 260 days each calendar year.

(3) A short-term rental may be allowed subject to an application for a permit, renewable on an annual basis, and compliance with the following standards:

A. Permits issued for short term rentals shall be limited to a maximum of fifteen (15) within the Village decided by lottery on an annual basis. No permit may be allowed for any lot located within two (2) lots from a lot where a current permit has been issued from a lottery draw.

B. The property shall be designed, maintained, and operated so as to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building, either by the use of colors, materials, or lighting.

C. An owner leaving Dutchess County overnight during the rental period must engage the services of agent with the right to enter and maintain possession of the dwelling. This agent must be available twenty-four (24) hours a day to respond to tenant and neighborhood concerns and be capable of responding within two hours of notification from the Village.

D. There shall be no more than six occupants as lodgers at any given time, with a maximum of two occupants per bedroom.

E. The guest bedrooms shall be limited to the principal dwelling and/or one accessory building. Any guest room in an accessory building shall have sanitary facilities within that accessory building approved by the applicable authority.

F. Short term rentals are limited to sixteen (16) days in any one calendar year and no more than one rental is allowed within a seven (7) consecutive day period.

G. The owner shall collect and preserve registration records for a minimum of three years.

H. Parking shall be consistent with Section 120-16 and Table 3. Any required additional parking shall not be allowed in front of a principal structure by expanding use of an existing driveway.

I. If a property owner publicly advertises their dwelling, a Village issued registration plaque must be displayed on the front of the dwelling and a copy of the permit must be displayed within the interior during the duration of its validity. Other than the plaque, the availability of the rental to the public shall not be advertised on the premises.

J. If a property owner publicly advertises their rental, the Village permit number must be included in the listing.

K. An annual satisfactory inspection from the Code Enforcement Officer is mandatory prior to issuance of a permit. The owner shall give reasonable access for inspections to be conducted to ensure compliance with the provisions of the Village of Rhinebeck Code, the NYS Uniform Fire Protection and Building Code and Department of Health Code.

L. All guests are subject to the provisions of Section 120-13, the General Performance Standards, and of the enforcement provisions of Section 120-62. The owner/agent is responsible for informing each guest of these provisions.

M. A property found not to be in compliance with any section of this law will be subject to a monetary fine in accordance with the schedule below, in addition to any and all applicable remedies and penalties found in Section 120-62 that do not conflict with this section.

1. A one thousand dollar (\$1,000.00) fine will be assessed for the first offense.
2. A two thousand dollar (\$2,000.00) fine will be assessed for the second offense.
3. A third violation will result in the revocation of the permit, or if the property is operating without a permit the owner will be prohibited from applying.

N. At the time of passage of this law, property owners operating a short term rental in violation of the above listed standards will be given a ninety (90) day grace period in which to apply for a permit.

Proposed changes to Section 120-6 Use Chart

The language **Short Term Rental, subject to §_____** will be an added Use in Section 120-6, Table 1, Allowable Use Groups Chart with a “p” used to denote the requirement of a permit in the categories of Village Center, Residential and Medical and Professional.

Proposed changes to Section 120-16 and Table 3

In Table 3, Off-Street Parking Chart, add a category for Short Term Rental, having the same standards as Room Rental Home.

Proposed changes to Section 120-64

The definition of Lodging Facility shall be, "Any hotel, motel or inn providing sleeping accommodations for transient guests, with or without a dining room or restaurant, excluding room rental homes, short- term room rentals and bed-and-breakfast establishments.

The definition of Owner-Occupancy shall be, "Where owner-occupancy is required, the lot and dwelling unit must be the owner's legal home where the owner resides on a permanent basis for at least 260 days of the year."