LEGAL NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Yates, at 8 South Main Street, Lyndonville, NY 14098, on Monday, January 5, 2026 at 5:30 P.M., on the adoption of a Local Law known as "Short-Term Rental Law", an abstract of which Local Law is set forth as follows:

SECTION I: LEGISLATIVE INTENT
There exists in the Town of Yates no short-term rental local law, yet there are a number of existing short-term rentals, and there are an increasing number of short-term rental inquiries being made to the Town. The intent of this local law is to grandfather existing short-term rentals and to require them to obtain a special use permit; to address the addition of short-term rentals which may be created in the future; and to require permitting requirements established herein to apply to all future short-term rentals.

ARTICLE II – Terminology

Section 230. Definitions

SHORT-TERM RENTAL (STR)- A dwelling unit or portion thereof that may or may not be occupied by the owner of record or their immediate family that is offered or provided to a guest by a short-term rental for a fee for less than thirty (30) consecutive nights. They are a form of tourist or transient accommodations that may also include property offered by or booked through online accommodation marketplace platforms (such as Airbnb, Vrbo, etc). Note: For the purpose of administration and enforcement of this title, the terms "overnight rental," "nightly rental," and "vacation rental" are interchangeable with short-term rentals. This definition specifically excludes bed and breakfasts, hotels, and motels.

ARTICLE VIIB: SPECIAL PERMIT CRITERIA

Section 706 Short-Term Rental (STR)

A. PURPOSE - STRs are a benefit to the Town, its residents, and the general public. However, the Town holds that STRs can have a negative impact on neighboring residents of STRs if they are not properly licensed and regulated so as to ensure the rights of neighbors are protected. These supplementary regulations are designed to foster STRs and to protect the health, safety and welfare of its citizens and visitors and to minimize adverse impacts to the Town of Yates.

B. DIMENSIONAL REQUIREMENTS - The minimum lot size, frontage and setback requirements shall conform to the specifications set forth in the specific Zoning district in which the STR is located.

C. GENERAL

1. STRs shall be allowed in the following Districts: Agricultural/Residential, Hamlet, Residential, General Business, Waterfront Development, and Waterfront Residential.

2. STRs shall require a special use permit and are subject to all requirements of this section. See Article IX: Special Use Permits and Procedures.

3. STRs shall be either owner occupied or directly managed by the owner, and an owner may own only two STRs in the Town of Yates.

4. The building proposed for occupancy as an STR shall contain no more than four lodging rooms for hire.

5. No more than two (2) persons are allowed to occupy each lodging room

6. STR stays must be a minimum of two (2) days.

7. No STR guest shall stay on one visit for more than thirty (30) consecutive days.

8. The STR shall not be altered in a manner which would cause the premises to differ from its residential character.

9. Off-street parking shall be provided as follows:

a. At least two spaces shall be provided STR guests, plus not less than one additional space for each lodging room.

b. No such parking space shall be located in the front yard area, outside of an approved driveway, and each space shall be not less 10 feet by 20 feet in size.

c. No recreational vehicles, campers, trailers, or motor vehicles larger than a one-ton pickup truck, other than trailers for boats or jet skis to be launched at nearby ramps, may be parked on the premises during any transient accommodation. Automobiles, light duty (pickup) trucks, and/or boat and jet ski trailers in association with any transient accommodation may be parked on site in designated off-street parking areas.

d. No vehicles shall be parked on lawns or in other areas not specifically approved as parking areas under the provisions of this ordinance.

10. The dwelling may display a sign not to exceed four (4) square feet in size and shall be set back from the street right-of-way line a minimum of 10 feet.

11. The Planning Board shall specify the minimum amount and location of landscaping and buffer screening to ensure that the use does not create a nuisance for adjoining property owners.

12. Subleasing or subletting of units for short- term rental is prohibited.

13. The structure proposed for use as a STR shall meet the requirements of the NYS Uniform Fire Prevention and Building Code. The permit application must include a drawing of the building floor plan and the designated parking areas and setbacks from property lines and roads.

14. Each rental unit in a STR shall maintain a working smoke detector and a working carbon monoxide monitor, which shall meet the requirements of the NYS Uniform Fire Prevention and Building Code.

15. Each rental unit in a STR shall have clearly defined fire and emergency exit routes posted.

16. During the short-term rental the owner, his agent, or a local responsible person designated by the owner shall be available at all times to respond in person no later than 30 minutes of acknowledging complaints regarding the condition, operation, or conduct of the occupants of the STR.

17. The STR to be utilized by guests shall not be permitted in any accessory structure, sheds or similar structures, basements, attics, sunrooms, porches or garages.

18. Owners/operators of STRs shall provide to the Town proof of general liability insurance against claims for personal injury, death, or property damage occurring on, in, or about the STR premises in amounts and with limits as determined and set by the Town Board, by resolution, from time to time.

19. The owner of the rental unit shall conspicuously post contact information for the owner, agent, or contact person as well as any specific rules pertaining to the occupancy.

D. SPECIAL USE PERMIT

1. Any special use permit application for an STR shall require site plan review by the Planning Board (Article X)

2. The Code Enforcement Officer (CEO) shall be authorized, after inspecting an STR for compliance with the requirements of the NYS Uniform Fire Prevention and Building Code and payment of the appropriate fees, to issue a Special Use Permit to the owner (s) of the STR.

3. Duration of permit. Only a one-time Special Use Permit for the STR is required.

4. STRs shall have quiet hour restrictions between 10:00 pm and 8:00 am.

5. A one-time fee amount for the permit shall be set by the Town Board by resolution from time to time.

E. VIOLATIONS AND PENALTIES

1. Refer to Article I, GENERAL PROVISIONS, Section 107

F. ACTIONS

1. Refer to Article I, GENERAL PROVISIONS, Section 108

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Department of State.

At such public hearing, all persons, for or against, shall be heard.

Michele L. Harling
Town Clerk
Town of Yates