

VILLAGE OF PITTSFORD

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Village of Pittsford Board of Trustees Short-Term Rental Workshop May 13, 2024, 4 PM

Tentative Agenda

**Board Member - Conflict of Interest Disclosure &
Open Meeting Compliance Certification**

Workshop Items

1. Review of Attorney Memo: Short-Term Rentals

Next Scheduled Regular Meeting is May 14, 2024, and is Subject to Change Without Notice

Local Law No. _____ of the year 2024
of the Village of Pittsford, County of Monroe
Adding Chapter 154 to the Code of the Village of Pittsford

BE IT RESOLVED, that the Village of Pittsford Board of Trustees hereby adds Chapter 154 to the Code of the Village of Pittsford as follows:

Chapter 154
RESIDENTIAL RENTAL PROPERTY PERMIT

154-1. Legislative intent.

The Board of Trustees of the Village of Pittsford hereby finds that it is in the public interest to prevent unsafe conditions arising from the rental of residential property that is in violation of the New York State Uniform Fire Prevention and Building Code or the Pittsford Village Code, and any other codes or regulations that are applicable within the Village of Pittsford, and property used for rental that is inadequate in size, overcrowded and dangerous; or which pose hazards to the health, safety and welfare of residents of the Village of Pittsford. The Board of Trustees further finds that additional code provisions are required so that the good order of governance of the Village of Pittsford will be enhanced.

154-2. Applicability.

This chapter shall apply to all rentals of property for residential use in the Village of Pittsford.

154-3. Relation to other laws and regulations.

The provisions of this chapter shall be deemed to supplement applicable state and local laws, codes and regulations. Nothing in this chapter shall be deemed to abolish, impair, supersede or replace existing remedies or existing requirements of any other provision of state or local law or code or regulation. The issuance of any permit or the filing of any form under this chapter does not make legal any action or state of facts that is otherwise illegal, unlawful or non-permitted, or is otherwise in contravention of any other applicable law, code, rule or regulation.

154-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

OWNER – Any person, partnership, corporation or other entity who alone, or jointly with others, has legal title to any premises, including a mortgagee in possession or with maintenance responsibility due to a foreclosure or other proceeding. The general partner of a partnership, director of a corporation and member of a limited liability company shall be deemed to be an owner for purposes of this chapter.

RENTAL PERMIT – A permit issued by the Building Inspector to allow the rental of a residential rental property.

RESIDENTIAL RENTAL PROPERTY – Real property or any portion of such real property which is occupied or used for habitation by a person or persons other than the owner or the owner's immediate family.

TENANT – Any person or persons, other than the owner or the owner's immediate family, occupying a residential rental property as hereinabove define

154-5. Rental permit required.

Effective the date of filing of this chapter with the New York State Department of State, no owner shall cause, permit or allow the occupancy or use of a residential rental property without a valid residential rental property permit. The requirements of this section shall not apply to the rental of residential rental property by an owner for 15 days or less annually.

154-6. Application for rental permit.

An application for a rental permit for a residential rental property shall be on a form supplied by the Village of Pittsford and shall be signed and sworn to by the owner of such residential rental property prior to the rental or occupancy thereof. The owner of residential rental property which is currently being rented at the time of the filing of this chapter with the New York State Department of State, shall file such application within 90 days of such filing with the Department of State.

154-7. Review of application; issuance of rental permit; term of permit; reissuance.

- A. Upon receipt of the above-mentioned application for a residential rental property permit, the Building Inspector or Code Enforcement Officer shall review such application for completeness and accuracy and shall inspect the subject residential rental property to be sure that it fully complies with all of the provisions of the New York State Uniform Fire Prevention and Building Code, Pittsford Village Code and any other applicable codes and/or regulations.
- B. In the event that such residential rental property complies with such codes and regulations, the Building Inspector or Code Enforcement Officer shall issue a permit for the rental of such residential rental property.
- C. All permits issued pursuant to this chapter shall have a term of one year.
- D. All owners of residential property for which a rental permit has been duly issued shall, in the event that they wish to continue renting such residential property, file an application for the reissuance of such residential rental permit 30 days prior to the expiration date of the current rental permit.
- E. Such application for the reissuance of the permit as referenced in the preceding paragraph shall comply with the requirements of 154-7 and 154-8.A.B. herein above.

154-8. Register of permits.

It shall be the duty of the Building Inspector to maintain a register of the owner's name, address and phone number for each residential rental property and expiration date of the permit issued pursuant to this chapter.

154-9. Fees.

The non-refundable annual permit application fee shall be the fee as set forth in the schedule of fees adopted by the Board of Trustees in effect at the time that the application is filed and shall be paid upon the filing of an application for a rental permit or the reissuance of a rental permit.

154-10. Regulations.

- A. No rental unit shall be occupied by more than the number of persons permitted to occupy the rental property under the New York State Uniform Fire Prevention and Building Code and International Codes and any other codes and regulations of the State of New York.
- B. The owner(s) of the residential rental property shall ensure that all applicable parking regulations provided for in the Pittsford Village Code are satisfied and complied with.
- C. A residential rental property shall only be occupied or otherwise utilized in accordance with the rental permit issued for that residential rental property.
- D. The owner(s) shall ensure that all property maintenance regulations of the United States, New York State, Village of Pittsford and any and all other applicable codes and/or regulations shall be satisfied.
- E. Dumpsters are prohibited on any residential rental property for anything other than incidental short-term use.
- F. A rental permit number shall be issued for each rental permit that is granted by the Village of Pittsford and the rental permit number shall be displayed on all advertisements of the residential rental property to which the rental permit number corresponds.

154-11. Inspections.

The Building Inspector and Village personnel or agents for the Village who are engaged in the enforcement of the provisions of this chapter, the new York State Uniform Fire Prevention and Building Codes and the Pittsford Village Code, are authorized to make or cause to be made inspections as required or necessary to determine that the condition of all residential rental properties remain in compliance with the foregoing provisions.

154-12. Revocation of permit.

- A. The Building Inspector or Code Enforcement Officer shall revoke a residential rental property permit when the permit holder has caused, permitted or allowed to exist and remain upon the residential rental property, a violation of any provision of the New York State Uniform Fire Prevention and Building Code, or the Pittsford

Village Code, or any other applicable code or regulation, for a period of 14 calendar days or more after written notice has been provided to the permit owner or the permit owner's agent, by certified mail.

- B. An appeal from such revocation may be made in writing by the permit holder to the Village of Pittsford Zoning Board of Appeals within 30 days from the date of such revocation by filing a notice of appeal with the Clerk of the Village of Pittsford. The Zoning Board of appeals shall hold a public hearing on such appeal within 30 days after receipt of written notice of such appeal and, after such hearing, shall make written findings and a decision either sustaining such permit revocation or reinstating such permit within 30 days after the close of such public hearing.
- C. In the event that no appeal is filed within 30 days, or in the event that such an appeal is filed and such permit revocation is sustained, then the Building Inspector or Code Enforcement Officer shall place a notice conspicuously on the property indicating that it may no longer be rented as a residential property.
- D. In the event that the Building Inspector or Code Enforcement Officer determines that there is a violation at the residential rental property as referenced in subparagraph A hereinabove, and in the event that such violation creates a dangerous, hazardous or unsafe condition to and for the general public, then the Building Inspector or Code Enforcement Officer shall proceed as required by chapter 80 of the code of the Village of Pittsford.

154-13. Penalties for offenses.

- A. The first violation of this chapter within an eighteen-month period of the owner(s) and/or tenant(s) shall be punishable by a fine of not less than \$500 nor more than \$1,500.
- B. The second violation of this chapter within an eighteen-month period shall be punishable of a fine of not less than \$1,000 nor more than \$2,500.
- C. The third violation of this chapter within an eighteen-month period shall be punishable by a fine of not less than \$1,500 nor more than \$5,000.
- D. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of this chapter shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply. Each day's continued violation shall constitute a separate additional violation.
- E. A violation existing at the premises as referred to here and above shall be a violation by the owner(s).

154-14. Severability.

In the event that one or more of the provisions of this local law or chapter shall be deemed to be unenforceable, the remaining provisions of this local law or chapter shall remain in full force and effect.

Effective Date.

This local law shall take effect immediately upon its adoption by the Board of Trustees of the Village of Pittsford and the filing thereof with the New York Secretary of State.