

Shandaken Short Term Rental Committee

Suggested Regulations:

The Shandaken Short Term Rental Committee has adopted the following definition of “short term rental”:

“Short-term rental” and “vacation rentals” in the capacity of accessory use, supplementary business, or business, shall mean and include those units rented or leased to occupants – other than permanent residents – that are furnished apartments or living units in or consisting of a dwelling place ordinarily occupied for residential purposes or location that is otherwise made available for sleeping accommodations, directly by the owner or through an owner’s agent or hosting platform.

Proposed regulations:

- 1) Short Term Rental (STR) operation by licensed permit, granted upon inspection, renewable annually, financed by licensing fee as follows: \$100 for Shandaken residents, \$200 for non-residents, \$25 for each additional dwelling unit on the same lot. Licenses are granted as per lot. Any STR business in Shandaken holding an Ulster County Temporary Residence Permit is not required to obtain a Shandaken STR license.
- 2) STR operators shall have 90 days to apply for an STR license after the public announcement of said regulations. A conditional license shall be granted upon payment of the licensing/inspection fee.
- 3) Any STR operator in Shandaken who rents an STR more than 90 days after the announcement of said regulations without applying for an STR license shall be subject to a fine to be determined by the Shandaken Town Board.
- 4) Grant of a Shandaken Short Term Rental license shall be contingent upon registration with Ulster County, as per Ulster County Local Law #5 (1991).
- 5) Shandaken Short Term Rental licenses shall be granted only to the property owner of the STR being registered.

6) Upon applying for an STR license, the STR operator 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. Water test shall be required upon annual renewal of the STR license. Failure to meet New York State Sanitary Code standards shall require that STR operator notify guests of the failure, and provide potable bottled water to the guests, until such time as the failure is remedied. Upon failure of a water test, STR operator shall be required to submit a quarterly test for a period of one year to continue operation.

7) STR properties that derive their water supply from a Town municipal water supply facility may submit the results of the Town's water test. If the Town water test fails, that failure shall not count as a strike against the STR operator. However, the STR operator shall be required to provide bottled potable water to their STR guests until such time as the Town municipal water supply successfully passes a water test.

8) The STR host shall request an inspection of the STR property at the time of application, to be scheduled by the town Building Inspector. The town shall conduct an inspection within thirty days of the request. The STR license shall be maintained upon passing said inspection, or revoked until such time as remedies are effected. A revoked license holder may continue STR operation while said remedies are effected, however, licenses are granted on a "three strike" basis. The issue of a violation counts as a strike. If the violation is not remedied within thirty days of issuing the violation and the host is still renting the dwelling, that counts as a strike. If the violation is not remedied in the next thirty days (60 days from issuance of the violation), and the host is still renting the dwelling, that counts as three strikes and revocation of the host's license. If a license holder who holds multiple STR licenses on multiple properties is found to be in a three strike violation only the license pertaining to the property under violation shall be revoked. The count resets to zero upon remedy of the violation.

9) The STR license application and annual license renewal process shall include a public notice and notice via certified U.S. mail to all adjacent property owners of the applicant's intent to operate an STR on their property. Any license/license renewal applicant's neighbor shall have the right to request a hearing before the Shandaken Planning Board concerning said STR operation, if requested within 30 days of receiving the notice.

10) Any legal resident of Shandaken who is a resident host (i.e. rents lodging in his/her full time legal residence) may apply for a Shandaken STR license. STR operation licenses in Shandaken granted to non-Shandaken residents or Shandaken residents who are not resident hosts of the licensed property shall be limited in number to 10% of the currently existing number of dwelling units.

11) For dwelling units engaged in STR activity built after May 1976, a current Certificate of Occupancy (C of O) is required to obtain an STR license. Buildings listed as pre-existing/non-conforming in town code by virtue of the fact they were built prior to May 1976 shall not be required to possess a C of O to obtain an STR license.

12) New STR operators whose rental property has a Certificate of Occupancy may commence to rent their property on issuance of an STR license. New STR operators whose rental property DOES NOT have a C of O shall not be allowed to rent their property until such time as a successful inspection is completed. Current STR operators shall be allowed to continue an existing rental operation upon issuance of the license regardless of the disposition of the C of O.

13) STR host shall provide the ability to make an emergency telephone call.

14) STR host must be able to provide an on-premise response to an emergency call from a guest within 60 minutes of receiving the request.

15) Fire safety requirement, concerning smoke alarms, CO2 alarms, and fire extinguishers, as per the most recent version of the National Fire Safety Code. Fire extinguisher certification required every 12 months.

16) STR host shall display the fire number of the rental property for prominent visibility from the street curb in numerals at least 4" high.

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17) Placard delineating clear route of exit in case of emergency required in every bedroom, to be affixed to the back, inside surface of the bedroom door.

18) STR host shall provide information delineating local restrictions on property boundaries/noise/trespass/garbage disposal etc, as per zoning code, including emergency telephone numbers, to be made available in every rented dwelling unit.

19) Parking requirement as per Zoning Reg #116-24. Two spaces for a single family dwelling unit, four spaces for a multiple family unit, plus one additional space per rented bedroom.

20) Garbage removal requirement as per the most recent version of the International Property Maintenance Code. Receptacles must be removed from curbside pick-up location within 24 hours of pick-up.

21) STR operator is recommended to maintain appropriate STR liability insurance.

22) Large gatherings, wedding parties, graduation parties, family reunions, etc, are banned from all STR operations in Shandaken. Such events are permitted if hosted by property owner or long term leasee, as per town code restrictions.

23) Shandaken short term rental regulations shall be reevaluated at such time as the Town of Shandaken reevaluates their Comprehensive Town Plan.

Respectfully submitted – Shandaken Short Term Rental Committee

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