New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
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Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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** ☐ **Village**
(Select one:)

of Summit

Local Law No. 1 **of the year 20** 23

A local law Short Term Rental Regulation of the Town of Summit
(Insert Title)

Be it enacted by the Summit Town Board **of the**
(Name of Legislative Body)

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Summit **as follows:**

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1-23 of 20 23 of the (County)(City)(Town)(Village) of Town of Summit was duly passed by the Summit Town Board on June 15 20 23, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)

(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*

on _____ 20☐☐, in accordance w ith the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20_____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Barbara VanDelden Duey
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: June 15, 2023

SHORT TERM RENTAL REGULATIONS
of the Town of Summit
Local law # 1 of 2023

Section 1-A local law providing those properties being rented on a short-term transient basis meet certain minimum safety and regulatory requirements ensuring the safety, general welfare and health of persons occupying Short Term Rentals and neighboring properties.

Section 2-Purpose

With the current increase in tourism in the Town of Summit and adjacent areas, there has been an increase in the number of property owners renting to tourists on a short-term transient basis. The purpose of this local law is to regulate and control the number of short term rentals (STR) in order to preserve a balance between STR's and full time primary residency in the Town of Summit, while allowing permitted residents of the Town of Summit to take advantage of the economic benefits of STR's, while protecting the renters and all residents of the Town of Summit. The following local law imposes regulations and standards on all Town of Summit property owners that desire to rent on a short-term transient basis.

Section 3-Definitions

The following words, terms and phrases, when used in this Law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A- Guest - A renter at a Short-Term Rental who occupies such STR on an overnight basis for a period of not more than thirty (30) days.

B- Hosted Property- owner resides on the property on which an STR is located.

C- Local Property Manager (LPM)/Emergency Contact – Person that lives within thirty (30) miles of the Un-hosted Property STR and be available to respond within one (1) hour. Responsibilities of the LPM include handling the day-to-day operation of the STR, assuring that all rules and regulations are met by guests including noise, parking and garbage disposal and shall respond to all complaints from the Town or public. Name, address and all contact information of the LPM must be filed with the permit application to the Town.

D- Operator- Person or entity that conducts the business of the STR.

E- Owner- An individual or group of individuals who has legal or equitable title to the STR property.

F- Property- A parcel of land and any dwellings and structures contained on it located within the boundaries of the Town of Summit.

G- Short Term Rental- A primary residence or dwelling unit or sleeping unit that is rented or leased in whole or part to one entity for not more than thirty (30) days. Any dwelling unit, which is rented or leased to individuals, or families who then allow others to occupy the dwelling for not more than thirty (30) days, shall be considered a short-term rental and will require a permit for such. For purposes of this definition, "Rental" means an agreement granting use or possession of a residence, in whole or part, to a person or group in exchange for consideration valued in money or valuable consideration.

H- Un-hosted Property- owner not living on the STR property but must have a Local Property Manager on file with the Town.

I- Party House- A single-family, two-family, or multi-family dwelling unit, including all accessory structures and the dwelling unit's curtilage, which is used for the purpose of hosting a private or commercial event. For this definition, event includes parties, ceremonies, receptions or similar large-scale gatherings where a fee is charged for the use of the dwelling unit, whether or not the attendees are charged entry to the event; or parties, ceremonies, receptions or similar large-scale gatherings where attendees are charged entry.

Section 4-Regulations

A- Every new STR within the Town of Summit must obtain a permit prior to commencing operation, and every existing STR within the Town of Summit shall apply for an initial permit within ninety (90) days of the effective date of this local law from the Town Code Enforcement Official (CEO).

B- Nonpermanent Structures, Tents, Trailers, RVs, and other Camping Units are not contemplated hereunder and short-term rentals in any such nonpermanent structures or Camping Units are expressly prohibited.

C- Party Houses. Residential neighborhoods are designed for residential dwelling and the peaceful enjoyment of the residents; and the occurrence of loud or unruly gatherings is a threat to the quiet enjoyment of the property and to the public health, safety, and welfare due to excessive noise, traffic obstruction of streets, service of alcohol to minors, public drunkenness, fights, disturbances of the peace, vandalism and litter; and such intrusion may caused the degradation of the residential character of the neighborhoods; large-scale commercial event venues shall be directed to non-residential areas where they are viable without infringing on the residential character of neighborhoods and are expressly prohibited in residential areas.

D- Permits shall be applicable to one tax parcel only. If the STR covers more than one parcel, the owner must obtain a permit for each parcel utilized as an STR.

E- STR permits shall be issued only to the property owner of the STR being registered and may not be transferred or assigned by the Owner listed on the application and shall not be conveyed with a sale or transfer of the property.

F- STR's shall be limited to single rentals, and are prohibited in multi-family dwellings.

G- Each permit shall have a term of one (1) year beginning on February 1st and expiring on January 31st of the following year and must be renewed at least thirty (30) days (applications are due to the town clerk no later than December 31st) prior to the expected expiration of the existing STR permit by submitting a complete application with the appropriate fee. All permits will be renewed when appropriate inspections are completed.

H- The total number of STR's will be determined by the Town of Summit Town Board from time to time. The Town Board shall annually review this cap and may exercise its discretion to adjust the cap if it is determined that such an adjustment is necessary to protect the public health, safety and welfare and promote the Town's future goals for the development of the community.

I- The CEO, within thirty (30) days of the receipt of a complete application, shall conduct an initial inspection of the following items and upon completion and compliance, the initial permit shall be issued.

1- The structure has a valid certificate of occupancy or compliance.

2- The structure meets NYS Building Code and does not pose a hazard to life, health or public safety, based on on-site inspection by the Town CEO.

3- The applicant 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. Subsequent water tests shall be required upon annual renewal of the STR permit.

4- The occupancy of the building utilized for the STR shall not exceed the number of persons approved by the CEO based upon bedrooms, in accordance with the current New York State Building Code.

5- STRs shall not rent more than five (5) bedrooms and shall be limited in occupancy to sleeping ten (10) persons or less. A maximum capacity of two guests per bedroom shall be permitted. Any establishment with more than five (5) bedrooms that can house and sleep more than ten (10) persons shall not be considered an STR and will be subject to the same rules and regulations as hotels/motels.

6- All parking for STR's must occur on the parcel. No parking on any roads by STR guests, renters or visitors will be allowed unless approved by the CEO at the time of the initial application and inspection and will be noted on the issued permit. Failure to comply at all times with the requirements herein shall result in a revocation of the permit until remedied and approved by the CEO.

7- The applicant shall provide the Emergency Contact/LPM contact numbers on the application and shall prominently display such information in the STR. All emergency calls from any official or renter must be responded to within sixty (60) minutes.

8- Proof of hazard/liability insurance in an appropriate amount shall be provided with the application.

9- The 911 address of the rental property shall be prominently displayed at the curb of the property in numbers at least four (4) inches high.

10- STRs shall prominently display the following information: name, address, phone number and email address of the owner (Hosted Property) or Local Property Manager (Un-hosted Property) who will be available for problems with the STR or emergencies that may arise; instructions on dialing 911 for emergency fire/ambulance assistance (including STR street address and town); a property map that clearly depicts the STR property boundaries; instructions for garbage/waste disposal (approved container shall be provided by STR owner). This information must be updated if any changes occur and the CEO must be notified of such within one (1) business day of the change.

11- In all STRs, a fire-safety notice shall be affixed to the occupied side of the entrance door of each bedroom for transient use indicating all of the following:

(a) Means of egress.

(b) Location of means for transmitting fire alarms, if any.

(c) Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.

12- Fire safety requirements including smoke alarms, CO2 alarms, fire extinguishers and egress will be in accordance to the current New York State Fire Code. Fire extinguisher certification is required every twelve (12) months.

J- A failure to obtain an STR Permit as required by this Section (Section 4) of this law shall be punishable by a fine of not less than $500.00; a conviction of a second offense, within a period of five (5) years of the first conviction, shall be punishable by a fine of not less than $1000.00. Each full week that the violation continues shall be deemed a separate offense

Section 5- Inspections

The CEO shall make annual fire/safety inspections to determine the condition of short-term rentals to ensure compliance with this chapter and other applicable laws. For the purpose of performing inspections, the code official may enter, examine and survey, at all times, all buildings, dwelling units, guest rooms and premises on presentation of the proper credentials. The Owner or Host of an establishment, or the person in charge, shall give the code official free access to the building.

Section 6-Enforcement

A- Owners and Guests of STRs shall obey all Laws, Ordinances and Regulations applicable in the Town of Summit.

B- Whenever the CEO finds on inspection of the physical premises or review of applicable records of any short-term rental, that conditions or practices exist that violate any provision of these regulations, the Property Maintenance Code, or any other Law, Rule or Regulation, or that the establishment has failed to comply with any provision, prohibition or requirement related to the registration, reporting, collection, segregation, accounting, disclosure or payment of county bed taxes, the CEO, at their discretion, shall serve upon the Owner or Host either an Order, in writing, directing that the conditions therein be remedied within the time specified in the Order or an Appearance Ticket requiring the holder of such permit to appear before the Town Justice of the Town of Summit at a time to be specified in such summons. Said order or summons shall be served personally or by certified mail.

C- Section 13-Penalties for Offenses

Any person or persons who shall violate any provisions of this chapter shall be guilty of a violation punishable by a fine of not less than $250.00 or imprisonment for a period not exceeding 15 days, or both such fine and imprisonment.

A conviction of a second offense for the same violation, within a period of two (2) years of the first conviction, shall be punishable by a fine of not less than $500.00 or imprisonment for a period not exceeding 15 days, or both such fine and imprisonment. Each day's continued violation shall constitute a separate offense.

A conviction of a third offense for the same violation within any time period shall be punishable by a fine of not less than $1000.00 or imprisonment for a period not exceeding 15 days, or both such fine and imprisonment and revocation of the permit for a period of five (5) years.

Section 7- Fees- Fees will be by resolution of the Town Board.

Section 8- Separability- Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed invalid, all other provisions hereof shall remain valid and enforceable.