

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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~~

of Mayfield

Local Law No. 2 of the year 2019

A local law to amend the Zoning Law of the Town of Mayfield for the  
(Insert Title)

purpose of regulating the short term rental of homes

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

~~County~~

~~City~~

Town

~~Village~~

of Mayfield as follows:

The text of this Local Law is annexed hereto

**FILED**  
**STATE RECORDS**  
**JUN 20 2019**  
**DEPARTMENT OF STATE**

## SECTION 1:

The purpose of this Local Law is to amend the Zoning Law of the Town of Mayfield to regulate the short term rental of homes within the Town. The Town recognizes that from time to time local residents have the need to rent their homes, many of which are camp properties located on or near the shores of the lakes located within the Town.

The Town also recognizes that many of the properties that are currently being rented short term are in close proximity of existing residential property and that extensive short term rentals may cause disruption to the peace, quiet and enjoyment of residential members of the community and that some form of regulation is needed to prevent such disruptions.

## SECTION 2:

To achieve these stated goals, the Zoning Law of the Town of Mayfield is amended by creating a new subsection 509 titled Temporary Rentals, under Article V as follows:

### Subsection 509-1: Applicability

A. This law shall apply to all one, two or multi-family dwellings in all zoning districts

### Subsection 509-2: Terminology

A. Temporary Rental-The rental for residential purposes of all of a one, two or multi-family dwelling for a term of less than sixty (60) days with each new tenant being considered the start of a new term.

### Subsection 509-3: General

A. Temporary Rental:

1. The owner of a one, two or multi-family dwelling may rent the dwelling as a temporary rental subject to all terms and conditions of this and all other provisions of the Zoning Law of the Town of Mayfield.
2. If the residential premises contain two (2) bedrooms or less, the maximum number of persons allowed to occupy the premises during the period of rental may not exceed six (6) people, for overnight occupancy.
3. If the residential premises contain more than two (2) bedrooms, the maximum number of persons allowed to occupy the premises during the

period of rental may not exceed ten (10) people, for overnight occupancy.

4. It is the owner(s) as well as the renter(s) responsibility to ensure that the use and occupancy of a temporary rental premises is in compliance with the Zoning Law of the Town of Mayfield and does not create undue or excessive noise or disturbance and that the same does not endanger the health, safety or welfare, or unreasonably interfere with the use and enjoyment of any person occupying neighboring properties. A formal written noise complaint from two or more property owners within 400 feet of the rental property, which has occurred between the hours of 9:00 pm and 8:00 am, shall be considered as one method of documenting an excessive noise or disturbance condition.
5. The premises are not to be rented for commercial purposes, or any other purpose not expressly permitted herein, such as concerts, parties or weddings.
6. All owners offering a temporary rental must complete a registration form, a copy of which is attached hereto as Exhibit "A", and are required to pay a \$100.00 registration fee per residence for each year they intend to offer temporary rentals. The Town Board may from time to time modify the registration form and/or the registration fee by resolution of the Town Board.
7. All motor vehicles owned or operated by renters or guests shall be parked on the property being rented and no more than four (4) such motor vehicles shall be parked on the property they are renting. No such vehicles shall be parked on a road for use by the general public.
8. All rental agreements and advertisements shall clearly state the restrictions on parking and the number of occupants. In addition each renter shall be provided with a "Good Neighbor Brochure" as provided by the Town outlining all pertinent local regulations as well as what is expected of the renter with respect to noise, trash, parking and trespass on neighboring properties.
9. Each short term rental holder shall provide a 24/7 local contact to deal immediately (within 30 minutes) with all non-emergency issues, such as noise, trash and parking issues.

10. Prior to the issuance of a permit each temporary rental shall be inspected for the installation and proper operation of smoke and carbon monoxide detectors at the following locations: SMOKE DETECTORS- one in each bedroom, one outside each sleeping area and one on each floor including the basement. CARBON MONOXIDE DETECTORS- one on each floor including the basement.
11. All owners offering a temporary rental must comply with all applicable local, state and federal tax requirements.

#### Subsection 509-4: Enforcement and Penalties

- A. Penalties for any violation of this Section shall be \$250 per day for the first violation, \$500 per day for the second violation and \$750 per day for the third violation. In the event the Town receives 3 (substantiated) complaints, regarding unrelated violations, occurring at a property within any consecutive 24 month period and the owner(s) of registered temporary rental premises are found to have violated any provision of this law, the Town of Mayfield Code Enforcement Officer shall have the discretionary authority, pursuant to the enforcement provisions of Articles XII and XIII of the Zoning Law of the Town of Mayfield, to suspend or revoke the registration of any temporary rental premises where such violations have occurred.

#### SECTION 3: Effective Date

This Local Law shall be effective 45 days after its filing with the office of the New York Secretary of State.

TOWN OF MAYFIELD SHORT TERM RENTAL ANNUAL REGISTRATION FORM

Date

Property Owner

Mailing Address

Tax Parcel ID #

Rental Property Location

Number of bedroom to be rented

Contact Phone Number Owner

Mandatory 24 Hour Rental Issues Contact Number  
(Will be published on Town Website)

Email

Signature \_\_\_\_\_

☐ Yes By checking yes if electronically filing form or signing the form I certify that I am the legal owner of the above noted property and that I agree to comply with all the rules and regulations adopted by the Town of Mayfield with respect to short term rentals. I understand that I may not rent out my property unless a valid permit to do so has been issued and that such permit may be revoked in accordance with the adopted regulations if they are violated.

Annual Registration Fee \$ 100.00

Date \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

(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. 2 of 2018 of the ~~(County)(City)(Town)(Village)~~ of Mayfield was duly passed by the Mayfield Town Board on May 8, 2018, 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 with 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 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.)**

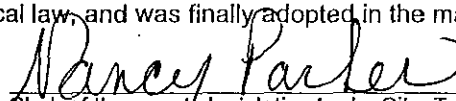
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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.

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

(Seal)

Date: May 8, 2014