

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Head-of-the-Harbor will hold a public hearing on the 19th day of December, 2018, at 7:00 P.M., at the Village Hall, 500 North Country Road, Head-of-the-Harbor, New York, to consider the adoption of a local law as follows:

**LOCAL LAW (Intro.) NO. 3 OF 2018
A LOCAL LAW
BED AND BREAKFASTS**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD-OF-THE-HARBOR AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to enable the use and maintenance of existing residential structures as a bed and breakfast establishment.

SECTION 2. ENACTMENT OF VILLAGE LAW § 165-26.1.

Village Code § 165-26.1 is enacted as follows:

§ 165-26.1. Bed and Breakfast

A. Definitions.

BED AND BREAKFAST ESTABLISHMENT

An owner-occupied building designed, used and occupied as a single-family residence, managed by the property owner and having bedroom accommodations and breakfast provisions served in the host's private dining room or kitchen for those accommodated as paying guests who are referred to, for purposes of this section as "guests."

GUESTS

Person(s) who pay to stay overnight at the bed and breakfast establishment.

HOST-HOSTESS

Owner and occupant of the bed and breakfast establishment.

B. Location.

A bed and breakfast may be established in an existing single family residence located on or adjacent North Country Road.

C. Permit Required; Application; Issuance.

A permit for a bed and breakfast shall be a special permit issued upon application to the Board of Trustees and completion of a public hearing conducted in accordance with the provisions of this section. Any application fee shall be fixed by resolution of the Board of Trustees.

D. Conditions.

A special permit shall be granted upon satisfaction of the following:

1. The premises shall be the primary residence of the owner/host.

2. Any special permit issued hereunder shall have a duration of one (1) year.

e. In no event shall there be more than four (4) guest bedrooms, and occupancy is limited to two persons per guest bedroom.

4. Applicant shall demonstrate compliance with all state and local health, electrical, fire, building, sanitation and maintenance codes applicable to the bed and breakfast use.

5. Each guest room shall have one or more windows allowing emergency egress.

6. A smoke and carbon monoxide alarm shall be installed and maintained in each guest room and on each floor.

7. Required on site parking shall be one space per guest room plus two spaces.

8. Only one sign not exceeding two square feet may be installed at the premises.

9. No cooking facilities are permitted in a guest room.

10. Occupancy for any guest is limited to seven nights.

E. Renewal.

Any special permit for a bed and breakfast establishment may be renewed for successive one year periods provided any such renewal shall require a public hearing and a report of an inspection of the Building Inspector addressing current compliance with all applicable conditions.

SECTION 3. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: November 20, 2018

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF HEAD-OF-THE-HARBOR

BY: Margaret O'Keefe, Village Clerk