



SHORT-TERM RENTALS

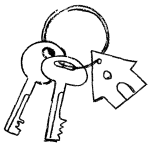
ISSUE PAPER OVERVIEW

This paper outlines how short-term rentals (STRs) are expanding across the Tug Hill region, presenting tourism and economic opportunities and community challenges. The issue paper explains how STRs operate, where they are most concentrated, and how communities can manage them through zoning/land use tools, registration and permitting, and enforcement. It also summarizes new 2025 state legislation that establishes uniform registration, safety, reporting, and tax requirements emphasizing the importance of local regulations.



SCAN TO READ
THE FULL PAPER

WHAT IS A SHORT-TERM RENTAL (STR)



A residential dwelling unit rented for less than 30 days. Three common types include hosted (owner present), unhosted-temporary (owner vacates during rental), and unhosted-permanent (owner never on-site).

HOW STR PLATFORMS OPERATE



Airbnb/Vrbo require rules, guest limits, and insurance (up to \$3 million damage coverage). Local awareness supports enforcement.

HOW COMMUNITIES REGULATE STRs



Municipal tools include zoning, registration systems, and local contacts. Example: Saranac Lake requires special use permits, annual renewals, inspections, and fines. Local occupancy taxes (e.g., 5% in Lewis County) can fund enforcement and tourism.

BENEFITS VS. COSTS



Benefits: Expands lodging options, generates local economic activity, and provides homeowners with incomes.

Costs: Reduces housing supply, may raise housing prices and rents, increases nuisance complaints, and diverts business from hotels/motels.

STRs IN THE TUG HILL REGION



- Approximately 1,048 active listings (2025).
- **Top Areas:** Village of Sylvan Beach, Town of Forestport, Town of Richland, Town of Albion, and Town of Vienna.
- NOCCOG has the highest STR density (1 in 25 homes).
- Seasonal peaks align with local recreation (snowmobiling, salmon run, lake tourism).



SHORT-TERM RENTALS

2025 NYS LEGAL FRAMEWORK



- Real Property Law Article 12-D: Establishes county-level registration systems. Counties can opt-out of establishing a registration system, by passing a local law, no later than approximately June 25, 2026.
- STR hosts must display safety information, maintain \$300 thousand liability insurance, and keep guest records for two years.
- Booking services report data quarterly and may be fined for unregistered listings.
- Tax Law Amendments: Allows counties to collect sales (8%) and occupancy (3 - 5%) taxes if registered. Tug Hill's annual revenue is approximately \$5.3 million.
- Counties opting-out cannot collect STR occupancy taxes.

CASE LAW HIGHLIGHTS



- Atkinson v. Wilt: Ambiguity favors owners; clear definitions needed.
- Fruchter v. Hurley: STR not a hotel / B&B; if code definitions do not fit.
- Devogelaere v. Webster: Towns may prohibit <28-day rentals.
- Wallace v. Grand Island: Owner-occupied restriction upheld; not a taking.

LOCAL REGULATION TOOLKIT

Tool	Purpose
Definitions	Clarify STR types, duration (<30 days), hosted/unhosted distinctions.
Moratoria	Pause new STRs (less than/equal to six months) to create local rules.
Zoning	Designate allowed zones, limit guests, address parking, noise, and waste.
Permitting	Annual license, neighbor notice, local contact requirement.
Administration	Track and renew permits; enable clear complaint process.

KEY TAKEAWAYS FOR MUNICIPAL BOARDS



- Be proactive - if zoning is silent, STRs are often permitted by default.
- Align local laws with county registration and new state legislation.
- Balance economic benefits with housing and community impacts.
- Coordinate with county planning and NYS partners for technical assistance.

