

RESOLUTION

WHEREAS, the Common Council wishes to allow short-term rentals in a designated area in the DMU zoning district of the City of Middletown.

NOW THEREFORE BE IT Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 – The Code of the City of Middletown, N.Y., Chapter 475, Zoning, is hereby amended by adding a new Paragraph (24) to Subsection F, Uses requiring issuance of both a special use permit and site plan approval by the Planning Board, of Section 475-21.1, DMU Downtown Mixed-Use District, to read as follows:

(24) Short-Term Rentals, subject to the following conditions:

(a). The subject property must be located in one of the following areas:

(i). On West Main Street from 75 West Main Street to the intersection with James Street;

(ii). On James Street from the above-stated intersection to the intersection with Depot Street;

(iii). On Depot Street from the above-stated intersection to the intersection with North Street;

(iv). On North Street from the above-stated intersection to the intersection with Erie Way, but excluding 90 North Street;

(v). On Erie Way from the above-stated intersection to the intersection with Cottage Street; or

(vi). On Cottage Street from the above-stated intersection to the intersection with Prince Street.

(b). The subject rental must be accomplished by membership or approval by an entity such as Airbnb, VRBO, or another entity subject to approval by the Planning Board, which contains standards such as insurance and other requirements; and

(c). Acquisition and continued renewal of a rental permit subject to the provisions of Section 296-18(C) of Chapter 296, Housing, of the Middletown City Code.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is

hereby amended by adding a Subsection C, Short-Term Rentals, to Section 296-18, Term of permit; renewal, to read as follows:

C. Short -Term Rentals. No permit may be issued for short-term rentals of less than thirty (30) days, except as provided in Section 475-35-1 and Section 475-21.1F(24) of the Zoning Code. The issuance, renewal and revocation of short-term rental permits are subject to all of the provisions of Article III, Rooming, Lodging and Multiple Dwelling Units, of Chapter 296, Housing, except for Section 296-20(H), Background Checks.

Section 3. Severability. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or illegal by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 4 - This ordinance shall take effect immediately.