

Local Law Filing

New York State Department of State
99 Washington Avenue, 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~~ of Yates, Orleans County, New York
~~Town~~
~~Village~~

Local Law No. 1 of the year 2026.

A local law “Short-Term Rental Local Law”
(Insert Title)

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

~~County~~
~~City~~ of Yates, Orleans County, New York as follows:
~~Town~~
~~Village~~

Be it hereby enacted by the Town Board of the Town of Yates, in the County of Orleans, New York, as follows:

The Zoning Regulations of the Town of Yates shall be amended by the following modifications to said sections, and the new section to be added, Section 706, entitled “Town of Yates Short-term Rental Law,” which are 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 VII: SPECIAL PERMIT CRITERIA

Section 240-96 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. 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.

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

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

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. A Special Use Permit for a STR is required every five years.

E. VIOLATIONS AND PENALTIES

1. Refer to Article I, GENERAL PROVISIONS, Section 240-7

F. ACTIONS

1. Refer to Article I, GENERAL PROVISIONS, Section 240-8

EFFECTIVE DATE

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

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

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2026, of the ~~(County)~~ ~~(City)~~ (Town) ~~(Village)~~ of Yates, New York was duly passed by the Town Board on May 14, 2026, in accordance with the applicable provisions of law.

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)~~ _____ was duly passed by the _____ on _____ 20____, and was (repassed after disapproval) by the _____ and was deemed duly adopted 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 by the _____ on _____ 20__. 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 _____ (Name of Legislative Body) on _____ 20__, and was (approved) (~~not disapproved~~) (~~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 chairman 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 of 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.

(SEAL)

Michele L. Harling
Town Clerk, Town of Yates
Date: May 14, 2026

(Certification to be executed by County Attorney, Corporation of Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORLEANS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Andrew W. Meier
Attorney for the Town of Yates
Date: