**Chapter 133
SHORT-TERM RENTALS**

**§ 133-1. Regulations.**

Property owners must obtain a permit whenever a dwelling unit is to be used as a short-term rental. A short-term rental is a furnished house or apartment or any residence containing a kitchen where one or more room is rented for fewer than thirty days. Any short-term rental in existence prior to the enactment of this chapter must comply with all rules and regulations contained herein within thirty days.

1. A short-term rental permit shall be obtained prior to using the unit as a short-term rental.
2. The short-term rental shall be inspected by the Town Code Enforcement Officer for compliance with Town and State Codes. The short-term rental will not be able to operate unless it is in full compliance with Town and State Codes.
3. A short-term rental permit shall be valid for one calendar year, shall expire on December 31 of the year it is in effect, and must be renewed upon expiration as long as the unit is to be continued to be used as a short-term rental.
4. The short-term rental permit is transferable to a new owner, so long as the new owner registers with the Town, updates the short-term rental permit application and agrees in writing to comply with the requirements of the short-term rental permit and these regulations within 30 days of sale.
5. If the terms of the short-term rental permit are not kept or these regulations not followed, the short-term rental permit may be revoked and the owner subject to the penalties allowable under law, including Section 160-30 of the Town of Catskill Code, and the penalties set forth below.
6. No commercial events will be allowed at a short-term rental unless the owner of the subject parcel has also complied with the commercial event venue regulations in the Town of Catskill Zoning Law.

**§ 133-2. Permit Application Requirement.**

An application for (or renewal of) a short-term rental permit shall be submitted to the Town Code 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, to be determined by the Town Board, shall be accompanied by a copy of the current vesting deed showing how title to the subject property is then held, shall be completed on the form provided by the Town, and shall provide the following information:

1. A list of all the property owners of the short-term rental including names, residential addresses, telephone numbers and email addresses.
2. Completion of a signed and notarized affidavit by the property owners certifying the following:
	1. Compliance with the following standards:
		1. There shall be one functioning smoke detector in each sleeping room and at least one functioning smoke detector in at least one other room, one functioning fire extinguisher in the kitchen and in one other designated location, and at least one carbon monoxide detector. The short-term rental shall in all respects be in compliance with the New York State Fire and Building Codes.
		2. Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
		3. Electrical systems shall be serviceable with no visual defects or unsafe conditions.
		4. All fireplaces, fireplace inserts or other fuel burning heaters and furnaces shall be vented and properly installed.
		5. Chimneys shall be inspected by a professional and a report made to the Code Enforcement Officer on an annual basis.
		6. Each sleeping room shall have an exterior exit that opens directly to the outside, or an emergency escape or rescue window.
	2. The number of sleeping rooms within the short-term rental, as defined in this section.
	3. The number of parking spaces on the property that meet the standard set forth below.
	4. Affidavit certifications shall be valid during the term of the short-term rental permit, or until modifications requiring a building permit are made, or until the Town Code Enforcement Officer has reason to believe further inspections are warranted, at which point the inspections shall take place at a time suitable to the Code Enforcement Officer and the owner. If relevant circumstances on the property change or for any reason the certification is or becomes inaccurate, a new certification shall be submitted. Under any circumstances, inspections shall be made by the code Enforcement Officer at least once every year.
	5. The Town Board may make provision, from time to time by resolution, for payment of an additional fee upon any re-inspections.
3. A property map showing the location of buildings, required parking and, if not served by a public sewer, the location of the septic system and leach field. An accurate, suitable plan need not be prepared by a professional. Property map must be posted in a visible location in the short-term rental.
4. Provide a safety/egress plan, to be posted in a visible location in the short-term rental.
5. Provide a garbage-removal plan (garbage receptacles will not be left out for more than 48 hours.
6. For non-owner occupied short-term rentals, the owner must designate a Host and provide the name, address, telephone number and email address, who shall be responsible, and authorized, to act on the owner’s behalf to promptly remedy any violation of these standards or the permit. The Host may be the owner, or an agent designated by the owner to serve as a contact person.
7. A statement that the applicant has met and will continue to comply with the standards of these regulations and the permit.
8. Copy of insurance binder and paid receipt required.
9. Any fee which has been set by the Town Board by resolution.

**§ 133-3. Standards.**

All short-term rentals must meet the following standards:

1. The maximum occupancy for each short-term rental unit shall be the smaller of:
	1. The number of people calculated on the basis of 2 persons per sleeping room (unless the room size is below 100 square feet) plus an additional 2 persons. For this purpose, a sleeping room is defined as fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons, with an emergency escape or rescue opening.
2. The property must have sufficient off-street parking spaces, to accommodate the maximum occupancy.
3. Tenants and guests shall park in the off-street parking spaces and shall not park on any part of the lawn of the property nor on the street.
4. A house number visible from the street or road shall be maintained.
5. Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with tight-fitting covers at all times to prevent leakage, spilling or odors, and placed where they are not clearly visible from the street or road except around pick-up time.
6. Advertisements for the short-term rental must conform to what is allowed under these regulations and the short-term rental permit.

**§ 133-4. Procedure upon filing application.**

1. Upon the filing with the Town Code Enforcement Officer of the Permit application, permit fee, and all documents and information required by this Chapter, the Town Code Enforcement Office shall have 60 days to review the application, make an inspection and then either issue the permit, with or without conditions, or notify the applicant in writing that the applications has been denied along with the reason or reasons for denial. If a permit is issued, the permit shall bear the signature of the Town Code Enforcement Officer and be posted in a visible location in the short-term rental.
2. The Town Code Enforcement Officer may decline an application for any of the following reasons:
	1. If the application is incomplete, the documentation required by this Chapter was not included with the application or the application or the full permit fee, in payment form acceptable to the Town Clerk, was not included with the application.
	2. If the Town of Catskill issued a short-term rental permit to any of the owners needing to sign the short-term rental permit application and any of such owners had a short-term rental permit revoked within the previous year.
	3. If the site plan required to be submitted with the application does not comport with the requirements of this section.
3. Short-term rental permits issued pursuant to this section shall state the following:
	1. The names, addresses and phone numbers of every person or entity who has an ownership interest in the short-term rental property and the Host who shall be available during the entire time the short-term rental property is being occupied. The Host shall be available at all times by telephone while the short-term rental is occupied and within thirty (30) minutes by automobile while the short-term rental is occupied.
	2. The maximum occupancy and vehicle limits for the short-term rental unit;
	3. Identification of the number of and location of parking spaces available;
	4. A statement that littering is illegal;
	5. A statement that no outdoor fires are allowed, except as permitted by local and state law and only in fire pits or encased in a receptacle;

* 1. No tents will be allowed as overnight quarters;
	2. Any animals which are pets of guests shall not leave the subject parcel except when under control by leash.
	3. A statement that no noise beyond normal levels of conversation shall emanate between 10 P.M. and 9 A.M.;
	4. A statement that the short-term rental permit may be revoked for violations; and
	5. Compliance with any conditions imposed by the Town Code Enforcement Officer.
	6. That initial permit shall expire at the end of the three-month quarter year which follows the one year anniversary of the date of the permit becomes effective. Each successive permit shall expire after one year.

**§ 133-5. Conformity and Display of Permit.**

1. The issuance of a short-term rental permit is subject to continued compliance with the requirements of these regulations.
2. Prior to any tenants coming onto the short-term rental property:
	1. The current short-term rental permit shall be prominently displayed inside and near the front entrance of the short-term rental; and
3. The owners must ensure that current and accurate information is provided to the Town Code Enforcement Officer and that they notify the Town Code Enforcement Office immediately upon any information contained on the permit changing. If, based on such changes, the Code Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the permit displayed inside and near the front entrance of the short-term rental with the amended permit.

**§ 133-6. Compliance, Hearings and Penalties.**

1. Owners of short-term rental units shall obey all applicable laws, ordinances and regulations of the Town of Catskill, Greene County, New York State, and the United States of America, and shall be subject to the enforcement and penalty proceedings contained in this Chapter.
2. If the Town Code Enforcement Officer finds a violation of the permit or of this section, the Code Enforcement officer may do any of the following depending on the circumstances:
	1. Issue a Notice to Remedy;
	2. Initiate an action or proceeding in the Catskill Town Court;
	3. Attach reasonable conditions to the existing short-term rental permit;
	4. Suspend the short-term rental permit; and
	5. Revoke the short-term rental permit.
3. Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit sooner than one year after the date of revocation.
4. The Town may initiate enforcement proceedings under this Chapter at any time following receipt of a complaint.
5. The Town of Catskill may prosecute the owner of the subject lands in Town Justice Court or Greene County Supreme Court. Any property owner found in willful violation of the provisions of this law shall be guilty of a violation for a first offense, and a misdemeanor for a second offense and every offense thereafter and shall be subject to a fine of up to $5,000 for each offense. Each week representing the continuation of a violation once notice has been made by the Town of Catskill of said violation shall constitute a separate and distinct offense. The Town of Catskill may impose a tax levy on the subject lands int eh amount of any judgment obtained.