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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 of Hillsdale
Village

Local Law No. 2 of the year 2019

A local law amending the Zoning and Land Use Control Law of the Town of Hillsdale with respect to the regulation of lodging facilities and transient rentals.

Be it enacted by the Town Board of the

County
City
Town of Hillsdale as follows:
Village

Section 1. Findings and Purposes.

The Town Board finds that it is in the interest of the public health and safety to regulate the use of lodging facilities for transient guests occurring within the Town through the enactment of the following changes and additions to the provisions of the Zoning and Land Use Control Law of the Town of Hillsdale.

Section 2. Amendment to Caption of Section 8.8

The caption to Section 8.8 of Chapter 8 of the Zoning and Land Use Control Law is amended to read as follows:

Section 8.8: Boarding Houses and Lodging Facilities

Section 3. Amendment of Definition of Term “Lodging Facility” Under Section 14.2

Under Section 14.2 of the Zoning and Land Use Control Law, the definition of the term “Lodging Facility” is amended to read as follows:

14.2: Lodging Facility: Any hotel, motel, inn, bed and breakfast, dwelling, dwelling unit or other establishment providing sleeping accommodations to transient guests for compensation.

Section 4. Amendment to Section 14.2 To Add A Definition of Term “Transient Guest”

Section 14.2 of the Zoning and Land Use Control Law is amended to add a definition of the term transient guest to read as follows:

Transient Guest: Any person visiting or residing in the Town of Hillsdale for a period of less than thirty days.

Section 5. Amendment to Section 14.2 To Add A Definition of Term “Transient Rental”

Section 14.2 of the Zoning and Land Use Control Law is amended to add a definition of the term transient rental to read as follows:

Transient Rental: The rental or lease of any dwelling, dwelling unit or other establishment to a Transient Guest for a period of less than thirty days. This definition specifically excludes hotels, motels, inns and bed and breakfasts.

Section 6. Addition of Section 8.19

A new Section 8.19 is added to the Zoning and Land Use Control Law to read as follows:

8.19 Transient Rental Regulations

- A. All Transient Rentals must have a valid Special Permit for the Lodging Facility.
- B. All Transient Rentals must have a valid and current certificate of occupancy or certificate of compliance.
- C. At the time that the requisite certificate of occupancy or certificate of compliance is issued, and subsequently as required by county or state law, all Transient Rentals shall be inspected by the Building Inspector for compliance with the Uniform Code. The owner shall be responsible for payment of the applicable inspection fee(s), as may be established by resolution of the Town Board.
- D. All Transient Rentals must maintain a local contact person. The owner shall provide to the Town, at the time of Special Permit application and thereafter as necessary, current contact information for the local contact person, including the name, address, phone number, and email address. It shall be the responsibility of the owner to ensure that the Town always has the most current contact information for the designated local contact person. The local contact person must reside within twenty (20) miles of the Transient Rental and be available at all times for the purpose of responding to complaints

regarding the condition, operation, or conduct of occupants of the Transient Rental and must respond promptly to any such complaints. If the owner's principal residence is not located within the county, the owner must designate the local contact person or other agent who resides in the county as the owner's agent for service of legal process and all other notices.

- E. The total number of conventional bedrooms on the Transient Rental premises shall not exceed the number indicated on the certificate of occupancy or certificate of compliance and the filed building plans for all structures on the premises.
- F. The total number of occupants shall not exceed the number indicated on the Special Permit issued to the Lodging Facility.
- G. The owner shall be responsible to ensure that the occupants and/or guests of the Transient Rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any provision of the Town Code or any state law.
- H. Special Permits issued to Transient Rentals shall be nontransferable and shall immediately expire upon any change of ownership of the premises.

Section 7. Effective Date.

This Local Law shall take effect in accordance with the provisions of Town Law.