

# Town of Torrey

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## §98.127 Short-Term Rental Standards.

### 1 Property requirements

- (a) Property must comply and meet all New York State (NYS) Uniform Building Codes in effect at the time of construction. It shall also meet current NYS Property Maintenance Code and, if applicable, any Town of Torrey Maintenance Law or regulations.
  - (b) 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.
  - (c) Evacuation procedures must be posted in each sleeping room on each floor 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.
  - (d) 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) or property manager to ensure each contains a full charge. A record of the date inspected initialed by the permit holder or property manager shall be maintained and made available to the Code Enforcement Officer upon request. A tag attached to each fire extinguisher shall be acceptable for this purpose.
  - (e) 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.
  - (f) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
  - (g) 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.
  - (h) Adequate parking must be provided to accommodate the maximum occupancy. Parking must be shown on the site plan included with the application. Parking areas must be all-season surface. Parking on the lawn or leach field is prohibited. A parking space is an area at least ten (10) feet by twenty (20) feet with direct access or legal right-of-way to a public street. Parking rules must be stipulated in the rental agreement.
- On- street parking at short term rentals is prohibited at all times.

## §98.127 Short-Term Rental Standards, continued

### 2. Occupancy

a. The maximum overnight occupancy shall be :

1. The number of people allowed based on the septic system design; or
2. The number of people calculated on the basis of two (2) persons per bedroom 100 square feet or larger. Bedrooms between 70 and 99 square feet shall only allow one (1) person. Bedrooms less than 70 square feet are prohibited in compliance with NYS Property Maintenance Code. At no time shall the maximum occupancy exceed the septic system capacity.
3. The Code Enforcement Officer may limit occupancy to fewer based on the number, size, configuration, and furnishings of the bedrooms and/or sleeping rooms, the number of available parking spaces on the short-term rental property and according to provisions of New York State statutes.

b. Separately Housed Persons.

No accessory structures, tents, campers, trailers, recreational vehicles (RV's), or other housing shall be permitted on the short-term rental property as a means of providing additional accommodations for paying guests or other invitees.

### 3. Septic System

a. A septic system at the property must meet all state and local requirements and be approved for the number of bedrooms. The maximum occupancy will be determined by the capabilities of the septic system.

b: The septic system must be pumped by a NYS DEC licensed waste haul contractor and inspected by the Town of Torrey Watershed Inspector as required per the Town of Torrey Wastewater Law and Policies & Procedures, as amended, prior to the issuance of a short-term rental permit. **The “comprehensive” inspection protocol shall be followed.** The protocol is outlined in the [Town of Torrey “Wastewater Policies and Procedures”](#) which is available for download from the Town of Torrey website at [www.townoftorrey.com/laws/pdf\\_59.pdf?ver=1](http://www.townoftorrey.com/laws/pdf_59.pdf?ver=1) Once a short-term rental permit is issued, the septic system must be pumped and inspected at least once every five (5) years.

### 4. Water

The rental unit must have a potable water supply and must meet all state requirements. If not connected to a public water supply, the Code Enforcement Officer shall require documentation from a certified laboratory to prove the potability of the water at time of application. Thereafter, potability tests must be conducted bi-annually and lab results shall be submitted to the Code Enforcement Officer with the permit renewal application.

Alternately, in the event the water supply is not potable, a notice to this effect must be provided in the rental documents and on signs prominently posted in the rental property. An alternative water supply (e.g. water-cooler), or instructions where the renters may obtain potable water must be provided.

### 5. Signs

One sign identifying the short-term rental shall be allowed measuring no more than six square feet on a side. The sign may be double-sided but not internally lighted. The location, design and dimensions of the sign shall be reviewed and approved by the Code Enforcement Officer prior to issuance of the permit. If signage is desired after a permit has been issued, the short-term rental permit holder must submit a request for review and approval to the Code Enforcement Officer prior to installation. If the property has vehicular access on more than one road, there may be one sign fronting on each road. No off-premises signs are allowed.

## §98.127 Short-Term Rental Standards, continued

### **6. Insurance Standards**

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

### **7. Garbage/Trash**

Provisions shall be made for weekly garbage and trash removal. 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.

### **G. 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; and
3. Good neighbor statement stating:
  - a. The short-term rental is in a residential area in the Town of Torrey 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 7:00 a.m.
  - d. All renters will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct.
  - e. Littering is illegal
  - f. Dogs are required to be on leashes at all times. A dog's excrement shall be cleaned up and properly disposed of
  - g. Recreational campfires must be in suitable fire pit and located such that it will not cause a smoke nuisance to neighboring properties. Fires must be attended at all times, or extinguished.
  - h. Fireworks are illegal in New York State.