



A Short Term Rental application shall include all information required by the Village of Kinderhook Zoning law as adopted in Local Law 3 of 20023. An applicant should obtain and review the local law. Required submissions with the application are set forth below and are required to be delivered to the Village Code Enforcement Officer for review. When accepted by the Code Enforcement Officer, the application will be referred to the Planning Board for site plan review and public hearing.

(1) The application shall include the following:

- (a) Residency documentation from all property owners proving primary residency. Acceptable forms of residency documentation shall be reviewed and accepted at the discretion of the Code Enforcement Officer, and shall include, but not be limited to, a driver's license or other government-issued ID, a utility bill for the property, a vehicle registration showing name and property address, or other proof of residency at the Short Term Rental location.
- (b) A statement authorizing the Code Enforcement Officer to inspect the property to ensure compliance with all requirements and standards contained within this chapter. The CEO will make an appointment with the property owner to inspect the property.
- (c) 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-street parking spaces for the proposed Short Term Rental.
- (d) An accurate 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:
 - i. The location of buildings and parking.
 - ii. Basement - location of house utilities and all rooms including bedrooms, windows, exits and any heating/cooling units.
 - iii. First floor - all rooms Including bedrooms, windows, exits and any heating/cooling units.

- iv. Second floor - all rooms including bedrooms, windows, exits and any heating/cooling units.
 - v. Attic (if present) - all rooms including bedrooms, windows, exits and any heating/cooling units.
- (e) A statement that none of the owners of 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.
 - (f) All completed applications are subject to a floor plan review and approval by the Code Enforcement Officer.
 - (g) Owners wishing to apply for a variance relating to sleeping capacity, parking capacity, or other standards stated required herein must apply to the Zoning Board of Appeals. Applications will be reviewed by the Zoning Board of Appeals in accordance with the Village's Zoning Law.

F. Short Term Rental Standards.

- (1) Property must comply and meet all current NYS Uniform Building Codes.
- (2) There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor.
- (3) Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.
- (4) 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.
- (5) 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 Code Enforcement Officer upon request.
- (6) The house number shall be located on the dwelling unit so that the house number is clearly visible from both the road and the driveway.
- (7) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.

- (8) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Code Enforcement Officer during the permitting process. Any defects found shall be corrected prior to permit issuance.
- (9) All fireplaces shall comply with all applicable laws and regulations.
- (10) The property must have a minimum of one (1) off-road parking space for every bedroom shown on the floor plan included with the application. Exception can be made for the B-1 district only, where suitable off premises overnight parking is demonstrated as available.
- (11) Maximum occupancy for each Short Term rental unit shall not exceed two (2) people per bedroom shown on the floor plan included with the application and two (2) people per minimum full size convertible sleeping accommodation furniture (i.e., futon, hide-a-bed) also identified on the floor plan. The maximum occupancy of any Short Term rental unit shall not exceed eight (8) people, including permanent residents and renters.
- (12) In the event that the property has a septic system, the maximum occupancy shall be defined by the capabilities of the septic system as built, but in no event shall overnight occupancy for any Short Term Rental Unit exceed ten (10) people total.
- (13) 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 Code Enforcement Officer. Once a Short Term Rental permit is issued, the septic system must be pumped at least once every four years.
- (14) The water supply to the property must meet all State requirements.
- (15) Signage identifying the Short Term Rental, or any vacancy is not allowed for any Short Term rental.
- (16) The property shall be designed, maintained, and operated to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building, either using materials, signage, or lighting.
- (17) An owner leaving the Village overnight during the rental period for hosted and non-hosted rentals must engage the services of an agent with the right to enter and maintain possession of the dwelling. The agent shall be responsible and authorized to act on the owners' behalf to promptly remedy any violation of the standards outlined in this Chapter. This agent must be available 24 hours a day to respond to renter and neighbor concerns and be capable of responding within two hours of notification from the Village. This agent must be registered with the Village, with name, address, email, and telephone contact information.

- (18) The guest bedrooms shall be limited to the principal dwelling and/or one habitable, permitted accessory building. Any guest room in an accessory building shall have sanitary facilities within that accessory building approved by the Code Enforcement Officer.
- (19) Non-hosted Short Term rentals are limited to 60 days in any one calendar year. A "rental day" shall be deemed to mean any day that the property is occupied for rental overnight.
- (20) The owner shall collect and preserve registration records of renters for a minimum of three years and make them available for inspection upon request of the Code Enforcement Officer.
- (21) All applicants and permit holders must provide "Evidence of Property Insurance" and a "Certificate of Liability Insurance" indicating the premises is rated and insured as a Short Term Rental and maintain such insurance throughout the term of the Short Term Rental permit. The owner may provide proof of third party coverage by the STR booking service.
- (22) 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 pickup time.
- (23) All applicants and permit holders must post on the property for renters a notification which includes the following:
- (a) Maximum property occupancy.
 - (b) Maximum on-site parking provided.
 - (c) Good Neighbor Statement stating:
 - i. The Short Term Rental is in a residential area in the Village of Kinderhook and renters should be considerate of the residents in neighboring homes.
 - ii. Guests are requested to observe quiet hours from 10:00 p.m. - 7:00 a.m.
 - iii. All renters will be subject to New York Penal Law §240.20 or any successor statute regarding disorderly conduct.
 - iv. Littering is illegal; and
 - v. Recreational campfires must be attended.