

Draft Short Term Conditional Use Rental Permit Law;
July 9, 2018

LOCAL LAW NO. OF THE YEAR 2018

AMENDING CHAPTERS 103 AND 150 OF THE GREENPORT VILLAGE CODE
REGULATIONS FOR THE RENTAL OF RESIDENTIAL PROPERTIES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,
Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions.

2.1 Amendment of Chapter 103.

3.0 Severability.

1.1 Title

This Local Law shall be entitled “Local Law of 2018 Amending Chapters 103 and 150 of the Greenport Village Code, Rental Regulations for Residential Properties”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York, the Incorporated Village of Greenport, County of Suffolk and State of New York, hereby enacts by this Local Law of 2018, a Local Law of the Village of Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the

Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to amend the existing regulations of Chapter 103 of the Greenport Village Code regarding the rental of residential property in the Village of Greenport so that the short term rental of a property or a portion thereof which is not owner occupied or occupied by a long term occupancy as defined in this Local Law shall be a conditional use which requires Planning Board approval in accordance with Section 150-29 of the Greenport Village Code and to amend Chapter 150 to correspond with the changes in Chapter 103.

General Provisions.

2.1 Section 103-4 Definitions, of the Greenport Village Code, is amended to add the following two definitions:

LONG TERM OCCUPANCY: Occupancy by a written lease with a term of at least one year.

OWNER-OCCUPIED; Occupation by the owner of the property and/or the owner's immediate family.

SHORT TERM RENTAL; The rental of real property or a portion thereof for a term of less than 14 days.

2.2 Section 103-7A is hereby created to read as follows:

Section 103-7A Planning Board Approval

The Short Term Rental of a residential property or a portion thereof, except for a two family house where one of the dwelling units is either Owner Occupied or is occupied as a Long Term Occupancy, shall be a conditional use of that property which requires Planning Board

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approval pursuant to the provisions of Sections 150-11.2 and 150-29 of the Greenport Village Code prior to the commencement of the Short Term Rental.

2.3 Section 150-11.2 of the Greenport Village Code shall be created to read as follows:

“Section 150-11.2 Short Term Rentals as a Conditional Use

The Short Term Rental of a residential property or a portion thereof (as defined Section 103-4 of the Greenport Village Code) except for a two family house where one of the dwelling units is either Owner Occupied or occupied as a Long Term Occupancy shall be a conditional use of that property which shall require Planning Board approval pursuant to the provisions of Section 150-29 of the Greenport Village Code prior to the commencement of the Short Term Rental.

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.