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MEMORANDUM

TO: Mayor Kyriacou and Members of the City Council
of the City of Beacon

FROM: Keane & Beane, P.C.

RE: Short Term Rental Local Law

DATE: March 5, 2020

In 2018, the City Council considered adopting a local law to permit and regulate short-term rentals in the City of Beacon. At that time it was determined by the Building Inspector, Timothy Dexter, that if the City were to allow short-term rentals as principal permitted uses in the City such rental properties would require a permit and robust fire safety requirements to comply with the International Fire Code Requirements, including a full fire alarm system and NFPA automatic sprinkler system in Section 903.2.8 of the International Fire Code. The permit would create a change in the “use” on the premise which would result in a change in the use designation of the property under the International Building and Fire Codes. The new “use” was determined to be similar to boarding houses, hotels, motel, or lodging house, which triggered fire protection items such as larger windows, automatic fire alarm system and sprinkler system.

Our office has prepared a revised local law to permit short-term rentals as an accessory use for single-family homes. Under the proposed local law, short-term rentals are permitted in all residential zoning districts upon approval and issuance of a short-term rental permit from the Building Department. The Building Department, Dave Buckley, has determined that a permit for a short-term rental accessory use will not change the use designation of the premises under the International Building and Fire Codes and would, therefore, not trigger any additional fire safety measures.

Due to this interpretation our office has revised the short-term rental local law to permit short-term rentals as accessory uses for single family homes and has amended the City’s Schedule of Regulations for Residential Districts to incorporate such change. The law does not require any substantive change to the prior draft.