

Local Law Filing

(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
(Select one:)

of Irondequoit

Local Law No. 8 of the year 2025

A local law Enacting a Local Law to Amend Town code Chapter 235 regarding Short-Term Rentals

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

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Irondequoit as follows:

[See Attached]

FILED
STATE RECORDS

OCT 17 2025

DEPARTMENT OF STATE
LOCAL LAWS INDEX NUMBER 9
OF THE YEAR 2025

(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. 8 of 2025 of the ~~(County)(City)(Town)(Village)~~ of Irondequoit was duly passed by the Town Board on September 16, 2025, in accordance with the applicable ~~(Name of Legislative Body)~~ 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)~~ 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.)

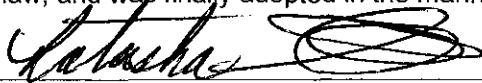
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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. 3 _____ of 2025 _____ 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

Date: October 15, 2025

(Seal)

Exhibit A

**LOCAL LAW NO. 8 OF 2025
SHORT-TERM RENTALS WITHIN THE TOWN OF IRONDEQUOIT**

Be it enacted by the Town Board of the Town of Irondequoit as follows:

Section 1. Purpose. The Town Board of the Town of Irondequoit has studied the need for regulations surrounding short-term rentals within the Town and has determined that it is necessary to adopt this local law to promote and preserve the health, safety and welfare of the Town and its citizens. These regulations allow for a maximum number of short-term rental permits that are not transferable and gradually reduce in number over time. This is intended to promote permanent owner-occupied or long-term rental housing within the Town.

Section 2. Amendment to Chapter 235. Chapter 235, Zoning, of the Code of the Town of Irondequoit, is hereby amended to add new Definitions to Section 235-4(B), as follows:

AUTHORIZED OFFICIAL

A person or persons employed by the Town of Irondequoit so designated to perform those duties of enforcing the provisions of this chapter. "Authorized Official" includes without limitation the Director of Community Development, Fire Marshal/Building Inspector, Code Enforcement Officer and/or any employee designated by them, and/or designated by the Town Board by resolution from time to time.

BED-AND-BREAKFAST

A bed-and-breakfast is not a hotel or motel, but rather is an owner-occupied dwelling in which overnight accommodations and breakfast only are provided to transient guests for compensation. Such use is secondary to the occupancy of the dwelling by a family.

HOTEL or INN

A business enterprise which offers to the general public temporary lodging accommodations that are used, rented or hired out to be occupied by transient guests who have their residences elsewhere, and which may contain other facilities accessory thereto which primarily are intended for use by

such guests, including but not limited to snack bars, recreational facilities or activities, and retail shops for the sale of souvenirs and sundries, or which are intended for use by such guests as well as the general public, including but not limited to meeting rooms and restaurants or other dining facilities. This definition shall not include short-term rentals, as defined by this Chapter.

MOTEL

A building or group of buildings in which lodging is provided for compensation for primarily automobile transients, and which has individual entrances from the outside of the building for at least 25% of the dwelling or rooming units located therein.

SHORT-TERM RENTAL

Any portion of real property rented for compensation in exchange for lodging for a period of not more than 28 consecutive days. This may include a bed-and-breakfast, and campgrounds, tent sites or tent platforms and other temporary structures on the parcel. For the purpose of this chapter, the term "short-term rental" shall not include a hotel, inn, motel, or ongoing month-to-month rentals.

Section 3. Amendment to Chapter 235. Chapter 235, Zoning, of the Code of the Town of Irondequoit, is hereby amended to add a new Article XIIIIB, as follows:

Article XIIIIB Short-Term Rentals

§ 235-75.50 General Prohibition. Short-term rentals are prohibited within the Town of Irondequoit, except as provided for in this Article.

§235-75.51 Presumption of dwelling unit as short-term rental.

A. The presence of the following shall create a presumption that all or a part of the property is being used as a short-term rental:

- (1) All or a part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb, Home Away, and/or VRBO, for a rental period of less than 28 consecutive days; and/or
- (2) All or a part of the property is offered for lease for a period of 28 days or less through any form of advertising.

- B. The foregoing presumptions may be rebutted by evidence presented to the Authorized Official that the premises is not operated as a short-term rental.

§235-75.52 Required Permit.

- A. Owners shall not use their property as a short-term rental without first obtaining a revocable short-term rental permit. A short-term rental permit is a privilege within the Town of Irondequoit and not a right, and can be revoked for failing to comply with the requirements of this Chapter.
- B. A short-term rental permit shall be valid for two years and an application for renewal must be submitted to the Town at least thirty (30) days before the expiration of current permit if the premises is to continue to operate as a short-term rental.
- C. The short-term rental permit is not transferable to a new owner. The new owner of the premises subject to a short-term rental permit must file a new permit application and obtain a short-term rental permit before operating property as a short-term rental. In the event a short-term rental is owned by an entity, such as a limited liability company, partnership or corporation, any transfer of ownership interest in the entity shall be considered a transfer of the short-term rental permit for the purposes of this Chapter.
- D. Notwithstanding the foregoing, those properties with short-term rental commitments existing on the date this section takes effect shall be permitted to honor such existing commitments but must apply for a permit within sixty (60) days of this local law's effective date for all future short-term rental commitments. In the event such application is denied, all commitments shall be cancelled.
- E. The total number of short-term rental permits shall not exceed the greater of one hundred fifty (150) or the total number of complete applications for a permit received by the Town within the first ninety (90) days after this local law becomes effective (the "Introductory Phase"). The Authorized Official shall publish the total number of complete applications received during the Introductory Phase and report this number to the Town Board at

the first regular meeting following the expiration of the Introductory Phase. Any permit issued to an existing short-term rental property after transfer of ownership shall be considered a new permit and count against the total number of permits within the Town.

- F. The Department of Community Development shall maintain a list of active short-term rental permits that includes the name of the owner(s) and address of the property.

§235-75.53 Short-term rental permit application requirements.

- A. Applications for a short-term rental permit or renewal may be obtained from the Community Development Department. Applications shall be submitted to the Community Development Department, accompanied by payment of a non-refundable permit fee to be determined from time to time by resolution of the Town Board. The application shall include the following:
 - (1) The signatures of all owners or their designated agents.
 - (2) A statement authorizing the Authorized Official to inspect the property to ensure compliance with all requirements and standards contained within this chapter.
 - (3) An acknowledgement of present and ongoing compliance with the short-term rental standards as defined in this chapter, including, but not limited to, the demonstration of adequate off-road parking spaces for the proposed short-term rental. If any of the short-term rental standards are not in compliance, the applicant shall submit proof that a variance application was submitted to the Zoning Board of Appeals.
 - (4) A list of each property owner and the name of any manager or management agency managing the property, including names, addresses, telephone numbers and email addresses of each. Whenever the property is owned by an entity, such as a limited liability company,

partnership or corporation, the names, addresses, telephone numbers and emails of the individual owners of the entity shall also be provided.

- (5) The name, address, telephone number and email address of a contact person, who shall be responsible and authorized to act on the owners' behalf to promptly remedy any violation of the standards outlined in this section. The contact person shall also be considered an agent of the owner(s) for the service of legal process for any proceedings arising out of this Chapter. The contact person may be an owner, or an agent designated by the owner(s) to serve as a contact person, and shall respond to any correspondence or concern from the Town within 4 hours. The contact person must be located within twenty (20) miles of the Town Hall to ensure that the person is able to personally respond promptly to correspondence or concerns with the short-term rental.
- (6) Land Survey Requirement - As a condition of obtaining or renewing a short-term rental permit, the applicant shall submit a current land survey map prepared and certified by a licensed land surveyor registered in the State of New York.
- (7) An accurate suitable floor plan for each level of the dwelling that can be occupied measuring at least 8.5 inch by 11 inch, drawn to scale and certified by the applicant. The floor plan does not need to be prepared by a professional, but must include the following:
 - (a) The location of buildings and required parking.
 - (b) Basement: location of house utilities and all rooms including bedrooms, windows, exits and any heating/cooling units.
 - (c) First floor: all rooms including bedrooms, windows, exits and any heating/cooling units.

- (d) Second floor: all rooms including bedrooms, windows, exits and any heating/cooling units.
 - (e) Attic (if present): all rooms including bedrooms, windows, exits and any heating/cooling units.
 - (7) A statement that none of the owners of the subject property, and if applicable that none of the owners of an entity owning the subject property, have had a short-term rental permit revoked within the previous year for any rental properties owned individually or together with others within the Town of Irondequoit or elsewhere.
 - (8) Each application for a renewal of a short-term rental permit shall include a certification of compliance with the requirements of this Chapter and Article 12-D of the New York Real Property Law.
- B. All completed applications are subject to a floor plan review and approval by the Authorized Official.
- C. Owners wishing to apply for a variance relating to sleeping capacity, parking capacity, or other standards stated below must petition to the Zoning Board of Appeals at the same time when their application is submitted to the Authorized Official, noting that an application is also being made to the Zoning Board of Appeals.

§235-75.54 Short-term rental standards.

- A. Property requirements.
- (1) Property must comply with and meet all current New York State Uniform Building Codes.
 - (2) Property must comply with and meet all requirements of Article 12-D of the New York Real Property Law, including registration.
 - (3) There shall be a minimum 500 feet of separation between the boundaries of properties containing a short-term rental.

Applicants who can demonstrate that they were operating a short-term rental at the subject property as of December 19, 2023 (i.e., the date when Local Law No. 1 of 2024 was enacted) are exempt from this requirement. All new applicants shall comply with this requirement.

- (4) Each rental shall be for a minimum of two consecutive days.
- (5) There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.
- (6) Evacuation procedures must be posted in each sleeping room to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.
- (7) There shall be an ABC fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the permit holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the permit holder shall be maintained and made available to the Authorized Official upon request.
- (8) The house number shall be located both at the road and on the dwelling unit so that the house number is clearly visible from both the road and the driveway.
- (9) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
- (10) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Authorized Official during the permitting process. Any defects found shall be corrected prior to permit issuance.
- (11) All fireplaces shall comply with all applicable laws and regulations.

- (12) All parking must be located on-site. The property must have a minimum of one off-road parking space for every bedroom shown on the floor plan included with the application.
- (13) Maximum occupancy for each short-term rental unit shall not exceed two people per bedroom shown on the floor plan included with the application plus two additional people. The maximum occupancy of a short-term rental unit shall not exceed 12 people, including permanent residents and renters.
- (14) In the event that the property has a septic system, the maximum occupancy shall be defined by the capabilities of the septic system, but in no event shall overnight occupancy for any short-term rental unit exceed 12 people total.
- (15) A septic system at the property must meet all state requirements.
- (16) The septic system must have been pumped within the past four years and proof of pumping and satisfactory inspection by a qualified septic disposal firm shall be available to the Authorized Official. Once a short-term rental permit is issued, the septic system must be pumped at least once every four years.
- (17) The water supply to the property must meet all state requirements.
- (18) In order to maintain the residential nature of the neighborhoods, external signage is not permitted.
- (19) Emergency contact information shall be prominently posted in the interior of the short-term rental.

B. Noise Detection System Requirements. To proactively prevent and mitigate excessive noise disturbances that may negatively impact neighboring properties and community peace, each short-term rental shall comply with the following noise monitoring standards.

- (1) Each short-term rental shall have an active noise detection system capable of continuously monitoring decibel levels both indoors and outdoors during all rental periods.
- (2) The system shall be capable of:
 - (a) Measuring real-time noise levels in decibels (dBA),
 - (b) Sending automated alerts (via SMS, email, or mobile app) to the property owner, property manager, or designated contact when thresholds are exceeded,
 - (c) Generating downloadable logs or reports available to enforcement authorities upon request.
- (3) Noise Thresholds.
 - (a) Quiet hours shall be observed between 10:00 PM and 8:00 AM.
 - (b) During quiet hours, noise levels measured at the property line shall not exceed 55 dBA for an extended time of at least ten (10) minutes, or as defined by applicable local noise ordinances.
 - (c) Outside of quiet hours, noise levels shall not exceed 70 dBA at the property line for an extended time of at least ten (10) minutes.
- (4) Notification and Response Protocol.
 - (a) Upon receipt of a noise alert, the property owner or responsible contact shall take reasonable steps to address and abate the noise disturbance within 30 minutes.
 - (b) Failure to respond to multiple alerts or to abate recurring noise violations may be grounds for enforcement action including permit suspension or revocation.
- (5) The location of the noise detection system shall be determined by the Authorized Official.

C. Insurance standards. All applicants and permit holders must provide "evidence of property insurance" and a "certificate of liability insurance" indicating the premises is insured as a short-term rental and maintain such insurance throughout the term of the short-term rental permit.

- D. Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with tight-fitting covers at all times to prevent leakage, spilling or odors, and placed where they are not clearly visible from the road except at approximate pick-up time.
- E. Rental contract: All applicants and permit holders must have a rental contract, which includes the following:
 - (1) Maximum property occupancy;
 - (2) Maximum on-site parking provided;
 - (3) Prohibition of on-street parking; and
 - (4) Code of conduct with a good neighbor statement that includes the following:
 - (a) The short-term rental is in a residential area in the Town of Irondequoit and that renters should be considerate of the residents in neighboring homes.
 - (b) Guests are required to observe quiet hours from 10:00 p.m. through 8:00 a.m.
 - (c) All renters will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct.
 - (d) Littering is illegal; and
 - (e) Recreational campfires, if permitted, must be attended.

§235-75.55 Procedures upon filing application.

- A. Short-term rental permit applications and renewal applications shall be filed with the Community Development Department with all supporting documentation and the non-refundable permit fee. Only completed applications will be accepted by the Town.

Authorized Official may decline to accept an application for consideration for any of the following reasons:

- (1) Documentation required by this article was not included or the full permit fee was not paid.
 - (2) A previously issued short-term rental permit was revoked within the past year and defects and/or violations have not been corrected and inspected by the Authorized Official.
- B. Upon receipt of a completed short-term rental permit application, adjacent property owners of the short-term rental shall be notified of the application by the Town via postcard. For the purposes of this Article, adjacent property owners shall mean the owners of parcels that are located within 100 feet of the boundary of the property where the short-term rental is proposed.
- C. Upon acceptance of the completed permit application, all documents and information required by this article and the permit fee, the Authorized Official shall have sixty (60) days to conduct a property inspection to certify and approve that all short-term rental requirements have been met.
- D. The application forms may include authorization to conduct a background check as part of the application process. The Authorized Official may conduct a background check consistent with the requirements of Article 23-A of the Corrections Law.
- E. Upon approval of the short-term rental application by the Authorized Official, a short-term rental permit will be issued. Short-term rental permits issued pursuant to this Section shall state the following:
- (1) The names, addresses and phone numbers of each person or entity that has an ownership interest in the short-term rental property.
 - (2) The name, address and phone number of a primary contact person who shall be available during the entire time the short-term rental property is being rented.

- (3) The maximum occupancy and vehicle limits for the short-term rental property.
- (4) Identification of the number of and location of parking spaces available.
- (5) Any conditions imposed by the Zoning Board of Appeals and/or Authorized Official.

§235-75.56 Conformity and display of permit.

- A. Short-term rental permits are subject to continued compliance with the requirements of these regulations.
 - (1) If the Authorized Official has probable cause to believe that the owner is not in compliance with the provisions of this law, he or she may request permission from an owner of the short-term rental permit to enter the premises and to conduct an inspection of the short-term rental property for purposes of ensuring compliance with this section. If the property owner refuses to permit the Authorized Official to inspect the property, the permit may be suspended. If an inspection authorized herein is conducted, the Authorized Official shall use the results of such inspection in determining whether to revoke the permit.
 - (2) The short-term rental permit, maximum occupancy limit, maximum parking, contact form and standards shall be prominently displayed inside and near the front entrance of the short-term rental.
 - (3) The short-term rental permit holder shall ensure that current and accurate information is provided to the Authorized Official and that they notify the Authorized Official immediately of any change in the information displayed on the permit. If, based on such changes, the Authorized Official issues an amended short-term rental permit; the owners must immediately post the amended permit inside and near the front entrance of the short-term rental.

- (4) The short-term rental permit holder must conspicuously display the short-term rental permit number in all advertisements for the applicable short-term rental.
- B. Within ten (10) days of the anniversary date from when a short-term rental permit was last issued and/or renewed, the owner(s) shall file an annual verification and compliance affirmation in a form created by the Community Development Department. The form shall require updated contact information, insurance verification, and affirmation of compliance with this Chapter under the penalty of perjury. The form shall also require the owner(s) to report the total occupancy taxes paid to the State and Monroe County for the prior year.

§235-75.57 Compliance and penalties.

- A. Violations of this article or of any short-term rental permit issued pursuant to this article shall be subject to enforcement and penalties prescribed in this Article and also subject to the penalties provided for in Article XIX of this chapter.
- B. If the Authorized Official either witnesses or receives a written complaint of an alleged violation of this Article or of the conditions of any short-term rental permit issued pursuant to this section, he or she shall properly record such complaint and investigate the report thereon. If the investigation determines there is a violation of this chapter, the owners shall be notified in writing by personal delivery or certified mail of said violations together with proposed enforcement action. The owner shall have twenty (20) days to submit a written response to the Authorized Official, should they wish to do so. After considering any response from the owner, the Authorized Official may take any or all of the following actions:
 - (1) Attach conditions to the existing short-term rental permit.
 - (2) Suspend the short-term rental permit. The notice of suspension shall be provided to the property owner and a copy filed with the Town Clerk.

- (3) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within thirty (30) days of notice from the Code Enforcement Officer or the owner risks revocation of the short-term rental permit.
 - (4) Issue a court appearance ticket for violation of a Town law.
 - (5) Revoke the short-term rental permit. Should a permit be revoked, all owners of the short-term rental are prohibited from obtaining a short-term rental permit on the property for one year after the date of revocation. The Director of Community Development shall send notices of revocation to property owners and shall file a copy with the Town Clerk.
 - (6) Upon the finding of a violation, any court having jurisdiction may impose penalties of \$1,000 for first violation, \$2,500 for second violation within two (2) year period, and \$5,000 for third violation within two (2) year period.
- C. The Town may commence an action or proceeding seeking appropriate legal and/or injunctive relief, including a permanent injunction. Where a short-term rental is being unlawfully operated, including without a permit or in violation of a permit, the Court in such action or proceeding may impose a civil penalty in the amount of \$500 per day of violation found to exist. The Town shall also be entitled to recover its reasonable attorney fees in such action or special proceeding.

§235-75.58 Grounds for suspension or revocation of permit.

- A. The Director of Community Development may immediately suspend a short-term rental permit based on any of the following grounds:
- (1) Applicant has falsified or failed to provide information in the application for a permit or the application for permit renewal.
 - (2) Applicant failed to meet or comply with any of the requirements of this chapter.
 - (3) Owner is in violation of any provision of the Code of the Town of Irondequoit.
 - (4) Owner has violated any provision of the Penal Code of the State of New York, which violation occurred at, or related to the occupancy of the short-term rental.
 - (5) Any conduct on the premises, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
 - (6) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.

§235-75.59 Appeals and hearings. The property owner is entitled to appeal the Authorized Official's determination to the Zoning Board of Appeals when a property owner's application for a short-term rental permit or a short-term rental permit renewal is denied or a short-term rental permit is suspended or revoked. A notice of appeal shall be filed with the Town Clerk and the Zoning Board of Appeals within 60 days of the filing of the denial or revocation with the Town Clerk.

Section 4. Severability. In the event that one or more of the provisions of this local law shall be deemed unenforceable, the remaining provisions of this local law shall remain in full force and effect.

Section 5. Effective Date. This local law shall take effect immediately upon its adoption by the Town Board and the filing thereof with the New York Secretary of State.