

**TOWN OF EATON
LOCAL LAW NO. 5 OF 2025**

**A LOCAL LAW AMENDING CHAPTER 120 TO ENACT REGULATIONS FOR
SHORT-TERM RENTALS**

Be it enacted by the Town of Eaton Town Board, as follows:

Section 1. Authority

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

Section 2.

So that Section 120-6 of Chapter 120 of the Town of Eaton Code shall be amended so as to include the following definition:

“SHORT-TERM RENTAL – Any portion of real property rented for compensation in exchange for lodging for a period of not more than 31 consecutive days including but not limited to rentals provided by such companies as Airbnb and VRBO. This term shall not include a bed and breakfast, boarding/lodging house, hotel, motel or ongoing month-to-month tenancies.”

Section 3.

So that a new Article VD of Chapter 120 of the Town of Eaton Code, titled “Short-Term Rentals,” shall be created, which shall read, in its entirety, as follows:

“Article VD Short-Term Rentals

120-23.18 General provisions

- A. Short-term rentals shall be permitted in all zoning districts subject to the provisions of this Article.

120-23.19 Required Short-Term Rental Permits

- A. Owners shall not use their property as a short-term rental without obtaining a revocable short-term rental permit from the Code Enforcement Officer.
- B. A short-term rental permit shall be valid for one (1) year and must be renewed prior to the expiration of the current permit if the premises are to continue to operate as a short-term rental.
- C. The short-term rental permit is not transferable to a new owner. The new owner of the premises subject to a short-term rental permit must file for and obtain a new permit to continue its short-term rental use.

- D. Notwithstanding the foregoing, those properties with short-term rental commitments existing on the date this Article takes effect shall be permitted to honor such existing commitments and continue to make commitments for short-term rentals but must apply for a permit within 120 days of this Article's effective date for all future short-term rental commitments. In the event such an application is denied, all commitments shall be canceled.

120-23.20 Short-Term Rental Permit Application Requirements

- A. Applications for a short-term rental may be obtained from the Town of Eaton Code Enforcement Officer. The application shall include the following:
1. The signatures of all owners or their designated agents.
 2. A statement authorizing the Code Enforcement Office and/or Building Inspector to inspect the property to ensure compliance with all requirements and standards contained in this Article.
 3. An acknowledgment of present and ongoing compliance with the short-term rental standards as defined in this Article.
 4. A list of each property owner and the name of any manager or management agency managing the property, including names, addresses, telephone numbers and email addresses of each.
 5. The name, address, telephone number and email address of a contact person who shall be responsible and authorized to act on the owner's behalf to promptly remedy any violation of the standards outlined in this Article. The contact person shall be either an owner or an agent within one hour driving time from the short-term rental designated by the owner(s) to serve as the contact person and shall respond to any minor correspondence or concern (written or verbal) from the Code Enforcement Officer within 24 hours. Serious concerns shall be addressed immediately.
 6. A statement that none of the owners of the subject property have had a short-term rental permit revoked within the previous year for any rental property owned individually or together with others at any location.
- B. All completed applications are subject to a floor plan review and approval by the Code Enforcement Officer.

120-23.21 Short-Term Rental Standards

- A. Property Requirements
1. The property must comply and meet all current NYS Uniform Fire Prevention and Building Code, as amended from time to time.
 2. There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors and fire extinguishers shall be installed as required by the NYS Uniform Fire Prevention Code and Building Code. Fire extinguishers shall be subject to an annual inspection.

3. The house number shall be located both at the end of the road and on the dwelling unit so that the house number is clearly visible from the roadway and driveway.
 4. Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
 5. Electrical systems shall be in good operating condition, labeled, unobstructed and visible for the Code Enforcement Officer during the permitting process and subsequent inspections. Any defects found shall be corrected prior to permit issuance.
 6. Maximum occupancy for each short-term rental unit shall be determined by the Code Enforcement Officer based upon the New York Fire Prevention and Building Code. The maximum occupancy of a short-term rental shall not exceed 12 people, including permanent residents and renters.
 7. The septic system and water supply at the property must meet all state requirements. Unless there is documentation on file with the Code Enforcement Officer demonstrating compliance with New York State Appendix 75A prior to the issuance of a permit, the property's septic tank shall be pumped out and inspected for size, condition and location, and the absorption area location, type and size shall be identified, with a report of same submitted to the Code Enforcement Officer. Upon reasonable cause to believe that there is a violation of any of the relevant provisions of this Chapter regarding septic disposal or that any components of the septic disposal systems may be in a state of failure, a dye test may be conducted upon reasonable notice by the Code Enforcement Officer.
 8. One static sign identifying the short-term rental shall be allowed, measuring no more than six square feet. The sign may be double-sided but shall not be internally lit. The location, design and dimensions of the sign shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of the permit.
 - a. If signage is desired after a permit has been issued, the short-term rental permit holder must obtain approval from the Code Enforcement Officer prior to installation.
- B. Insurance Requirements. All applicants and permit holders shall provide evidence of property insurance and a certificate of liability insurance confirming that the premises is rated as a short-term rental and shall maintain such insurance throughout the term of the short-term rental permit.
- C. Rental Contract. All applicants and permit holders shall have a rental contract, which includes the following:
1. Maximum property occupancy.
 2. Maximum on-site parking provided.
 3. Acknowledgement of a "good neighbor statement" including, but not limited to:
 - a. Renters shall be considerate of the residents in neighboring homes.
 - b. Quiet hours must be observed from 11:00 p.m. to 7:00 a.m.
 - c. All guests are subject to New York Penal Law §240.20 or any other statute regarding disorderly conduct.
 - d. Littering is illegal and failure to dispose of waste properly is prohibited.

120-23.22 Procedure Upon Filing Application

- A. Short-term rental permit applications must be filed with the Town of Eaton Code Enforcement Officer with all supporting documentation and a non-refundable permit fee, as established, and amended from time to time, by resolution of the Town Board. Only completed applications shall be accepted by the Code Enforcement Officer.
- B. The Code Enforcement Officer may decline to accept an application for consideration if the application documentation required by this Article is not included, the permit fee is not paid, or a previously issued short-term rental permit was revoked within the part year and defects or violations have not been corrected and inspected by the Code Enforcement Officer.
- C. Upon receipt of a completed short-term rental permit application, adjacent property owners of the short-term rental shall be notified of the application by the Town of Eaton by means of first-class mail, delivered by the United States Postal Service.
- D. Upon the Code Enforcement Officer's determination of a complete permit application, the Code Enforcement Officer shall have 30 days to conduct a property inspection to verify and approve that all short-term rental requirements have been met.
- E. Upon approval of the short-term rental application by the Code Enforcement Officer and the completion of a satisfactory inspection, a short-term rental permit shall be issued.
- F. Short-term rental permits issued pursuant to this Article shall state the following:
 - 1. The name, addresses, and phone numbers of each person or entity that has an ownership interest in the short-term rental property.
 - 2. The name, address, and phone number of a primary contact person who shall be available during the entire time the short-term rental property is being rented.
 - 3. The maximum occupancy and vehicle limits for the short-term rental property.
 - 4. Identification of the number of and location of parking spaces available.
 - 5. Any conditions imposed by the Zoning Board of Appeals and/or Code Enforcement Officer.
- G. The property owner is entitled to appeal the Code Enforcement Officer's determination to the Zoning Board of Appeals when a property owner's application for a short-term rental permit or a short-term rental permit renewal (pursuant to §120-23.25) is denied, or a short-term rental permit is revoked for any reason herein. A notice of appeal must be filed with the Town Clerk and the Zoning Board of Appeals within 60 days of the Code Enforcement Officer's filing of the denial or revocation with the Town Clerk. A hearing shall be held by the Zoning Board of Appeals not more than 45 days after the filing of the notice of appeal.

120-23.23 Conformity and Display of Permit

- A. Short-term rental permits are subject to continued compliance with the requirements of these regulations.
 - 1. If the Code Enforcement Officer has probable cause to believe that the property owner is not in compliance with the provisions of this Chapter, the Code Enforcement Officer may request permission from an owner of the short-term rental

permit to enter the premises and to conduct an inspection of the short-term rental property for purposes of ensuring compliance with the provisions of this Article.

- a. If the property owner refuses to allow the Code Enforcement Officer to inspect the property, the permit shall be revoked.
 - b. If an inspection is authorized and conducted, the Code Enforcement Officer shall use the results of such inspection in determining whether to revoke the permit.
2. The short-term rental permit, maximum occupancy limit, maximum parking, contact form and standards shall be prominently displayed inside and near the front entrance of the premises.
3. The short-term rental permit holder shall ensure that current and accurate information is provided to the Code Enforcement Officer and that they notify the Code Enforcement Officer immediately of any change in the information displayed on the permit. If, based on such changes, the Code Enforcement Officer issues an amended short-term rental permit, the owners must immediately post the amended permit/license inside and near the front entrance of the short-term rental.

120-23.24 Compliance

- A. Violations of this Article or of any short-term rental permit issued pursuant to this Article shall be subject to enforcement and penalties prescribed in this Chapter.
- B. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this Chapter or of any short-term rental permit issued pursuant to this Chapter, the Code Enforcement Officer shall promptly investigate the report thereon.
- C. If the Code Enforcement Officer determines there is a violation of this Chapter, the owners and/or contact agent shall be notified, in writing, by first-class mail and certified return receipt mail, of said violations, and the Code Enforcement Officer may take any or all the following actions:
 - a. Attach conditions to the existing short-term rental;
 - b. Suspend the short-term rental permit with notice provided to property owner and a copy filed with the Town Clerk;
 - c. Require corrective action that remedies the violation(s);
 - d. Issue a court appearance ticket for the violation(s); and
 - e. Revoke the short-term rental permit. Should a permit be revoked, all owners of the short-term rental are prohibited from obtaining a short-term rental permit on the property for one year after the date of revocation. The Code Enforcement Officer shall send notices of revocation to property owner(s) and Madison County, and shall file a copy with the Town Clerk.

120-23.25 Renewing Short-Term Rental Permit

- A. Renewal permits shall be granted for an additional two-year term if the following conditions are met:

1. Application for renewal of the short-term rental permit and payment of the renewal fee is received by the Code Enforcement Officer at least 45 days prior to the expiration of the current permit.
2. At the time of application for renewal, the owner or designated agent shall present the previous permit for short-term rental.
3. The Code Enforcement Officer shall inspect the property and confirm compliance with the Town of Eaton Town Code and applicable State regulations.
4. Any violations observed shall be remedied prior to the renewal of a permit for short-term rental.”

Section 4. Validity and Severability.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section, or part of this Local Law.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State.