

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.

FILED
STATE RECORDS

County
City of
Town
Village

BRANT, NEW YORK (Erie County)

NOV 10 2019

DEPARTMENT OF STATE

Local Law No. 2 of the year 20 19

A local law A Local law amending the Zoning Ordinance of the Town of
(Insert Title)
BRANT (Chapter 161 of the Code of the Town of Brant) to
expressly allow rental of entire residences or Dwellings as a
permitted accessory use in the Town of Brant

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

County
City of
Town
Village

BRANT

as follows:

* See Last 2 pgs. OF This packet

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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 20 19 of the (County)(City)(Town)(Village) of BRANT was duly passed by the BRANT Town Board on June 6 20 19, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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) (repassed after disapproval) by the _____ on _____ 20 _____.
(Name of Legislative Body)
(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) (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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.

Barbara J. Daniel

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

(Seal)

Date: June 6, 2019

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

STATE OF NEW YORK
COUNTY OF _____

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.

Signature

Title

County

City of _____

Town

Village

Date: _____

TOWN OF BRANT
ADOPTED LOCAL LAW NO. 2 OF THE YEAR 2019

A local law amending the Zoning Ordinance of the Town of Brant (Chapter 161 of the Code of the Town of Brant) to expressly allow rental of entire residences or dwellings as a permitted accessory use in the Town of Brant.

Be it enacted by the Town Board of the Town of Brant ("Town") as follows.

Section 1. Legislative Findings

The Brant Town Board recognizes that there exists a history of seasonal residential rentals in the town, particularly in lakeside communities. Recent years have also seen the rise of so-called "shared uses" of residential housing on a short-term basis as a result of marketing platforms such as Airbnb, HomeAway, VRBO and others.

The Brant Town Board recognizes the benefit of such uses to property owners who wish to avail themselves of these income opportunities. The Board also recognizes the beneficial impacts to the local economy resulting from short-term visitors coming to Brant. The intention of this local law is to clarify and confirm that rental of entire residences or dwellings is a permitted accessory use in all zoning districts, regardless of the length or duration of such rental.

Section 2. Section 161-4 of the Zoning Ordinance of the Town of Brant is hereby amended as follows:

The definition of "TOURIST HOME" is deleted in its entirety.

The definition of "COTTAGE, SUMMER or SUMMER COTTAGE" is deleted in its entirety.

There is added to Section 161-4 the following:

"RENTAL or RENTING" shall mean use or occupancy of a building for monetary compensation by anyone other than an owner of such building.

"RENTAL OF RESIDENCE(S) OR DWELLING(S)" shall mean rental of an entire residence or dwelling for any period of time. Rental of individual rooms or less than an entire residence or dwelling does not meet this definition.

Section 3. Chapter 161 of the Code of the Town of Brant, also known as the Zoning Ordinance of the Town of Brant, is hereby further amended to add the following:

In Rural Residential District (RR).

Section 161-13.B (8) Rental of residence or dwelling [Permitted Accessory Use]

In Medium Density Residential District (R-1).

Section 161-14.B (8) Rental of residence or dwelling. [Permitted Accessory Use]

In Seasonal Residential District (R-2).

Section 161-15.B (8) Rental of residence or dwelling. [Permitted Accessory Use]

In Agricultural District (A).

Section 161-16.B Rental of residence or dwelling. [Permitted Accessory Use]

In Commercial District (C).

Section 161-17.B (4) Rental of residence or dwelling [Permitted Accessory Use]

In Industrial District (I).

Section 161-18.B (4) Rental of residence or dwelling. [Permitted Accessory Use]