

Approved On: _____



1465 Orange Turnpike
Monroe, NY 10950
www.townofmonroeny.gov
845-783-1900 ext. 208

Permit No. _____

Building Inspector approval/review.

APPLICATION FOR CHAPTER 40 "SHORT TERM RENTALS" PERMIT

INSTRUCTIONS:

Applicants shall apply for a short-term rental permit to the Building Inspector in accordance with the provisions of §40 and shall include all of the following information, unless waived by the Town Board upon appeal by the applicant:

- A. Verification of property ownership, or affidavit of ownership and authorization by at least 50% of persons or entities holding controlling interest in the property.
- B. Proof of compliance with all standards of section §40-6 for renewals, and for initial application, understanding of the requirements of §40-6 and demonstration of the ability to meet those requirements.
- C. A property survey certified to the current owner identifying the following key features:
 - (a) Property boundaries.
 - (b) Principal and accessory structures (residences, sheds, detached garage, decks, patios, pools, paved areas, fences, water features, utility poles, and overhead wires.

May substitute a survey certified to a previous owner prepared within the last 10 years, annotated to any minor changes and subject to a determination by the Building Inspector.

- D. A site plan and as-built floor plan drawn to scale and prepared by a licensed New York State professional (architect, engineer or land surveyor). In lieu of a professionally prepared site plan and floor plan, the applicant may elect to provide a hand-drawn markup of the certified property survey, along with an approximate hand-drawn schematic floor plan, so long as the Building Inspector finds upon field inspection that the hand drawings are legible and reasonably portray existing and proposed conditions.

The site plan and floor plans must portray:

- (a) Location of proposed off-street parking spots.
 - (b) Location of any yard or interior spaces whose access will be restricted to short-term tenants.
 - (c) Location and height of proposed fences, berms, and landscape planting buffers.
 - (d) Approximate treeline of wooded areas or location and diameter at breast height of individual trees providing substantial screening to adjacent residences or other land uses.
 - (e) Location of all proposed accessory structures and uses, including pools, decks, sheds, etc.
 - (f) Location of any exterior firepit or fire feature.
 - (g) Designation of bedrooms, kitchen, bathrooms, and other demised interior spaces.
 - (h) Location of proposed and existing hard-wired smoke detectors, fire extinguishers and any other fire safety equipment or facilities.
 - (i) Location of points of egress including egress windows.
 - (j) Proposed location of remote digital monitoring cameras and approximate angle of aim.
 - (k) Any other information deemed necessary by the Building Inspector.
- E. List of names and addresses of the owners of record within a 500-foot radius of the lot of the proposed short-term rental.
- F. Signed certification form (see attached) attesting compliance with § 40-7 A (8) (a thru e)
- G. Registered mail receipts of the notice of application.
- H. Proof of registration with all proper taxing authorities.
- I. Certificate of Liability Insurance form prepared by a licensed insurance agency.
- J. Permit application fee of \$500, fire safety inspection fee of \$100 (if applicable) a follow-up inspection shall be required annually, and permit renewal fee of \$50 (if applicable) made payable to the Town of Monroe.
- K. If the owner is an LLC, CORP, or INC: submit an Entity Disclosure Form with the application

- L. Copies of any applicable homeowners' or condominium association bylaws or rules and any other applicable private conditions, covenants, or restrictions, including lake rights. The correspondence shall include specific conditions that determine whether the proposed short-term rental use is allowed.
- M. Upon complete submission of all required documents of this application as stated above, the Building Inspector shall follow the procedure outlined in § 40-8. Procedure for first permit issuance. Refer to code section below for description of approval process.

APPLICATION IS HERBY MADE for a short-term rental permit to the Building Inspector in accordance with the provisions of Chapter 40. Rentals, Short-Term, the applicant agrees to comply with all applicable laws, ordinance and regulations and by signing this application, I acknowledge and understand that it shall be unlawful for any person to rent or offer to rent a short-term rental within the Town of Monroe without first obtaining a short-term rental permit, and that it shall be my responsibility to reimburse the Town of Monroe for any consultant review charges that may be submitted for payment after the permit is issued.

Name of Applicant: _____

Applicant's Full Address: _____

Phone#: _____ Email: _____

1. Address of Short-term rental: _____

2. Section:___ Block:_____Lot: ._____

3. Application Type: (CHECK ONE)

☐ D New Short-Term Rental (First Permit Issuance)

☐ D Renewal of Existing Short-Term Rental

4. Fee: _____(Checks made payable to Town of Monroe)

5. Name of Owner of Premises _____ Phone#: _____

Address: _____ Email: _____

6. Name of Designated Manager _____ Phone #: _____

Address: _____ Email: _____

SIGNATURE _____

CERTIFICATION FORM ATTESTING COMPLIANCE WITH § 40-7 A (8) (a thru e)

I, _____ acknowledge that I am the owner of the property to which I am applying for a short-term rental permit and attesting the compliance with the following:

(a) That I have not previously advertised, or have ceased advertising, for the short-term rental that is the subject of this application, and will not begin, or resume, any advertising until a permit is approved.

(b) I have no financial interest in any other property within the Town of Monroe associated with a short-term rental permit; or, if the owner has a financial interest in a property that is subject to a short-term rental permit, the nature of the financial interest and the property address, along with a copy of the valid permit for that property has been submitted with this application.

(c) I have paid, or will pay, all fines that have been assessed by the Town including those assessed because of a notice of violation previously issued to me for unpermitted short-term rental use or activity, prior to the processing of the short-term rental permit application.

(d) I acknowledge that all statements made on the certification form and provided during the short-term rental permit application process are correct to the best of my knowledge.

(e) I acknowledge that any false information or misrepresentations made in the application or during the application process shall result in an enforcement action pursuant to §40-10.

Signature of Applicant

(Date)

Chapter 40. Rentals. Short-Term:§ 40-8. Procedure for first permit issuance.

A. Upon receipt of a new short-term rental home permit, the Building Inspector shall review the application for compliance with the requirements of this chapter and notify the applicant of any application deficiencies within seven calendar days.

B. Upon confirmation of a complete application, the Building Inspector shall review the application against the Residential and Fire Codes of the State of New York and conduct an inspection of the premises within 21 days.

C. The Building Inspector shall determine compliance with the Residential and Fire Codes of the State of New York and advise the applicant of any deficiencies within three days of the inspection. Any resubmission shall be subject to reinspection and report within seven days.

D. Upon a satisfactory inspection, the Building Inspector shall forward the application to the Town Board along with any objections to permit issuance received.

E. Upon receipt of an application for a first permit issuance of an STR for which an objection has been received, the Town Board shall schedule a public hearing on the permit at a regularly scheduled Town Board meeting, no less than 14 days and no more than 45 days from application receipt. The Town Board shall require that the applicant mail notice of the hearing, in a form prescribed by the Town Clerk, to all residents within 500 feet of the subject property. The Town Board may waive the public hearing if no objections are received and shall instead schedule the application for consideration at a regularly scheduled meeting no more than 45 days from application receipt.

F. In determining whether to authorize the permit, the Town Board shall consider the information in the application, the testimony of the Building Inspector, the testimony of the application and the testimony of any objecting neighbors and the applicant, and shall authorize the permit where it finds the following standards are met:

- (1) Adequate parking facilities are provided to meet the parking requirement of four off-street parking spaces which are provided in a manner that does not impact the residential character of the neighborhood.
- (2) If new construction or expansion is proposed, the size of the structure proposed for this use is generally consistent with residences located within 500 feet, or it is so situated to not be seen as inconsistent with the appearance of other area residences as viewed from any public street or public park.
- (3) The structure and lot are conforming to the requirements of this chapter or have received variances for any nonconformances and the lot and structure are not considered existing nonconforming uses or buildings.
- (4) Adjoining residences and their yards are generally afforded a reasonable degree of privacy from view by occupants of the proposed vacation residence or partial vacation residence by the imposition of landscaping and privacy fencing.
- (5) The number of permitted short-term rentals surrounding the proposed property are not excessive in number so as to result in adverse character impacts to principal residences in the neighborhood.

G. In issuing a permit for an STR permit, the Town Board shall impose such reasonable conditions as are necessary to ensure that the intent of this chapter and the standards of§ 40-8F (1) through (5) are met.

Town Board Approved On:_____Resolution #:_____

Chapter 40. Rentals, Short-Term

§ 40-6. Operational requirements.

- A. House policies shall be prominently displayed within the dwelling during occupancy by short-term rental tenants. The house policies shall also be included in the rental agreement, which shall be required to be signed by the rental contract holder. At a minimum, the house policies shall include:
- (1) Quiet hours from 9:00 p.m. to 8:00 a.m. Sunday evening through Friday morning and 10:00 p.m. to 9:00 a.m. Friday evening through Sunday morning, during which time the noise from the short-term rental home shall not unreasonably disturb adjacent neighbors. Sound that is audible beyond the property boundaries during nonquiet hours shall not be more excessive than would be otherwise associated with a residential area.
 - (2) Amplified sound that is audible beyond the property boundaries of the short-term rental home is prohibited during quiet hours.
 - (3) Vehicles shall be parked in the designated on-site parking area and shall not be parked on the street.
 - (4) Parties or group gatherings by persons other than the short-term rental tenants are not allowed.
 - (5) No more than one daytime guest is permitted per two overnight occupants, and any daytime guest must depart prior to the start of quiet hours.
 - (6) In the event of a complaint received by the Town, the property is subject to inspection by the Town Code Enforcement Official within 24 hours, and any rental tenant must not interfere with the inspection.
- B. Term of short-term rental. No short-term rental contract shall be for a term of less than 24 hours.
- C. Occupancy limitation for lots of more than five acres and where permittee is residing on-site during the duration of the short-term rental. The maximum number of overnight occupants shall be no greater than the least of the following standards, which will be noted on any issued permit:
- (1) Four persons per bedroom as determined by the Building Inspector; or
 - (2) The number of persons supported by the septic system capacity as determined by the Town Engineer if the dwelling is not served by public sewer.
- D. Occupancy limitation under all other circumstances. The maximum number of overnight occupants shall be no greater than the least of the following standards, which will be noted on any issued permit:
- (1) Twelve persons; or
 - (2) Four persons per bedroom as determined by the Building Inspector; or
 - (3) The number of persons supported by the septic system capacity as determined by the Town Engineer if the dwelling is not served by public sewer.

- E. Remote digital monitoring of occupancy. Where a short-term rental is rented or intended to be rented for transient occupancy during periods when the manager is not residing on-site, the site shall be digitally monitored by the manager to ensure compliance with the maximum number of allowable guests and visitors entering the premises, and to provide evidence to the Building Inspector of such compliance should he or she need to investigate complaints. Digital monitoring shall include outdoor cameras adequate in number, location and view angle to monitor arrivals and departures at the property. Digital video recordings shall be taken during times when the property is rented and kept for a minimum of 30 days, and copies shall be provided to the Building Inspector upon request. Notice of locations and purpose of cameras shall be provided to renters as well as disclosure of audio recording, if any.
- F. Short-term rental occupancy shall not be permitted in any vehicle, trailer or camper, and sleeping accommodations shall not be provided in a tent or other temporary structure.
- G. Exclusive short-term use. There shall only be one short-term rental tenant at any time for any property permitted under this chapter. A nontransient owner or tenant and their family residing at the property as their principal residence may continue to occupy the residential lot during the tenancy of a short-term rental tenant, so long as the total occupancy limitation is not exceeded.
- H. Lodging taxes. The permit holder shall be responsible for collecting and remitting any required lodging and/or sales taxes on the short-term rental fee, as required by local, county, state or federal law.
- I. Insurance. Permit holders shall maintain liability insurance for injuries or damage caused by rental guests in an amount determined by the Town Board, as amended from time to time and noted in a schedule to be maintained by the Town Clerk.
- J. Fire safety. An initial inspection to ensure compliance with the Residential and Fire Codes of New York State shall be required prior to issuance of a short-term rental permit, and a follow-up inspection shall be required annually. Inspection fees shall be set from time to time, according to a fee schedule adopted by the Town Board and noted in a schedule to be maintained by the Town Clerk. In addition to any requirements of the Residential and Fire Codes of New York State, the following standards shall be met:
 - (1) A hard-wired fire alarm shall be installed in all bedrooms, kitchens and living spaces. As an alternative to a hard-wired system, a Wi-Fi-based system will be permitted with cellular backup.
 - (2) A fire extinguisher shall be installed in any kitchen and within 10 feet of any fireplace, fire pit, outdoor fire feature or outdoor grill.
 - (3) The fire inspector shall verify that adequate access is afforded to the property for emergency vehicles.
- K. Offer to rent.
 - (1) Any offer to rent, as defined herein, shall include the valid permit number.
 - (2) Any offer to rent shall include a disclosure of the short-term rental house policies.
- L. Safe access. Hard-surfaced walkways equipped with low-level lighting shall be provided from the driveway where parking is afforded to the entrance to the short-term rental.
- M. Compliance inspection. As an ongoing condition of the permit, the manager of the premises shall make the premises fully available to the Code Enforcement Officer or duly authorized deputy within 24 hours of receipt of a request by phone, regardless of whether the premises are currently occupied.



PUBLIC NOTICE OF SHORT TERM RENTAL PERMIT APPLICATION

DATE SENT: _____

As required by **Section 40-7-8** of the Town of Monroe Municipal Code, at least 30 days prior to issuance of a Short-Term Rental Permit, occupants of all residences and businesses located within 500 feet from the residence must be notified of the proposed permit application and be provided with the contact information where they can seek additional information or register written concerns or objections.

You are being advised that the below mentioned individual has applied for a Short-Term Rental Permit to allow rental of below mentioned property for periods of 30 days or less as allowed by **Chapter 40** of the Town of Monroe Municipal Code.

A DDRESS TO BE USED AS SHORT-TERM RENTAL:

• • •

Total Number of Bedroom: _____ **Maximum occupancy:** _____

{Refer to submitted site plan} **Location of proposed on-site parking:** _____

{Refer to applicate description} **A description of the proposed short-term rental operation:** _____

The name, address, telephone number and email of the proposed short-term rental manager that noticed property owners or lessees may contract if they wish to report any issues or file a complaint regarding any nuisance or violation of this chapter.

RENTAL MANAGER (all fields required)			
Name			
Address	City	State	Zip
Email	Phone Number		

For more information or to submit written comments or concerns, please contact:

Town of Monroe
Building Department
1465 Orange Turnpike
Monroe, NY 10950
Phone: (845) 783-1900 ext. 208
www.monroeny.org



SHORT-TERM RENTAL PERMIT AFFIDAVIT OF NOTICE

I, _____, certify that I have provided notice of an application for a Short-Term Rental Permit to property owners and residents within 500 feet of the Short-Term Rental location as required by the Town of Monroe **Chapter 40 B**. This notice provides the owner and/or owner representative information, including the emergency 24/7 phone number.

Signature

Date