

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: STR Permit Applications and New STR Exemption Request Forms

Date: 10/15/2024

DEPT OF ORIGIN: Mayor Williams

Bill # 147-2024

DATE SUBMITTED: 10/9/2024

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED:

APPROPRIATION
REQUIRED:

SUMMARY STATEMENT:

Resolution to approve application form for new short-term rental exemption requests

MOVED BY: Brunette SECONDED BY: White

VOTE ON ROLL CALL: TO TABLE

MAYOR WILLIAMS

no

TRUSTEE RYAN

no

TRUSTEE WHITE

yes

TRUSTEE SCOLLIN

yes

TRUSTEE BRUNETTE

yes

**RESOLUTION TO APPROVE UPDATES TO THE STR PERMIT APPLICATION AND
DRAFT REQUEST FORM FOR NEW SHORT TERM RENTAL MORATORIUM
EXEMPTIONS**

WHEREAS, the Village of Saranac Lake Board of Trustees passed a Local Law placing a Moratorium on any new short-term rental applications in the Village of Saranac Lake, and,

WHEREAS, the Board is considering extending the moratorium until December 31, 2025, and,

WHEREAS, the Moratorium Law states that exemptions may be granted by the Board of Trustees under “special circumstances,”

WHEREAS, a draft request form to approach the Village Board and any updates to the STR permit application must be approved by the Village Board in accordance with the short-term rental Law in order to consider the exemptions and special circumstances.

THEREFORE, BE IT RESOLVED, the Village Board of Trustees approves the use of the updated STR permit application and request form for new STR exemption requests while the moratorium is still in place.



**Request to Approach Village Board
STR Moratorium Exemption**

STR Moratorium Exemption Process:

- Submit this form to the Village Clerk with as much information as possible. Please include photo's of the property and all supporting documentation as necessary.
- The Village Clerk will distribute this form and supporting documents to the Village Board and schedule a public hearing.
- During the scheduled public hearing, the Village Board will consider the public's input on your requested exemption and determine if your request will be granted or denied at that time.
- If the exemption is granted, please contact Katrina Glynn, Saranac Lake Development Board Director, for next steps: Special Use Permit Application to the Development Board and STR Permit Application, if applicable.

Applicant Name:

Applicant Phone Number & Email:

Date:

Property Address:

Property Tax Map ID:

Is applicant a resident of the Village of Saranac Lake?

Is this STR currently available to rent? If no, when is the requested date of first rental?

Justification for Exemption:

For Village Staff Use Only

Date of Village Board meeting to initiate STR exemption process and request public hearing:

Date of public hearing:



Village of Saranac Lake

Community Development Department

39 Main Street, Suite 9 Saranac Lake, NY 12983-2294

Phone: (518) 891 - 4150

Fax: (518) 891 - 1324

Web Site: www.saranaclakeny.gov

APPLICATION #: _____

DATE RECEIVED: _____

DATE PAID: _____

SHORT-TERM RENTAL PERMIT APPLICATION

Instructions

- Applicant to complete the permit application only after a Notice of Decision has been issued for approval of a **Special Use Permit** at the property for the operation of a short-term rental.
- Fees - STR Permit application fees are dependent on STR ownertype (owner occupied vs. secondary home) and number of rooms per unit. See [fee schedule](#).
 - New Short-Term Rental applicants will be required to pay both the Special Use Permit and the STR Permit fee.
 - STR permits shall be valid for up to a one-year period, expiring on January 31st of the following year. Renewal permits shall run from January 31 of the year of issuance to January 31 of the following calendar year. If the permit is not renewed by the expiration date, the STR will be operating without a permit and subject to fines outlined in the Fine and Fee Schedule.
- Incomplete applications will not be approved.

STR Property Address: _____

Applicant Information	
Applicant Name	
Applicant Address	
Mailing Address, If different	
Applicant Email	
Applicant Phone	

Contact Information

List the contacts **in the order they should be contacted**. Include the property owner(s), host, or property manager if applicable.

Title	Name	Email	Day Phone	Night Phone
<i>Example: Owner</i>	<i>Jane Doe</i>	<i>jdoe@gmail.com</i>	<i>518-xxx-xxxx</i>	<i>518-xxx-xxxx</i>

Submit the following documentation:

- Proof of Ownership in the form of a Deed or Land Contract.
- Copy of the corresponding Franklin or Essex County Certificate of Authority to collect occupancy tax.
- An affidavit signed by all property owners and a notary public (see attached form).
- Floor Plan. A floor plan of each property, including the dimensions of all rooms and the methods of ingress and egress (examples: doors and windows).

Water and Sewer/Septic

<u>Water:</u>	Municipal service	Well
<u>Sewer:</u>	Municipal service	Septic

STR Hosting Platform Information

Title of listing Name

Name of platform

url

Title of listing

Name of platform

url

Title of listing

Name of platform

url

Acknowledgements

Instructions: Initial next to each statement verifying that you understand and agree to follow each of these conditions in order to retain a STR Permit:

Initials	Statement
	House Rules. A copy of the House Rules will be posted in a visible location for guests.
	Camping. Camping is not permitted on the STR property.
	The STR permit will be displayed in the dwelling unit in a place where it is easily visible to the occupants (on or about the inside of the front or main door of each dwelling unit)
	Emergency contact information will be posted in the dwelling unit in a place where it is easily visible to the occupants.
	Emergency exit plan and location of fire extinguishers shall be posted in each dwelling where it is easily visible for guests.
	Guests shall be made aware of the property lines and notified that that they may be liable for illegal trespassing.
	Guests must obey local noise ordinances. Noise shall be kept at a reasonable level. Unreasonably loud, disturbing and unnecessary noise shall not occur, including during quiet hours between 10pm and 7am.
	Rental arbitrage is not permitted on properties with an STR Permit.
	Transfer. STR permits may not be assigned, pledged, sold, or otherwise transferred to any other persons, businesses, entities, or properties, except to a spouse, parent, or naturally born/legally adopted child or sibling. If a permitted property is sold, the new owners shall submit a completed STR permit application, and nonrefundable STR permit application fee to the STR Permit Administrator within 30 days of the date of new ownership to continue operation as an STR.
	STR permits are valid for up to one year. Permits expire on January 31 each year. It is the owner's responsibility to renew the STR permit each year. If a permit is not renewed by the expiration date it is understood that the STR will be operating without a permit and subject to fines.
	The STR unit(s) shall not be used for any other commercial use or commercial event space.
	Fires. If allowed by the property owner, instructions for fires in indoor fireplaces or wood stoves will be shared with all guests. If fires are not allowed, that information will be conveyed to guests.
	Pools. If the property has a pool, hot tub or other swimming appurtenance, a clear list of requirements related to pool use, including an explanation of the use of required barriers, latches, alarms, or electrical disconnects will be shared with all guests.
	Garbage. Procedures for disposal of garbage and recycling shall be shared with guests.
	By accepting a STR Permit, I acknowledge that the property may be inspected by the Code Enforcement Officer to verify compliance with New York State Uniform Fire Prevention and Building Code and all requirements of the Special Use Permit.
	Renewal Application. The STR Permit Administrator may deny a renewal application based on noncompliance with STR regulations or conditions of the Special Use Permit, or upon failure of a fire safety inspection in any aspect of that inspection. The STR Permit holder may appeal the denial to the Development Board.
	If any information submitted as part of this application changes before the time of renewal of an STR Permit, the applicant must submit changes in writing to the Community Development Department via email to comdevassist1@saranacounty.gov .
	Agree to follow any conditions relating to the approval of the Special Use Permit.

Certification

Applicant's Signature _____ **Date** _____

If Applicant is not the property owner:

Property Owner Name: _____

Property Owner Signature: _____ **Date** _____



Process for Moratorium Exemptions & New Short Term Rental Applications October 15, 2024

Moratorium Extension

- The Development Board agrees that the moratorium should be extended until December 31, 2025.
 - New Short Term Rental applications will require a three-step process.
 - Step 1 is conducted by the Village Board.
 - Step 2 is conducted by the Development Board. *
 - Step 3 is conducted by the STR Permit Administrator. *
- * Steps 3 and 4 were included in the Pre-Existing STR Application Process

Step 1 - Moratorium Exemption Request - Village Board Review

Applicant to submit Moratorium Exemption Request:

- Moratorium Exemption Request to be sent to Village Board, via the Village Clerk.
 - Applicant to provide pictures of property and/or other documentation to support request for exemption.
 - New construction and rehabilitation are only two measures for why the Village Board may grant an exemption to the moratorium. The moratorium law states above "*special circumstances such as...*" There may be other conditions for exemption, such as financial hardship.
- Village Clerk will notice a public hearing in the paper.
 - According to Page 1 of the Moratorium Law: "*No such applications shall be accepted by any Board or official of the Village of Saranac Lake while this law remains in effect.*" "*Exemptions may be granted by the Board of Trustees under special circumstances such as new construction and rehabilitation of a derelict or dilapidated building. Any exemption granted by the Board of Trustees shall first require a public hearing.*"

Village Board Review of Moratorium Exemption Request:

- Public Hearing
- Applicant to present request to the Village Board. The Village Board will either grant or decline the applicants request for an exemption.

Step 2 - STR Special Use Permit Application Process - Development Board Review

Applicant to submit application for a Special Use Permit to the Development Board Director:

- A Special Use Permit requires the applicant to notice a public hearing to neighbors within 200ft of the property.
- The Development Board will evaluate the application and has the right to visit an STR, evaluate the property, and ask for a site visit, if necessary.

Development Board Review of Special Use Permit Application:

- Public Hearing
- Applicant to present application to the Development Board. The Development Board will either grant or decline the applicant's request for a Special Use Permit.

Step 3 - New STR Permit Application Process - STR Permit Administrator Review

Applicant to submit application for an STR Permit to the STR Permit Administrator:

- New STR Permit application is updated, removing reference to pre-existing applications.
- The requirement to provide proof of authority to collect occupancy tax, has not been removed. Proof of authority to collect occupancy tax is a County certificate which registers the applicant with the county to collect occupancy tax. This document was required of pre-existing STR applications and will continue as a requirement for new applications.
 - All Village Hotel/Motels, Inns, Bed and Breakfasts, and pre-existing STRs in the Village are required to have a proof of authority to collect occupancy tax certificate.
- According to Page 7 of the STR Law: *"After issuance of a Special Use Permit, the STR may be inspected by the Code Enforcement Officer to verify compliance with the New York State Uniform Fire Prevention and Building Code and all requirements of the Special Use Permit. An STR which is not in compliance with conditions of the Special Use Permit shall not receive an STR permit."*
- STR Permit Administrator to either grant or decline the applicant request for an STR Permit.

Special Use Permit and STR Permit Fees

- A Special Use Permit (SUP) fee (\$300) was collected for each pre-existing STR application (85 applications). The SUP fee included the STR permit fee for the first year.
 - In 2024, the Village collected \$25,500 (85 applicants x \$300 SUP Fee = \$25,500).
- In 2025, the Village expects to collect approximately \$19,000 in pre-existing permit renewals fees.
- Fees collected for new applications (TBD for 2025) will include both a SUP Fee (\$300) and a STR Permit fee. Fee schedule approved as of 2024 (attached).

STR Compliance

- The Community Development Department will issue letters of noncompliance to approximately 30 Village unregistered STR's, requesting the property owner to removal of the listing from rental websites.
- The property owner will have 30 days to comply before the Code Enforcement Office issues a violation and proceeds forward with collection of fines.
- Each month, Community Development will check the list of noncompliant properties (through RentalScape) and repeat this process.



Village of Saranac Lake

Community Development Department

39 Main Street, Suite 9 Saranac Lake, NY 12983-2294

Phone: (518) 891 - 4150

Fax: (518) 891 - 1324

Web Site: www.saranaclakeny.gov

Short-Term Rental Permit Fee and Fine Schedule

STR Annual Fees

One bedroom in owner occupied house	\$25.00
Studio/Efficiency - 1 Bedrooms	\$200.00
2-4 Bedrooms	\$400.00
5-6 Bedrooms	\$800.00
7-8 Bedrooms	\$1,200.00
9 + Bedrooms	\$1,600.00

STR Fines

Operating without a permit	Up to \$ 500.00 Per Day
Failure to remedy	Up to \$ 500.00 Per Day