

**TOWN OF READING, SCHUYLER COUNTY, NEW YORK**  
**SHORT-TERM RENTAL LOCAL LAW**  
**LOCAL LAW #1 OF 2024**

**1.0 STATEMENT OF PURPOSE:** This Local Law is adopted pursuant to the authority granted by Town Law §130 and Municipal Home Rule Law § 10. The Town Board of the Town of Reading does hereby establish rules and regulations for the administration and enforcement of a permit requirement for all short-term rental units within the Town of Reading, and the periodic registration of all landlords and short-term rental property owners, including agents thereof; all to promote public health and safety respecting short-term rentals, to adequately regulate potential impacts to neighborhoods and impacts upon local property conditions, and to maintain an accurate inventory of short-term rental housing.

**1.1 DEFINITIONS**

**BED AND BREAKFAST** – An owner-occupied residence resulting from a conversion of a one-family dwelling, used for providing overnight accommodations and a morning meal to not more than ten transient lodgers, and containing not more than five bedrooms for such lodgers.

**DWELLING UNIT** - A dwelling unit consists of one or more rooms that contain lawful cooking and sanitary facilities, inhabited by one or more persons , in a residential building, residential portion of a building, or accessory dwelling on the parcel of land .

**ENFORCEMENT OFFICER** - The Code Enforcement Officer or Building Inspector of the Town of Reading, and such other persons or agencies appointed by the town board to administer or enforce this local law.

**LANDLORD** - Any property owner or resident agent who offers a dwelling unit or accessory dwelling unit for short-term rental or occupancy to persons other than members of owner’s immediate family in exchange for a fee or compensation, whether monetary or otherwise.

**RESIDENT AGENT** - An individual natural person that resides within Schuyler County or an adjacent county and is an agent or lawfully appointed representative of a property owner or landlord in relation to any permit or short-term rental unit, including for purposes of notices and service of legal process.

**SHORT-TERM RENTAL PROPERTY** - Rental of an entire dwelling unit or a room, or a group of rooms, other living or sleeping space, or any other space within a dwelling made available for rent by guests, tourists or transient use for a period of not more than 31 consecutive days. For the purpose of this law, the term "short-term rental" shall not include a bed-and-breakfast, boarding/lodging house, hotel, motel, or ongoing month-to-month tenancies.

**SHORT-TERM RENTAL PERMIT** - A permit issued by the Town of Reading after an inspecting confirms: (i) that the referenced structure or unit substantially conforms to Town requirements and State Building Code Standards; and (ii) that the application is complete and substantially meets the requirements of this local law. If issued, such permit allows use and occupancy for short-term and rental purposes, and all permits may contain and recite special conditions and limitations.

**1.2 EXEMPTIONS:** The following uses are exempt from the terms of this local law:

- a. Customary agriculture uses and farm worker housing when located within a recognized Agriculture District designated by Schuyler County, or when otherwise being used exclusively for farm worker housing and such structure(s) meet the requirements of the New York State Uniform Building and Fire codes.

- b. Bed and Breakfast facilities or buildings, motels and hotels, and rooming houses.
- c. Non-recurring, single-event visits or celebrations whereby owners of dwellings may accommodate overnight relatives or guests where no remuneration is generally provided.
- d. *Bona fide* month-to-month and long-term leasing and use rentals of accessory structures and dwelling units, including but not limited to accessory apartments, mother-in-law units, and similar buildings and lawful structures lawfully used for residential (or other) purposes pursuant to such *bona fide* leases and use agreements.

**1.3 PRESUMPTION OF DWELLING UNIT AS SHORT-TERM RENTAL PROPERTY:**

- a. The presence of the following shall create a presumption that all or a part of the property is being used as a Short-Term Rental:
  - 1. All or a part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb, Home Away and VRBO as well as private advertisement locally or on social media websites, for a rental period of less than 31 days; and/or
  - 2. All or part of the property is offered for lease for a period of 31 days or less through any form of advertising.
- b. The foregoing presumptions may be rebutted by evidence presented to the Enforcement Officer that the premises are not operated as a short-term rental.

**1.4 SHORT-TERM RENTAL PERMIT REQUIRED:**

- a. A short-term rental permit is required prior to engaging in any short-term rentals, and such permit shall be valid for three years from the day the permit is issued, and permits must be renewed 30 days prior to expiration of current permit if the premises are to continue to operate as a short-term rental.
- b. 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 within 30 days of taking ownership of the premises.
- c. The permit is a privilege, not a right, which can be revoked at any point for noncompliance of the terms of the short-term rental permit, this local law, or if these regulations are not followed. The owner may also be subject to the penalties set forth below.
- d. Notwithstanding the foregoing, those properties with short-term rental commitments existing on the date this law takes effect shall be permitted to honor such existing commitments and continue to make commitments for short-term rentals, but must apply for a permit within 180 days of the local law's effective date for all future short-term rental commitments. In the event such application is denied, all commitments shall be cancelled.

**1.5 SHORT-TERM RENTAL PERMIT APPLICATION REQUIREMENTS:** An application for a new and/or a renewal of a short-term rental permit shall be submitted to the Enforcement Officer, signed by all persons and entities that have an ownership interest in the subject property, shall be accompanied by payment of a permit fee per dwelling unit (such fee to be initially set and periodically updated by resolution of the Town Board), shall be completed on the form provided by the town. Such form shall contain, at a minimum, the following Information:

Part 1 – General Information, including:

- 1. Applicant Contact Information name, address, telephone numbers, and email address(es).
- 2. Resident Agent Contact Information, if different than the applicant.

Part 2 – Property Details, including:

1. Applicable tax map number and the short-term rental location’s street address.
2. Number of sleeping rooms within the building and the number to be subject to short-term rental.
3. Maximum building occupancy.
4. Number of parking spaces on the property that meet the standards set forth in section 1.6(b).

Part 3 – Required Documentation, including:

1. A Drawing or sketch (akin to a “site plan”), drawn to scale of the property that shows:
  - a. The property lines.
  - b. All buildings and structures on the property.
  - c. The location of the driveway and parking area(s).
  - d. The location of the wastewater system.
2. A drawing or sketch, drawn to scale of the floor plan that shows:
  - a. The locations of the sleeping rooms and bathrooms.
  - b. The locations of the smoke detectors and carbon monoxide detectors.
  - c. The locations of fire extinguishers.
3. A drawing of the evacuation plan showing exit paths for each sleeping room and meeting place for emergencies.
4. A certificate of authority to collect tax issued by the Schuyler County Treasurer.
5. A copy of a current Schuyler County Watershed Wastewater Treatment System Permit for the property with the number of sleeping rooms and planned maximum occupancy of the property.
6. Certificate of Water Compliance from the Schuyler County Watershed shall be provided at the time of application and renewal, or proof that the water supply is drawn from a public water main, or proof that the water supply to the subject property is potable water shall be required. If the water is not potable under the rules and regulations of the Schuyler County Watershed or New York State and the Department of Health, then an alternative water supply shall be both demonstrated and maintained.

Part 4- Statement of Compliance: The owner of the rental property assumes responsibility for the health, safety, and welfare of the renter(s) and all users or persons present at rental properties by assuring compliance with: (i) all short-term rental standards; (ii) all building code and fire safety and prevention rules; (iii) all building and sanitary codes of the State of New York, Schuyler County, and the Town of Reading; and (iv) by undertaking to provide and follow all best practices for occupant safety. The owners authorize the Enforcement Officer to inspect the property on an annual basis

Part 5 – Affirmation by Property Owner(s): The Owner(s) designates the Resident Agent to act on their behalf, and to take actions necessary for the issuance and maintenance of this permit, including compliance with this local law. The Owner(s) declare that they are the lawful owner of this property and affirm under penalty of perjury that the contents of this application are true and correct to the best of their knowledge.

**1.6 SHORT-TERM RENTAL STANDARDS:**

- a. The maximum number of people allowed for each short-term rental unit shall be as defined per the New York State Building Code and the Schuyler County Watershed Wastewater Treatment System Permit for the property and, in no case, may occupancy exceed any limitations or conditions stated in any permit, including a short-term rental permit.
- b. The property must have sufficient, designated, off-street parking allowing one 9’ x 18’ parking space per vehicle. Designated parking areas shall be clearly marked and there shall be a minimum of one parking space per sleeping room (for example, if a 3-bedroom home with a one-unit accessory apartment that will be rented under a short-term rental permit, then a total of 4 parking spaces that meet the size requirements of this paragraph shall be required).

- c. A house number visible from the street or road shall be maintained.
- d. All refuse, garbage, trash, and rubbish shall be disposed of in a proper and timely manner.
- e. Advertisements for the short-term rentals must be accurate and reflect only permitted rentals and occupancies.

**1.7 PROCEDURE UPON FILING APPLICATION:**

- a. Upon the filing with the Enforcement Officer of the permit application, permit fee, and all documents and information required by this local law, the 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 approved or denied along with the reason or reasons for denial. If a permit is issued, the permit shall bear the signature of the Enforcement Officer.
- b. The Enforcement Officer will schedule an inspection of the property prior to approval of the permit, and annually thereafter, to ensure Local and NY State Building Code compliance and compliance with this local law. If access is denied, the permit application will be denied or any existing permit(s) revoked.
- c. The Enforcement Officer may decline the application for any of the following reasons:
  - 1. The application is incomplete or inaccurate, or the documentation required by this local law was not included with the application, or the full permit fee was not paid at the time of application. All permit fees shall be paid in a form and manner acceptable to and as approved by the Town Clerk.
  - 2. The Town of Reading had previously issued a short-term rental permit to any of the owners who are required to sign the short-term rental permit application, and any of such owners had a short-term rental permit revoked at any location within the previous twelve months.
  - 3. The inspection conducted by the Enforcement Officer (as authorized in this section) does not evidence that the subject property is in compliance with this local law or its requirements, including under New York State Uniform Building and Fire Codes.
  - 4. The site plan required to be submitted with the application does not comport with this local law.
  - 5. The number of sleeping rooms or planned use or occupancy exceeds what is allowed under the permit or rules for the private wastewater treatment system approvals or permits issued by the Schuyler County Watershed.
  - 6. The water supply is not adequate for public use or consumption or does not meet the minimum requirements of the Department of Health or the rules of the Schuyler County Watershed.

**1.8 SHORT-TERM RENTAL PERMIT REQUIREMENTS:** Short-term rental permits issued pursuant to this section shall state the following:

- a. The names, addresses, and phone numbers of the Applicant and/or Resident Agent as a primary contact person who shall be available during the entire time the short-term rental property is being rented;
- b. The maximum occupancy and vehicle limits for the short-term rental unit;
- c. That all fires must be attended and extinguished when vacated;

- d. Quiet hours shall be from 11:00 pm to 7:00 am. A statement as such shall be posted within the property;
- e. The short-term rental permit may be revoked for any violations of or non-compliance with the requirements of this local law.
- f. If the water supply is not potable, a notice to this effect must be provided in the rental advertisements and all documents, and a notice to this effect in a form as approved by the Town shall be displayed and prominently posted in and at the rental property. An approved, alternative water supply must also be provided and maintained.

**1.9 CONFORMITY AND DISPLAY OF PERMIT:**

- a. The validity of a short-term rental permit is subject to continued compliance with the requirements of this local law and all applicable regulations, including those of the Department of Health, the Schuyler County Watershed, or the building and fire code regulations of the Town of Reading and State of New York.
- b. Prior to any tenants coming onto the short-term rental property, the current short-term rental permit shall be prominently displayed inside and near the front entrance of the short-term rental and all short-term rental properties shall conspicuously post evacuation plan, 24-hour emergency contact information (sheriff, ambulance, fire, poison control, etc.) and general emergency contact information for landlord and/or resident agent.
- c. The owners must ensure that current and accurate information is provided to the Enforcement Officer and that they notify the Enforcement Officer immediately upon any information contained in the permit changing. If, based on such changes, the Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the permit displayed at the property in question.

**1.10 COMPLIANCE, HEARINGS, AND PENALTIES:** Owners of short-term rental units shall obey all applicable laws, ordinances, and regulations of the Town of Reading, Schuyler County, New York State, the United States of America, and shall be subject to the enforcement and penalty proceedings contained in this section. The following process shall be followed in the event of a complaint alleging a violation of or non-compliance with these regulations, or with the permit or permit conditions for the property or rental(s) in issue:

- a. Any complaining party shall first attempt to contact the Landlord/Resident Agent designated on the permit, describe the problem, and indicate the desired remedy.
- b. If the response is not satisfactory to the complaining party (including the inability to promptly reach the Landlord/Resident Agent), the complaining party may file a complaint with the Enforcement Officer by submitting a written complaint including the date, time and nature of the alleged violation, as well as a statement regarding how and whether the complainant attempted to contact the persons listed on the permit.
- c. If the Enforcement Officer finds a violation of the permit or a violation of or non-compliance with this local law, the Enforcement Officer may, in his or her discretion and depending on the circumstances and whether any emergency is presented, undertake any of the following actions:
  - 1. Give warning as to violation conditions and a date by which compliance shall be demonstrated as being achieved.
  - 2. Suspend the short-term rental permit.
  - 3. Revoke the short-term rental permit.

- d. Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit (at any location) sooner than one year after the date of revocation.
- e. The Town may initiate enforcement proceedings pursuant to this local law (or under any other applicable law or regulation, such as a code enforcement or building administration local law) at any time following the receipt of a complaint.
- f. Decisions of the Enforcement Officer will be provided to the parties and may be appealed by the owner or by the complainant within 30 days of receipt of the decision to the Town of Reading Land Use Law Board of Appeals. The appealing owner or complainant shall make a written request for a hearing to the Town Clerk, and the hearing shall be scheduled with the Board of Appeals, during which time the decision of the Enforcement Officer shall be stayed (unless an emergency shall be exigent, or unless the Land Use Board of Appeals shall issue a stay order in accordance with Town Law § 267-a(6)). At the hearing the Board of Appeals shall accept evidence offered by the property owner, the complaining party, the Enforcement Officer, and any other witness with relevant evidence. The Board of Appeals shall make its decision within 30 days of the hearing, and may uphold the Enforcement Officer's decision, reject it, or modify it.
- g. Any property owner found in violation of, or not in compliance with, the provisions of this local law shall be guilty of a criminal violation and subject to a fine of not more than \$500 nor less than \$200. Each week that any non-compliance or violation continues is and may be charged as a separate violation and, in addition to any other remedy, a finding of guilty as respects the violation of, or noncompliance with, this chapter may result in the termination, modification, or revocation of any permits or approvals. The Town of Reading's enforcement officers are authorized to issue appearance tickets and, for this purpose, jurisdiction to hear and determine matters pertaining to the criminal violation of this local law is hereby confirmed as vested in the Tow of Reading Town Court.