

TOWN OF NORTH CASTLE

**Local Law No. 2 For the Year 2026
Adopted March 11, 2026**

A LOCAL LAW to revise the Town Code to create regulations relating to the short-term rental of homes within the Town of North Castle.

BE IT ENACTED by the Town Board of the Town of North Castle as follows:

Section 1. Amend Section 127-10.A(1)(i) of the Town Code to read as follows:

- (i) Short-term rental of dwellings as defined in Section 355-26.J of the Town Code.

Section 2. Renumber Section 127-10.A(1)(i) to Section 127-10.A(1)(j).

Section 3. Amend Section 355-26 to add subsection K, as follows:

K. On-site recreational facilities. It shall be unlawful for the owner of any residential property to offer for use, rental, or lease, or to advertise for use, rental, or lease, any portion of the residential property, such as a pool, hot tub, yard, or sports court, separate and apart from a permitted use, rental, or lease of the residential property.

Section 4. Create the following new Section 355-26.J of the Town Code as follows:

J. Short-Term Rentals

- (1) Definitions. As used in this section, the following terms shall have the meanings indicated:

SHORT-TERM RENTAL -- Rental of any dwelling unit, including any residential building or apartment, single- or two-family dwelling, condominium, townhouse, guest house, cottage, barn, accessory dwelling unit or accessory apartment (see definition of Accessory Apartment), in whole or part, to any person, persons or entity for a period of less than 30 consecutive nights.

- (2) Purposes.

The purpose of this section is to legalize and regulate short-term rentals in the Town of North Castle and ensure that short-term rental units meet applicable community, health, fire and safety standards.

(3) Operating Permit required.

No short-term rental is permitted to be established, maintained, operated or advertised unless it complies with the requirements of this section and until it obtains an operating permit pursuant to Section 127-10 of the Town Code.

(4) Registration required.

No short-term rental is permitted to be established, maintained, operated or advertised unless it complies with the requirements of this section and until it is registered in accordance with this article.

(5) Requirements for short-term rental registration.

A short-term rental unit may be registered only if the following requirements are met:

- A. The applicant must provide an affidavit or affirmation attesting that the dwelling in which the short-term rental unit is located is the primary residence of the lessor.
- B. No short-term rental unit shall be permitted until two years after the issuance of the initial certificate of occupancy for the principal dwelling unit, and no short-term rental unit shall be permitted in a structure until at least one year after the current owner has acquired title to the property, whichever comes later.
- C. The dwelling unit, and the building in which it is located, must be in compliance with the Town Code, the New York State Uniform Fire Prevention and Building Code, and the Property Maintenance Code of New York State. No short-term rental permit may be issued until, either the Building Inspector inspects the property and determines that the structure and the dwelling unit proposed to be the subject of the short-term rental are in compliance with those laws or the applicant provides to the Building Inspector a certification, on a form approved by the Building Inspector and signed by either a New York State licensed professional engineer or New York State licensed architect who has a valid New York State Uniform Fire Prevention Building Code, certifying that the structure and the dwelling unit proposed to be the subject of the short-term rental are in compliance with those laws.
- D. For one-family (attached and detached) and two-family dwellings, no exterior changes, including exterior lighting, shall be made to the dwelling that would alter the one- or two-family character and appearance of the residence.
- E. No sign other than a signs permitted by § 355-16 shall be allowed.

- F. There shall be only one short-term rental permit issued per property at any one time. If a property has more than one dwelling unit, the permit issued shall be limited for one dwelling unit only.
 - G. A short-term rental is not permitted on the same lot as an accessory apartment.
 - H. Occupancy Tax Registration. No permit shall be issued unless the short-term rental property is registered with the Occupancy Tax Program administered by Westchester County.
- (6) Requirements for operating the short-term rental.
- A. The maximum number of occupants for each short-term rental unit shall be twice the number of bedrooms in the short-term rental unit.
 - B. The maximum number of people allowed at a short-term rental shall be no more than twice the number of overnight occupants allowed pursuant to Section 355-26.J(6)(A) above.
 - C. The maximum number of days a dwelling unit or part of a dwelling unit may be rented out as a short-term rental is 120 days per year.
 - D. The dwelling in which the short-term rental unit is located is the primary residence of the lessor short-term rental property and the applicant shall have attested to that fact in an affidavit or affirmation.
 - E. The number of vehicles permitted overnight is limited to one (1) vehicle per bedroom.
 - F. Required off-street automobile parking spaces for the short-term rental shall be equal to the maximum number of motor vehicles permitted, but shall not be less than two parking spaces per short term rental unit.
 - G. There shall be no recreational vehicles located on the short-term rental property nor shall there be any overnight camping in tents or otherwise used in conjunction with short-term rentals to provide additional sleeping areas.
 - H. A written notice on a form to be provided by the Town, which contains information about relevant Town parking laws, garbage and recycling rules and schedules, and snow removal, and identifies the party(ies) responsible for responding to complaints about the short-term rental, shall be completed and left at a conspicuous location inside the short-term rental unit and maintained at such location by the operator of the short-term rental and displayed at all times.

- I. The lessor of the short-term rental unit or a responsible adult designated by the lessor shall be available during the entire time of rental to respond within 30 minutes to complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit. Prior to the beginning of any short-term rental period, the name(s) and telephone number(s) of the responsible party(ies) must be provided on the written notice required by Subsection H above.
- J. The lessor of a short-term rental shall use best efforts to ensure that the occupants and/or guests of the short-term rental do not create unreasonable noise or disturbance, engage in disorderly conduct, violate any provision of the Town Code, or violate any law pertaining to disorderly conduct, the consumption of alcohol, or the use of illegal drugs. All occupants of a short-term rental unit shall strictly observe "Quiet Hours" between the hours of 10:00 PM and 7:00 AM daily. During Quiet Hours, noise emanating from the short-term rental unit, including, but not limited to, music, loud conversations, amplified sound, or outdoor activity, shall not be plainly audible at the property line of any adjacent residential property.
- K. The lessor of a short-term rental or the person designated by the lessor, upon receiving notification that an occupant or tenant of his/her short-term rental unit has created unreasonable noise or disturbance, engaged in disorderly conduct, or committed violations of the Town Code or any applicable law, shall respond within 30 minutes of the time the initial call was made, and shall take corrective action to address any violation and use best efforts to prevent the recurrence of such conduct.
- L. A dwelling with a short-term rental unit is subject to periodic inspections by the Building Department to ensure continued compliance with all applicable Building and Fire codes.
- M. The person renting out the short-term rental shall maintain a record of the number of guests and the beginning and ending dates of each short-term rental. Such record shall be submitted to the Building Department along with the application to renew the short-term rental registration.
- N. The short-term rental may include the use of any recreational facility, such as a pool, hot tub, yard, or sports court, any portion of the residential property, but neither the short-term rental lessor nor the short-term rental tenant may permit the use of such recreational facilities during the short-term rental other than in connection with the short-term rental or by persons other than the short-term rental tenant and the short-term rental tenant's guests.

(7) Registration procedure.

- A. The owner or lessee of the dwelling must file a registration form with the Building Department containing an affidavit demonstrating compliance with § 355-26.J(5) of the Town Code above. The registration form must be accompanied by the nonrefundable fee provided in Master Fee Schedule.
- B. The Applicant must obtain an Operating Permit pursuant to Section 127-10 of the Town Code before the short-term rental commences. A physical inspection of the proposed short-term rental unit and the dwelling in which it is located is required. Registration shall not be permitted unless the Building Inspector finds that the short-term rental complies with § 355-26.J(6) of the Town Code.
- C. Registration of the short-term rental will not be permitted if there are unresolved Code compliance issues, outstanding Town fines or fees, or unpaid taxes.
- D. Registration of the short-term rental must be renewed annually, on the same terms as the initial registration. Renewal of the Operating Permit is also required annually pursuant to Section 127-10 of the Town Code.
- E. The registration shall expire automatically upon a change in ownership of the dwelling in which the short-term rental is located.
- F. All persons who operate or advertise short-term rentals shall register the short-term rental within 45 days of the date on which this section becomes effective. If the short-term rental is not registered within 45 days, the person operating the short-term rental is in violation of this article.
- G. Short-term rentals are subject to any intervening changes in the Zoning Code, the New York State Uniform Fire Prevention and Building Code, and the Property Maintenance Code of New York State, including discontinuing them as a permitted use. Renewal of registration shall be denied if short-term rentals are no longer a permitted use or if the short-term rental no longer qualifies under the requirements of this section.

(8) Enforcement.

Any person who violates any provision of this article, is in violation of this article. Violations shall be enforced as provided in Section 355-76.

- (9) Revocation of registration. The Town Board may revoke the registration of any short-term rental if, after a hearing before the Town Board or a hearing officer designated by the Town Board, held on not less than 15 days' notice to the lessor of the short-term rental, the Town Board finds that the short-term rental materially fails to comply with the requirements of this section. The Building Inspector may suspend the short-term rental pending the determination by the Town Board if the Building Inspector finds a material violation of this section that substantially endangers life, health, or safety.

Section 3. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 4. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 5. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: March 11, 2026