



Mayor Danny Condella
Trustee Kevin McLoud
Trustee Daniel Henries, Jr.
Trustee Teresa Hoban
Trustee Daniel Irwin
Trustee Norman Koek
Trustee Brenda Travis
Clerk-Treasurer Holly Easling

PO Box 426, 111 Elm Street
Penn Yan, New York 14527
Phone 315-536-3015
TDD 800-662-1220
www.villageofpennyan.com

NOTICE OF PUBLIC HEARING
VILLAGE OF PENN YAN

Proposed Local Law to Authorize Periodic Fire Safety and Property Inspections of Short-term Rental Facilities in the Village of Penn Yan

Notice is hereby given that a Public Hearing by the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, will be held at the Village Office, 111 Elm Street, Penn Yan, New York, on the 20th day of May, 2025, at 6:00 p.m. upon the proposed Local Law.

The effect of this Local Law will be to authorize periodic fire safety and property inspections of short-term rental facilities in the Village of Penn Yan. The Board of Trustees finds that it is in the public interest and is a legitimate exercise of the police powers of the Board of Trustees as the legislative body of the Village to authorize such inspections.

The Village Hall is in compliance with accessibility standards of the Americans With Disabilities Act. Any person with a handicap wishing to attend and/or be heard at the public hearing should contact the Village Clerk's Office at least five (5) business days prior to the date of the public hearing to request any special needs.

All persons interested in this proposed Local Law will be heard by the Board of Trustees at the Public Hearing to be held as stated above. A copy of the proposed Local Law may be examined at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours and on the Village website www.villageofpennyan.com. Written comments may be submitted to the Village Clerk's Office by US mail at 111 Elm Street, Penn Yan, NY 14527. Comments must be received no later than 12:00 p.m. (noon) on May 20, 2025.

Holly Easling, Village Clerk/Treasurer
Village of Penn Yan

Draft – 4/9/25

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

Village of Penn Yan

Proposed Local Law D of the year 2025

A Local Law specifying fire safety inspections for short-term rental facilities in the Village of Penn Yan.

Be it enacted by the Village of Penn Yan as follows:

Section 1. Short Title.

This Local Law shall hereafter be known as the “Village of Penn Yan Fire Safety Inspections of Short-Term Rental Facilities Local Law of 2025.”

Section 2. Legislative Intent and Findings.

The Board of Trustees finds that periodic fire safety inspections of short-term rental facilities in the Village of Penn Yan is in the public interest and is a legitimate exercise of the police powers of the Board of Trustees as the legislative body of the Village. Accordingly, the short-term rental facilities provision for the Zoning Chapter of the Village Code is amended as hereinafter provided.

Section 3. Legislative Authority.

This Local Law is enacted pursuant to Article 7 of the Village Law and the Municipal Home Rule Law (MHRL) of the State of New York with the procedural provisions of the MHRL controlling.

Section 4. Provisions.

I. Paragraph “3.” of sub-section “E. Short-term rental permit application requirements.” of “Section 202-20.14. Short-term rentals” of Chapter 202, “Zoning”, of the Code of the Village of Penn Yan is amended to provide as follows:

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3. Permission for on-site Fire Safety and Property Maintenance Inspection by the Code Enforcement Officer.

II. Paragraph “2.” of Sub-section “G. Procedure upon filing application.” of “Section 202-20.14. Short-term rentals” of Chapter 202, “Zoning”, of the Code of the Village of Penn Yan is amended to provide as follows:

2. Upon acceptance of the completed application for a short-term rental permit, the Code Enforcement Officer shall schedule and complete a Fire Safety and Property Maintenance Inspection to certify that all short-term rental requirements have been met.

III. Paragraph “2” of Sub-section “H. Renewal.” of “Section 202-20.14. Short-term rentals” of Chapter 202, “Zoning”, of the Code of the Village of Penn Yan is amended to provide as follows:

2. The Code Enforcement Officer shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this section and shall perform a Fire Safety and Property Maintenance Inspection of each short-term rental facility at a frequency not to exceed twenty-four (24) months.

Section 5. Severability.

In the event that a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date.

This Local Law shall take effect upon to its filing with the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

(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. of the year 2025, was duly passed by the Board of Trustees of the Village of Penn Yan on , 2025 in accordance with the applicable provisions of law.

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.

Holly Easling, Clerk/Treasurer

(SEAL)

Date:

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)

STATE OF NEW YORK)

COUNTY YATES) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Edward J. Brockman, Village Attorney

Village of Penn Yan

Date: