

LOCAL LAW NO. _____ OF 2026
ADDING CHAPTER 162 (PROPERTY RENTAL REGISTRATION),
OF THE TOWN CODE
OF THE TOWN OF STONY POINT, NEW YORK

A **LOCAL LAW** to add Chapter 162 (Property Rental Registration) of the Town Code of the Town of Stony Point, Rockland County, New York.

BE IT ENACTED by the Town Board of the Town of Stony Point, Rockland County, New York (“Town Board”) as follows:

Section 1. **Legislative intent.**

- (a) Residential properties are significant assets and represent a critical investment in the Town of Stony Point because of their impact on community character, property values and overall quality of life. To maintain the quality of Town neighborhoods, building safety and facilitate effective code enforcement, the Town must be able to efficiently communicate with property owners regarding maintenance and property conditions.
- (b) In instances when residential properties are rented to others, rather than owner-occupied, the Town Board has determined that accurate and current contact information is needed to facilitate timely communication with property owners regarding potential issues related to property conditions and/or compliance with the Town Code and/or the laws of the State of New York. The Town Board has also determined that an inability to make timely contact with the owners of such residential rental properties may result in extended physical deterioration of housing stock and/or substandard living conditions for Town residents. The Town Board finds that establishing registration and inspection requirements for rental properties is in the best interest of public health, safety, and welfare and that the good order and governance of the Town will be promoted and enhanced by the enactment of registration and inspection requirements for such rental properties and their owners through the adoption of the provisions set forth in this article.

Section 2. **Authority.**

The Town Board adopts this local law pursuant to the authority vested in the Town under Municipal Home Rule Law § 10.

Section 3. **Enactment of new Chapter 162**

Article I Registration, Inspection and Maintenance of Residential Rental Properties

§ 162-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CODE ENFORCEMENT OFFICER

(a) The Code Enforcement Officer shall be the Town's Code Enforcement Officer as described in Chapter 77 of the Code of the Town of Stony Point, as the same may, from time to time, be amended. Such officer shall have additional duties of registration and inspection, and issuance of certificates of inspection and maintenance compliance pursuant to this article and is hereby authorized and directed to enforce the provisions of this article.

(b) The Code Enforcement Officer shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this article, but shall not have the effect of waiving requirements specifically provided for in this article.

(c) The term Code Enforcement Officer as used herein shall include the Town Building Inspector and any deputy or assistant inspectors or officers under his/her supervision.

DEPARTMENT, BUILDING

Town Building Department and Code Enforcement Officers.

DWELLING UNIT

A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, having no enclosed space (other than vestibules, entrances or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit. A house trailer, boarding or rooming house, convalescent home, dormitory, fraternity house, hotel, inn, lodging, nursing or other similar home or other similar structure shall not be deemed to constitute a "dwelling unit."

OWNER

The person, persons, or entity that has fee simple title or comparable rights to a dwelling unit or of a property including one or more dwelling units or rental units.

RENT

A return, in money, property or other valuable consideration (including payment in kind or services or other thing of value), for use and occupancy or the right to the use and occupancy of a rental unit, whether or not a legal relationship of landlord and tenant exists between the Owner and the occupant or occupants thereof.

RENTAL UNIT

A dwelling unit, or portion of a dwelling unit established, occupied, used or maintained for rental occupancy in a one-, two-, or multifamily home, equipped with, or having access to bathing room(s), and areas or rooms for cooking, dining, living and sleeping, occupied or to be occupied by one or more persons as a home or residence.

RENTAL OCCUPANCY

The occupancy or use of a rental unit by one or more persons other than the Owner as a home or residence under an arrangement whereby the occupant or occupants thereof pay rent or for such occupancy and use. There is a rebuttable presumption that any occupancy or use of a rental unit is to be deemed a rental occupancy if the Owner of the structure or building containing the rental unit does not reside in the same structure or building.

RENTAL PROPERTY

A property upon which is located a building or buildings or structure or structures which include one or more rental units.

§ 162-2 Exceptions.

(a) Rental registration exceptions. The rental registration requirements of this article shall not apply to owner-occupied one-family dwellings, hotels and motels, bed and breakfasts, nursing homes, hospitals, adult homes, assisted living facilities, hospice residences, and other licensed residential health care facilities. Otherwise, all other rental units as defined above and in accordance with Town Code § 215-5, must be registered with the Town.

(b) Inspection exceptions. The inspection aspects of this article shall not apply to owner-occupied one-family dwellings; multifamily dwellings owned by a duly established public housing authority or leased directly to the U.S. government; any federal, state, or locality-owned or locality-managed buildings.

§ 162-3 Applicability; More Restrictive Provisions to Prevail.

(a) Scope. This article shall apply to all rental units located within the Town with the exception of those delineated in § 162-2(b).

(b) Applicability. The provisions of this article shall be deemed to supplement applicable state and local laws, ordinances, codes, rules and regulations, and nothing in this article shall be deemed to abolish, modify, limit, impair, supersede or replace any existing requirements of, or remedies under, any other applicable federal, state or local statute, laws, ordinances, codes, rules or regulations. In case of conflict between any provision of this article and any applicable federal, state or local statute, law, ordinance, code, rule or regulation, the more restrictive or stringent provision or requirement shall prevail. The acceptance of any registration, the filing of any application under this article or other compliance with the requirements of this article shall not cause, or be deemed to cause, any circumstance, condition, status, action, or statement of facts that is otherwise illegal, unlawful or noncompliant under any federal, state or local statute, law, ordinance, code, rule or regulation, including, but not limited to, the Town Code, to become or be deemed to be lawful, legal or in compliance.

(c) Issuance of a registration certificate shall not be deemed a determination that a dwelling unit or use is lawful under Chapter 215 (Zoning), nor create any vested rights.

§ 162-4 Rental Occupancy Registration Required; Transferability.

(a) It shall be unlawful and a violation of this article for any Owner of any rental property or rental unit in the Town to establish, maintain, use, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy without first obtaining and thereafter maintaining in full force and effect a certificate of registration from the Town, as herein provided.

(b) No certificate of registration shall be transferable to another person or to another rental property. Every person holding a certificate of registration shall give notice, in writing, to the Town Building Department within ten (10) business days after having legally transferred or otherwise disposed of the legal control of any registered rental property. Such notice shall include the name and address of the person succeeding to the ownership or control of such rental property.

(c) Registration Certificate Contents: Each registration certificate issued shall include the following information:

- (1) The address, type of structure, and structure classification;
- (2) The date of inspection;
- (3) The date of issuance;
- (4) The expiration date;
- (5) Number of rental units; and number of bedrooms in each unit;
- (6) A statement indicating whether the structure is equipped with a fire alarm system;
- (7) A statement indicating whether the structure is equipped with a fire suppression system, or portable fire extinguishers;
- (8) Local contact information, including name, address, and phone number for the Owner or Owner 's designated representative and emergency contact person;
- (9) The maximum number of permanent and/or temporary occupants permitted.

(d) A certificate may be amended administratively by the Building Department to reflect updated contact information.

§ 162-5 Application Requirements for Rental Registration, Agent and Conditions.

(a) Application for a certificate of registration of a rental dwelling unit shall be made, in writing, on a required form provided by and to be filed with the Building Department for that purpose. A separate application shall be made for each building or structure containing one or more rental dwelling units. In the event that any rental dwelling unit or rental property is owned by more than one person, the application shall be executed by each such Owner. In those instances, in which it is owned by a business entity, the application shall be executed by the chief executive officer of such entity (e.g., president, general partner, managing member).

(b) Designation of a managing agent. If the Owner of the rental dwelling unit does not live within and/or maintain an office or a place of business within Rockland County, a managing agent must be designated. The name, address (street address and any post office

address), telephone number and e-mail address of the local managing agent or agents or operator of each such intended rental property shall be provided. The agent shall be a person 18 years of age or older, who resides within the County of Rockland, New York, or conducts a business, the main office or branch of which is located in the County of Rockland. The agent shall be designated by such Owner as in control of and responsible for the maintenance and operation of such dwelling and who shall be designated as the person upon whom process and other notice may be served on behalf of the Owner. The Owner or designated Owner's agent must be available 7 days a week 24 hours per day to be contacted. Where a managing agent engages in activities that would require a license in New York State, the managing agent shall be required to be so licensed.

(c) Conditions to be met, acknowledgement.

(1) Such application shall include an acknowledgement by the Owner affirming that rental unit(s) meet the following conditions:

- A. Rental properties and all rental units thereon shall comply with all applicable federal, state or local statutes, laws, ordinances, codes, rules or regulations, including the applicable provisions of the Code of the Town of Stony Point as the same may, from time to time, be amended.
- B. Address numbers shall be posted in accordance with E-911 assignments and standards and must be readily visible to emergency responders.
- C. Operational smoke and carbon monoxide detectors / alarms in quantities and locations as required by the Code of the Town of Stony Point. Minimum of one smoke alarm within each sleeping room, one smoke alarm and CO alarm outside of each sleeping room, one smoke alarm and CO alarm on each floor level including basements but not including crawl spaces and non-habitable attics.
- D. Exterior walls, including foundations, shall be maintained. All exterior walls and foundations must be free of holes and crevices.
- E. Exterior doors, windows, skylights and similar openings shall be maintained, secured and weathertight. Exterior surfaces shall be maintained in good condition.
- F. Exterior stairs, porches, entrance platforms, fire escapes and the railings thereon shall be maintained in good repair and sound condition.
- G. Roofs shall be maintained in a weathertight condition, secured by normal means.
- H. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.

- I. Electrical system shall not contain obvious defects or excess use of extension cords and multi-plug adapters.
 - J. Sufficient parking is provided on-site for occupants of any rental units and all such parking is located on paved or gravel surfaces, with no parking spot on grass or lawn areas on the property. The applicant must demonstrate availability of 2 parking spaces for each dwelling unit plus 1 space for each roomer or boarder up to a maximum of 6 spaces, not more than 3 of which shall be visible to the public way. Areas designated for parking shall not cause the maximum development coverage allowed for the zone of the lot to be exceeded.
 - K. The applicant must demonstrate that the owner or manager (not the tenant) has arranged a garbage and refuse collection contract with a currently Town licensed refuse hauling contractor.
- (2) The rental unit has been inspected by the Town or by a licensed Engineer as set forth in § 162-12 of this Chapter.
- (3) The applicant has disclosed the number of bedrooms within the rental dwelling unit.
- (d) Interior living spaces, including kitchen(s), bathroom(s), and bedroom(s), must be in compliance with the Code of the Town of Stony Point.
- (e) The unit must have an operable, permanently installed, heating system.
- (f) The application for registration will also affirm that the Owner has received and read a copy of this Chapter as well as the following portions of the Town Code and understands the obligation and responsibility to comply with all applicable state and local laws, including but not limited to:
- (1) Chapter 161, Property Maintenance
 - (2) Chapter 215-148 Prohibition on Short Term Rentals
- (g) Such application shall be signed by the Owner(s).
- (h) If the property Owner is an LLC or other corporate entity, such entity must be registered to do business in the State of New York and the applicant shall be required to disclose the principals and/or beneficial Owners of the Owner entity with more than a 20% in the entity in order to ensure ethical compliance and conflict checking on the part of the Town. If another entity has more than a 20% interest in the owning entity, the principals of the entity owning such share must also be disclosed. In the event that the Town adopts a law requiring entity disclosure for Town applications, the provision of such law will control in place of this subparagraph.

§ 162-6 Registration application fees.

- (a) Registration application fee. A non-refundable registration application fee shall be paid to the Town upon filing each application for a certificate of registration of a rental occupancy and/or for a rental unit, in an amount to be set from time to time by the Town Board by resolution as part of the Town fee schedule. The Town Board may, in its discretion, subject to applicable law, establish a schedule or schedules setting different application fees for different categories of applicants or properties.
- (b) The fees required by this section shall be waived for any applicant that demonstrates to the satisfaction of the Code Enforcement Officer that it is a not-for-profit housing development corporation organized under the laws of the State of New York and that it is providing housing for senior citizens or other designated special populations subject to income guidelines established by either federal or state regulation.

§ 162-7 Review of application.

The Code Enforcement Officer shall review each application for completeness and accuracy. The Code Enforcement Officer shall also review all available information to confirm that the rental property and all rental units thereon are in compliance with the provisions of the Code of the Town of Stony Point at the time the application is made. The application shall be reviewed, and a certificate of registration shall be issued if, based on all such available information, such application is found to be complete and accurate. Notice to the applicant of acceptance or rejection of the application shall be made in writing.

§ 162-8 Term of certificate of registration.

A certificate of registration, pursuant to this article, shall be valid for as long as the information in the application remains complete and accurate, but in no case for more than a period of three years from the date on which the certificate is issued. The Owner shall file with the Department a renewal application in accordance with the requirements of this article, no less than sixty (60) days prior to:

1. The expiration of the then-current certificate; or
2. The date set forth in any contract of sale for the closing of transfer of title to the rental dwelling unit or rental property; or
3. The occurrence of any event or change in circumstances or change in the information provided in the application pursuant to § 162-5 requiring an update of such previously submitted application. If such event or change in circumstance could not be determine 60 days in advance, such renewal application shall be submitted no later than thirty (30) days following the occurrence of the event or change in circumstances requiring the updating of such information.

In the event a new application is not timely filed if and when required pursuant to this section, the existing certificate of registration shall be null and void and such rental unit shall be deemed in violation of this Chapter.

§ 162-9 Record of registrations.

It shall be the duty of the Code Enforcement Officer to maintain a record of registrations pursuant to this article. Such register shall be kept by parcel number and by street address, showing the name and address of the Owner, the number of rental units at such street address and the date of expiration of registration for such property. Each application shall be maintained in accordance with all record retention requirements applicable to the Town and shall be subject to public disclosure, inspection and copying in accordance with the requirements of the applicable law of the State of New York, including but not limited to the New York State Freedom of Information Law. Nothing herein shall prohibit the Code Enforcement Officer from distributing copies of registration records to other departments and agencies as determined necessary by the Code Enforcement Officer in the course of their duties.

§ 162-10 Presumptions applicable to rental registration enforcement and prosecutions.

- (a) Within the context of this article, the presence or existence of any one of the following considered together with other facts and circumstances shall create a rebuttable presumption that a premises is being used as a rental property or a rental unit:
1. There exists a written or oral lease or rental arrangement, payment or agreement for all or any portion of any building or structure located on the property by and between the Owner and any tenants, occupants and/or other persons or entities in possession thereof.
 2. The property is occupied by someone other than the Owner, and the Owner represents in writing or otherwise, to any person or establishment, business, institution or government agency, that the Owner resides at an address other than the rental property.
 3. Utilities, cable, phone or other services are in place or requested to be installed or used at the premises or any portion thereof in the name of someone other than the Owner.
 4. There are separate entrances for segregated parts of any building or structure located on the property.
 5. There are partitions or internal doors which may serve to bar access between segregated portions of any building or structure located on the property, including, but not limited to, bedrooms.
 6. Any occupant or person in possession thereof does not have unimpeded and/or lawful access to all dwelling units in a building or structure.

7. Two (2) or more complete dwelling units, as defined herein or in the Residential Code of New York State, exist in any building or structure located on the property.
 8. A premises has been advertised in any newspaper, magazine, local advertising publication, online site, or posted or billed as being available for rent in any manner.
 9. There is more than one mailbox at the premises.
 10. There is more than one gas meter at the premises
 11. There is more than one electric meter at the premises.
- (b) No single factor shall be dispositive and all presumptions shall be considered in conjunction with the totality of circumstances.\
- (c) The presumptions set forth above, subject to the limitations contained therein, shall also be applicable to enforcement and prosecution of illegal residential use and occupancy violations under other articles of the Town Code.

§ 162-11 Registration effective date and deadline.

The rental registration requirements of this article shall be effective immediately upon filing of this local law with the Secretary of State. However, current Owners renting in the Town of Stony Point, shall have sixty (60) days from the effective date of this law to apply for registration of rental properties.

§ 162-12 Inspections.

- (a) No initial rental registration or renewal shall be issued until the Town Building Department has determined that the property is in compliance with this Chapter. Such determination shall be based on an inspection as described herein.
- (b) Types of Inspections.
- (1) Town Inspection on Consent. On the 31st day after this law becomes effective, upon the request of any rental unit Owner, managing agent, or tenant, the Code Enforcement Officer shall have authority to inspect the subject rental property/rental unit(s). In doing so, the Code Enforcement Officer shall be entitled to rely upon the representation of said Owner or managing agent that the inspection of any occupied unit is with the consent of the tenant. Upon successful inspection, a certificate of inspection and maintenance compliance will be issued confirming that on the date and time of the inspection, the rental property complies with the provisions of this Chapter.

- (2) Alternative to Town Inspection on Consent. If an Owner, manager or tenant does not consent to such inspection and no inspection has been performed pursuant to search warrant, the Owner shall, in the alternative, submit a certification by a NYS licensed professional engineer that the subject property is in compliance with this Chapter and in which case such certification shall be made on form prescribed by the Town Building Department and reviewed by a Code Enforcement Officer to determine compliance.
- (3) Administrative Search Warrant.
 - a. At the request of the Town Building Inspector or Code Enforcement Officer, Town Legal Counsel is authorized to make application to the Justice Court of the Town of Stony Point or any other court of competent jurisdiction for the issuance of a search warrant to be executed by a police officer in order to conduct an inspection of any premises believed to be subject to this Chapter. The Building Inspector or Code Enforcement Officer may seek a search warrant whenever the Owner, managing agent, or occupant fails to allow inspections of any rental unit contained in the rental property where there is a reasonable cause to believe that there is a violation of the Code.
 - b. During regular business hours or in an emergency, the Code Enforcement Officer or his representative or any duly authorized Town representative, upon the showing of proper credentials and in the discharge of the Code Enforcement Officer's duties, may enter any building or rental unit within a building upon consent of the Owner, manager, tenant or with a duly executed search warrant, to make an inspection to determine whether there is any violation of the Town Code.
- (4) Emergency Access. Nothing in this section shall prevent the entry into a building or dwelling unit by the municipal officer without the consent of the Owner, manager, tenant or a search warrant in response to an emergency.
- (c) A certificate of inspection and maintenance compliance issued under Subsection (B) above will be valid for three (3) years from the last day of the month in which it is issued and therefore must be kept current to be effective.
- (d) All certificates of registration issued by the Town shall indicate the type of inspection performed for such unit. Any person renting or considering renting a unit shall be provided with a copy of a current and valid rental registration permit upon their request.
- (e) Nothing herein shall authorize inspection of occupied dwelling units without consent, an administrative search warrant, or other lawful authority.

§ 162-13 Inspections; Posting of certificate.

- (a) Inspection procedures. A certificate of inspection and maintenance compliance may only be obtained after an inspection of the dwelling, including all dwelling units in a manner set forth in Section 162-12. Within fifteen (15) days after the date of inspection, the Building Department shall issue either a certificate of inspection and maintenance compliance or shall provide a notice of rejection to the Owner identifying the deficiency and the remedy to correct such deficiency.
- (b) If deficiencies are found during the inspection, such deficiencies shall be corrected as instructed by the Code Enforcement Officer. If the deficiencies are not corrected, the Code Enforcement Officer may issue violations and/or appearance tickets and may order the rental unit to be vacated within a period of time ranging from ten (10) days to six (6) months, depending on the severity of the deficiencies and the physical requirements necessary to remedy such deficiencies, as determined by the Code Enforcement Officer. Unsafe, hazardous or conditions unfit for habitation shall warrant shorter or immediate vacate orders.
- (c) A reinspection may be required any time during the period of the certificate of inspection and maintenance compliance, with a minimum of ten (10) days' notice to the Owner or his agent, if a signed complaint of noncompliance is received from a person or persons occupying a rental unit, or upon less notice if deemed necessary by the Code Enforcement Officer in case of emergency. Such reinspection shall have the same force as the original inspection. In the event that the Owner denies access for the purpose of the inspection, the current certificate of inspection and maintenance shall be deemed null and void by the Code Enforcement Officer.
- (d) Further, an Owner refusal to permit inspection of a tenant's rental unit shall be admissible as evidence of a breach of the warranty of habitability in any landlord-tenant action in any court under the provisions of the New York Real Property Actions and Proceedings Law.
- (e) Posting of certificate of inspection and maintenance compliance. The certificate of inspection and maintenance compliance issued pursuant to this article shall be posted in a conspicuous place adjacent to each exterior door serving a rental unit, within 48" of the door frame and maintained in a weather resistant and legible condition.
- (f) Posted certificate of inspection must be kept up to date with current application information including current and valid emergency contact information.

§ 162-14 Prohibition on Retaliation.

- (a) To the extent permitted by law, no person shall institute or maintain an action for eviction because the occupant has reported a violation of this law or any related provision of the Code to the Town Building Department or any other Town employee or official. This provision shall supplement and does not limit any rights or remedies under state law.

- (b) No person shall cause any service, facility, equipment or utility required under this article to be removed, shut off or discontinued in retaliation for a complaint.

§ 162-15 Penalties for offenses.

Any rental unit not registered pursuant to the provisions of this article shall not, following the 60th day after the effective date of this law, be offered for rental. Any Owner whose failure to comply with the provisions of this article results in legal action by the Town to either compel compliance or to enjoin occupancy shall be liable to the Town, as part of any judgment obtained by the Town, for the Town's costs, including reasonable attorney's fees, in obtaining such judgment.

- (a) Any person or entity that shall violate any of the provisions of this article or who fails to comply with any of the requirements thereof shall be guilty of a violation, punishable by:

- (1) A fine of not less than \$500 and not exceeding \$1,000 upon conviction of a first offense.
 - (2) A fine of not less than \$1,000 nor more than \$3,000 upon a conviction of the second of two (2) offenses, both of which were committed within a period of five years.
 - (3) A fine of not less than \$3,000 nor more than \$5,000 upon a conviction of the third of three (3) offenses, all of which were committed within a period of five (5) years.
- (b) Each week a violation continues shall be deemed a separate offense subjecting the offender to additional weekly fines in the amount equaling the original fine.

Nothing herein shall preclude the Town from seeking injunctive relief in a court with jurisdiction or commencing an action under NYS Town Law § 268 or provisions of the NYS Executive Law.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 5. Severability.

If 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. Code Preparation.

The Town Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this Local Law.

Section 7. Effective Date.

This Local Law shall be effective immediately upon filing with the Secretary of State.