



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO._____ OF 2018

**A RESOLUTION TO REQUEST STATE ACTION CONCERNING STATE
BUILDING CODE REQUIREMENTS FOR SHORT-TERM RENTALS**

WHEREAS, on May 21, 2018, the City Council of the City of Beacon adopted a local law to regulate the rental of entire dwelling units, rooms or groups of rooms, or other living or sleeping space for terms shorter than 30 consecutive days; and

WHEREAS, the local law requires property owners to obtain short-term rental permits to use, establish, maintain, operate, occupy, rent or lease any property as a short-term rental for a period shorter than 30 consecutive days; and

WHEREAS, in order to obtain a short-term rental permit, the short-term rental property must comply with all provisions of the City Code, the Intentional Fire, Building and Maintenance Codes and any New York State supplemental code provisions; and

WHEREAS, the International Building, Fire, Residential and Property Maintenance Codes (“International Series of Codes”) do not specifically address short-term rental “Airbnb” type uses; and

WHEREAS, the City of Beacon Building Inspector has determined, after consulting with the Department of State, that short-term rentals are transient occupancies, which in the International Building Code are considered an R1 use group; and

WHEREAS, the International Building and Fire Code imposes a higher level of fire protection for dwellings typically used by transient guests; and

WHEREAS, under the City’s short-term rental law, a property owner will be unable to obtain a short-term rental permit if the property does not meet all local and state fire protection requirements; and

WHEREAS, short-term rental operators in the City commented during public hearings that the fire protection measures required by the State are unduly restrictive and, in their opinion, not necessary to safely operate a short-term rental property; and

WHEREAS, it is in the interest of the public health, safety and welfare that the State review the International Series of Codes and New York State Supplement concerning requirements applicable to short-term rental properties.

NOW, THEREFORE, BE IT RESOLVED, that the Beacon City Council hereby adopts this Resolution to urge the Department of State, Division of Building Standards & Codes to examine the requirements in the International Series of Codes and New York State supplement applicable to short-term rental properties and provide local governments with written advice as to how to enforce the International Series of Codes and New York State Supplement rules against short-term rental properties; and

BE IT FURTHER RESOLVED, that the City shall send a copy of this Resolution to Governor Andrew Cuomo, the New York State Conference of Mayors, John R. Addario, P.E., Director of the New York State Department of State, Division of Building Standards & Codes, New York State Senator Sue Serino, New York State Senator John J. Bonacic, New York State Assemblyman Frank Skartados, New York State Assemblyman James Skoufis and New York State Assemblyman Joseph R. Lentol.

Resolution No. _____ of 2018			Date: <u>2018</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							