

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Marcellus

Local Law No. 3 of the year 20 24

A local law to amend Chapter 188 (Rental Dwelling Registration) of the Code of the Village of
(Insert Title)
Marcellus to define and prohibit short-term rentals.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Marcellus as follows:

Section 1. Chapter 188 of the Code of the Village of Marcellus entitled " Rental Dwelling Registration and Inspection" is hereby amended to change the title of the chapter to:

Rental Dwellings

Section 2. Chapter 188 of the Code of the Village of Marcellus is hereby amended to add Article II entitled Short-Term Rentals

Section 3. Chapter 188 of the Code of the Village of Marcellus is hereby amended to add the following sections to new Article II:

Section 188-9 – Short-term rental defined.

Short-term rentals are a dwelling unit or rooming unit and/or any accessory structures that are rented, in whole or in part, to any person or entity for a period of 29 consecutive nights or less. "Short- term rental" includes an agreement, written or oral, granting such use or possession of a residence, in whole or part, to a person in exchange for monetary compensation or other valuable consideration. "Short-term rental" shall also include any offer to rent, personally or through an agent, referral service, representative or other entity or person, communicate or advertise, verbally, in writing, or through other electronic means or otherwise, the availability for such rental or similar use of any dwelling unit or rooming unit and/or any accessory structures, in whole or in part, or to knowingly

(If additional space is needed, attach pages the same size as this sheet, and number each.)

allow, commission, authorize, or permit such communication or advertisement. "Short-term rental" shall also mean the selling of shares, time-share ownership or the establishing of other ownership, tenancy or use arrangement in which a person obtains a right of occupancy in all or any portion of a dwelling unit or rooming unit and/or accessory structures for 29 consecutive nights or less. The term "short-term rental" shall not include month-to-month tenancies in dwelling units, bed-and-breakfasts, hotels or motels. Short-term rentals are prohibited in the Village of Marcellus.

Section 188-10 – Short-term rentals prohibited.

It shall be unlawful for any person to offer to rent or to operate any dwelling unit or rooming unit or portion thereof, or to rent or operate any accessory structures related to the dwelling unit or rooming unit or portions thereof, as a short-term rental as defined above.

Section 4. This Local Law shall be effective upon filing with the office of the Secretary of State, and the Village Clerk is directed to immediately file a copy of this Section with the New York State Secretary of State as required by law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2024 of the ~~(County)(City)(Town)~~(Village) of Marcellus was duly passed by the Board of Trustees on December 23 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____-20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 38 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ¹_____ above.

DRAFT **DRAFT**

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: _____