

Fee \$200.00

Yealy Renewal \$150.00

# Town of Madison

## Transient Rental Permit

7358 State Route 20

Madison, New York 13402

(315) 893-1890

Fax (315) 893-7547

PERMIT NO. \_\_\_\_\_

Tax map#: \_\_\_\_\_

A Transient Rental Permit is required for the establishment and use of transient rental properties in the Town of Madison located within a distance of one-quarter (1/4) mile from the shorelines of Madison Lake and Lake Moraine pursuant to Local Law #1 2024, "Establishment and Use of Transient Rental Uses within the Town of Madison, Madison County." The applicant shall comply with all applicable laws, ordinances, regulations and conditions expressed within this application which are part of these requirements. As a condition of use, the applicant shall allow an authorized Codes Enforcement Officer and/ or inspector to enter the premises for the required inspections.

Please read the application instructions carefully, complete all parts and include a detailed plot diagram.

### INSTRUCTIONS

This application must be completely filled in by typewriter or in ink and submitted to the Codes Enforcement Officer, and must be accompanied by a plot plan showing the location of buildings, parking and garbage storage on premises, the relationship to adjoining premises or public streets or areas and providing a detailed description of floor plan of property must be drawn, which is part of this application.

Rental of the premises may not commence prior to the issuance of a Transient Rental Permit.

A Transient Rental Permit shall be kept on the premises, is valid for one (1) year and is not transferrable to a new owner.

Address of Rental: \_\_\_\_\_ Tax Map ID: \_\_\_\_\_

Applicant's Name \_\_\_\_\_ Owner \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_ \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Applicant is (check one or more) \_\_\_\_\_ owner other (specify) \_\_\_\_\_

**APPLICANT CERTIFICATION** - I hereby certify that I have read the instructions and examined this application and know the same to be true and correct. I further certify that none of the owners of the subject property have had a short-term or transient rental permit revoked within the previous year for any rental properties owned either individually or together with others at any location. All provisions of laws and ordinances covering this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or land use or the performance of construction.

\_\_\_\_\_  
Signature of owner, or applicant \_\_\_\_\_ Date

The application of \_\_\_\_\_ dated \_\_\_\_\_

is hereby approved (disapproved)

Reason for refusal of permit; \_\_\_\_\_

Dated \_\_\_\_\_

\_\_\_\_\_  
Codes Enforcement Officer

PERMIT NO. \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner, Applicant

\_\_\_\_\_  
Printed or Typed copy of Signature

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**PLOT DIAGRAM**

Locate clearly and distinctly all buildings,

A large, empty rectangular box with a thin black border, intended for the plot diagram. It occupies the lower half of the page.

**Section 7:  
GENERAL REQUIREMENTS**

- A. Compliance with the Town of Madison, the New York State Uniform Fire Prevention and Building Code and the New York State Standards for on-site waste water treatment for residential properties is required. These requirements comprise the same standards to obtain a certificate of occupancy for a residential property in the Town of Madison.
- B. An owner of a property shall provide one onsite parking space per bedroom.
- C. Unless there is documentation on file with the Code Enforcement Officer to demonstrate compliance with NYS Appendix 75A prior to the issuance of the first Rental Permit, the septic tank shall be pumped out and inspected for size, condition and location. A report of the same shall be submitted to the Code Enforcement Officer. This information shall also be readily available in the rental dwelling. The absorption area location, type and general size shall also be identified. A dye test may be conducted upon reasonable notice under the circumstances by the Code Enforcement Officer upon reasonable cause to believe any of the relevant provisions of this Chapter regarding septic disposal are being violated at the subject property or that any component of the septic disposal system may be in a state of failure.
- D. The criteria used to establish the maximum allowed number of occupants in the residence or on the property at any time, day or night, shall be based on the New York Fire Prevention and Building Code and Property Maintenance Code.
- E. The size and capacity of the septic tank and absorption area shall also determine the total number of bedrooms allowed in the residence based on New York State Department of Health Appendix 75-A, standards for on-site waste water treatment for residential properties and Town of Madison laws, codes, rules and regulations.
- F. Campfires or open burning are not allowed.
- G. The advertising of a rental not having a valid rental permit shall be deemed a violation of this Local Law as if the rental is occupied.
- H. Owners shall not use their property as a short-term rental without being registered with Madison County for purposes of occupancy tax registration and the Town of Madison to obtain a revocable short-term rental permit/license.
- I. A short-term rental permit/license shall be valid for one year and must be renewed 45 days prior to expiration of the current permit/license if the premises are to continue to operate as a short-term rental.
- J. The short-term rental permit/license is not transferable to a new owner. The new owner of the premises subject to a short-term rental permit/license must file a new permit/license application and be granted a short-term rental permit/license.

K. Notwithstanding the foregoing, those properties with short-term rental commitments existing on the date this section 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/license within 180 days of the law's effective date for all future short-term rental commitments. In the event such an application is denied, all commitments shall be cancelled. After 180 days of this law being filed with New York state no new Transient rental application will be accepted.

**Section 8:**

**SHORT-TERM RENTAL PERMIT/LICENSE APPLICATION REQUIREMENTS**

- A. Applications for a short-term rental permit/license may be obtained from the Code Enforcement Officer. Short-term rental permits shall be submitted to the Code Enforcement Officer, accompanied by payment to the Town of Madison Clerk of a nonrefundable permit/license fee to be determined from time to time by resolution of the Town Board. The application shall include the following:
- (1) An accurate suitable floor plan for each level of the dwelling that can be occupied measuring at least 8.5 inch by 11 inch, drawn to scale and certified by the applicant. The floor plan does not need to be prepared by a licensed professional, but must include the following:
    - (a) The location of buildings and required proposed parking.
    - (b) Basement (if present): location of house utilities and all rooms including bedrooms, windows, exits and any heating/cooling units.
    - (c) First Floor: all rooms including bedrooms, windows, exits and any heating/cooling units.
    - (d) Second Floor: all rooms including bedrooms, windows, exits and any heating/cooling units.
    - (e) Attic (if present): all rooms including bedrooms, windows, exits and any heating/cooling units.
  - (2) A statement that none of the owners of the subject property have had a short-term rental permit/license revoked within the previous year for any rental properties 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.
- C. Owners wishing to apply for a variance relating to the standards stated below must petition to the Board of Appeals. Variance applications will be reviewed by the Board of Appeals.

**Section 9:**  
**SHORT-TERM RENTAL STANDARDS**

A. Property requirements.

- (1) Property must comply and meet all current NYS Uniform Fire Prevention and Building Code, as amended.
- (2) There shall be one working smoke detector in each sleeping room, outside each sleeping room and one on every level. Carbon monoxide detectors shall be installed outside each sleeping room and one on every level as required by the New York State Uniform Fire Prevention and Building code.
- (3) Evacuation procedures must be posted in each sleeping room to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.
- (4) There shall be an ABC fire extinguisher installed per code on each floor and a K type in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the permit/license holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the permit/license holder shall be maintained and made available to the Code Enforcement Officer upon request. A yearly maintenance inspection must be performed by personnel that possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed per the Fire code of New York State.
- (5) The house number shall be located both at the road and on the dwelling unit so that the house number is clearly visible from both the road and the driveway.
- (6) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
- (7) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Code Enforcement Officer during the permitting process and subsequent inspections. Any defects found shall be corrected prior to permit/license issuance.
- (8) All fireplaces shall comply with all applicable laws and regulations.
- (9) The property must have a minimum of one off-road parking space for every bedroom shown on the floor plan included with the application. Renters shall utilize on-site parking during their stay.
- (10) Maximum occupancy for each short-term rental unit shall not exceed two people per bedroom shown on the floor plan included with the application and two people per minimum full-size convertible sleeping accommodation furniture (i.e. futon, hide-a-bed) also identified on the floor plan.
- (11) A septic system at the property must meet the following requirements:

## INSPECTION OF EXISTING TRANSIENT RENTAL SEPTIC SYSTEMS

- A. The Sanitary Inspector, or his/her designee, shall have the authority to inspect existing sewage disposal facilities in accordance with Subsection C below to determine that they function properly.
- B. Property owners shall have the opportunity to use a design professional of their choice to perform the inspection using the Town of Madison and New York State guidelines. Inspections shall be performed according to the provisions of this chapter.
- C. Inspection Report

The inspection report shall consist of the OTN System Inspection Information Request and System inspection Findings Worksheet as set forth in Appendix A appended to the end of this chapter. For purposes of this provision, this report shall remain valid for three years from the date

- (1) of inspection. Aerobic Tank ETV must be checked each year and a report sent to the Town of Madison Codes Officer Annually.
- (2) In the event that weather conditions reasonably prevent an inspection and the submission of said report the owner must provide the report to the Sanitary Inspector within six (6) months.
- 3) If, based upon the inspection report, the existing wastewater system is determined to be failing or does not otherwise meet the requirement of this chapter, a written notice of violation shall be issued to the property owner, and an approved wastewater treatment system permit must be obtained within six months. Properly functioning systems not otherwise in compliance with the requirements of this chapter may be permitted upon approval of the Code Enforcement Officer.

**Section 10:**

**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 homeowner is not in compliance with the provisions of this Local Law, the Code Enforcement Officer may request permission from an owner of the short-term rental permit/license to enter the premises and to conduct an inspection of the short-term rental property for purposes of ensuring compliance with this section. If the property owner refuses to permit the Code Enforcement Officer to inspect the property, the permit/license will be revoked. If an inspection authorized herein is 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 short-term rental.
  - (3) The short-term rental permit/license 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.
  - (4) The short-term rental permit/license holder must conspicuously display the short-term rental permit/license number in all advertisements for the applicable short-term rental.

**Section 12:**

**APPLICATION FOR RENEWAL OF PERMIT**

Renewal permits will be granted annually if the following conditions are met:

- A. Application for renewal of the short-term rental permit/license shall be made at least 45 days prior to expiration of current permit/license and requires payment of renewal fee.
- B. At the time of application for renewal, the owner or designated agent shall present the previous permit/license for short-term rental.
- C. The property shall have undergone an inspection performed by the Code Enforcement Officer.
- D. Any violations shall be remedied prior to renewal of a permit/license for short-term rental.

STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
HTTPS://OOS.NY.GOV

KATHY HOCHUL  
GOVERNOR

ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

February 29, 2024

Costello, Cooney & Fearon, PLLC  
211 W. Jefferson Street  
Suite 1  
Syracuse, New York 13202

**RE: Town of Madison, Local Law 1 2024, filed on 2/26/2024**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492

**RECEIVED**

MAR 4 2024

Costello, Cooney & Fearon, PLLC



**Department  
of State**