TOWN OF ULSTER

Local Law No. _____ of 2026

A Local Law Providing for Regulations Pertaining to Short-Term Rentals

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. A new Local Law is hereby enacted as appears in Schedule "A" attached hereto.

Section II. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any 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 the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section III. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State. Enforcement of this local law shall be deferred for a period of ninety (90) days from its effective date to allow time for the Code Enforcement Officer to process any applications for short-term rental permits. Upon the effective date of this law, applications for Short-Term Rental permits may be submitted to the Town of Ulster.

SCHEDULE "A"

A Local Law Providing for Regulations Pertaining to Short-Term Rentals

§ 1. Purpose and Scope

A. The purpose of this local law is to regulate the short-term rental of dwelling units within the Town of Ulster, and to establish comprehensive registration and licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of short-term rental properties. The Town of Ulster recognizes that extensive short-term rentals endanger the residential character of the community and may cause disruption to the peace, quiet and enjoyment of neighboring homeowners. Accordingly, in order to respect the property rights and interests of all homeowners in the Town of Ulster, this local law seeks to achieve a balance

between those who offer their homes as short-term rental properties and those who choose not to do so.

B. This section shall apply to all properties within the Town of Ulster.

C. The Town of Ulster reserves the right to adopt regulations to carry out the provisions and purposes of this section by resolution.

D. Ulster County Registration Required. No short-term rental permit shall be issued or renewed unless the applicant provides proof of current registration with the Ulster County Commissioner of Finance and a valid Certificate of Authority issued pursuant to Article III of Chapter 312 of the Code of Ulster County. The permit established by this chapter is a local land-use and operating permit and shall not constitute a separate short-term-rental registry.

§ 2. Definitions

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Rooming/Boarding House: An owner-occupied building in which rooms are offered for rent on a transient basis, and which may or may not involve the offering of meals.

Short-Term Rental: A dwelling unit that is rented, in whole or part, to any person or entity for a period of less than 30 consecutive nights, and includes any residential building or apartment, single- or two-family dwelling, condominium, townhouse, guest house, cottage, cabin or RV or any unique sleeping structures which are rented as living quarters with a kitchen for any period less than 30 consecutive nights. This definition excludes hotels, bed and breakfast establishments and school or non-profit dormitories. "Rental" means an agreement granting use or possession of a residence, in whole or part, to a person or group in exchange for consideration valued in money, goods, labor, credits, or other valuable consideration. Use of a short-term rental by a record owner of a property shall not be considered to be a rental under this section.

Accessory Dwelling Unit: An accessory dwelling unit (ADU) is a legal and regulatory term for a secondary house or apartment that shares the building lot of a larger, primary home. The unit cannot be bought or sold separately, but they are often used to provide additional income through rent or to house a family member.

Short-Term Rental Platform: An entity which the owner of a Dwelling Unit or Accessory Dwelling Unit utilizes for the advertisement and reservation of their Dwelling or Accessory Dwelling Unit as a Short-Term Rental. Such entities shall include but not be limited to AirBNB and VRBO.

Full Bathroom: A full bathroom shall mean a room in a home for personal hygiene

activities containing a toilet, a sink and a shower or bathtub.

Half-Bath: A half bathroom shall mean a room in a dwelling for personal hygiene activities containing only a toilet and a sink.

Occupant: Any persons (including children) located on the short-term rental property between the hours of 10:00 p.m. and 6:00 a.m. The maximum number of occupants on the property between said hours shall be as noted in this local law. The maximum number of daytime guests between 6:00 a.m. and 10:00 p.m. shall be limited to no more than twice the nightly occupants.

§ 3. Required Permit

A. Owners shall not use their property as a short-term rental without obtaining a revocable short-term rental permit.

B. A short-term rental permit shall be valid for one year and must be renewed up to 90 days prior to expiration of current permit if the premises is 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 a new permit application.

D. 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. However, these properties must apply for a permit within 180 days of the local law's effective date for all future short-term rental commitments.

E. In the event such application is denied, all commitments shall be cancelled.

§ 4. Short-term rental permit application requirements and intake

A. Applications for a short-term rental permit may be obtained from the Town of Ulster Code Enforcement Officer. Short-term rental permit applications shall be submitted to the Code Enforcement Officer, accompanied by payment of a nonrefundable permit fee set by resolution of the Town Board. Additionally, there will be a non-refundable inspection fee set by resolution of the Town Board.

The application shall include the following:

(1) The signatures of all owners or their designated agents.

(2) A statement authorizing the Code Enforcement Officer to inspect the property to ensure compliance with all requirements and standards contained within this chapter.

(3) An acknowledgment of present and ongoing compliance with the short-term rental standards as defined in this chapter, including, but not limited to, the demonstration of adequate off-road parking spaces for the proposed short-term rental.

(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 owners' behalf to promptly remedy any violation of the standards outlined in this section. The contact person may be an owner, or an agent designated by the owner(s) to serve as a contact person and shall respond to any correspondence or concern from the Town of Ulster or any of its designees within two hours and must be available 24 hours per day, 7 days per week.

(6) 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 professional, but must include the following:

(a) The location of buildings and required parking.

(b) Basement: 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.

(7) A parking layout or plan accommodating maximum occupancy listed on application.

(8) 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 properties owned individually or together with others.

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 sleeping capacity, parking capacity, or other standards stated below must petition to STR Appeals Board.

§ 5. Short-term rental standards

A. Property requirements.

(1) There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.

(2) 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.

(3) There shall be an fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the permit holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the permit holder shall be maintained and made available to the Code Enforcement Officer upon request.

(4) The fire number for the property 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.

(5) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.

(6) Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the Code Enforcement Officer during the permitting process. Any defects found shall be corrected prior to permit issuance.

(7) All fireplaces, fireplace inserts or other fuel burning heaters and furnaces shall be vented and properly installed, and flues cleaned within 12 months of application for permit.

(8) Parking Requirements

(a) Required off-street automobile parking spaces for short-term rentals shall be equal to the maximum number of motor vehicles permitted by the following subdivisions.

(b) Parking spaces within a home garage shall not be counted as parking spaces unless the garage is actually used for and available for parking and each space meets the standards below in subdivision C.

(c) The maximum number of motor vehicles for a short-term rental unit shall be one vehicle per bedroom.

(d) Adequate off-street parking must be available for the stated occupancy as determined by the Town CEO listed on the short-term rental permit.

(e) Dimensions of parking area and possible parking layout shall be submitted with permit application.

(f) For any permitted short-term rental property, snow removal and/or plowing must be completed regularly and whenever the property is being rented.

(g) A parking space shall have a minimum of 180 square feet in a rectangular configuration of 9 feet by 20 feet.

(9) Maximum Overnight Occupancy Standards

(a) Examples: 2 Bedroom property = 4 occupants for 2 bedrooms + 2 additional = 6 maximum 4 Bedroom property = 8 occupants for 4 bedrooms + 2 additional = 10 maximum 6 Bedroom property = 12 occupants for 6 bedrooms + 2 additional = 14 maximum

OR

Maximum occupancy for studio apartment shall be 2 occupants for the first 220 sq. ft. with 1 additional occupant for each additional 100 sq. ft. of living space.

* Notwithstanding the foregoing occupancy standards, any short-term rental unit that can hold more than 11 occupants will require site plan approval from the Town of Ulster Planning Board before a short-term rental permit may be issued by the Code

Enforcement Office.

(10) Each bedroom shall be compliant with the New York State Building Code.

(11) Any short-term rental that has a septic failure due to overuse, over occupancy, age, damage or any other factor shall have their short-term rental permit revoked until said issue is resolved to the satisfaction of the Town of Ulster Code Enforcement officer.

(12) The water supply to the property must meet all state requirements.

(13) Any short-term rental must be insured by an insurer licensed to write insurance in the state of New York or procured by a duly licensed excess line broker pursuant to section two thousand one hundred eighteen of the insurance law for at least the value of the dwelling, plus a minimum of three hundred thousand dollars coverage for third party claims of property damage or bodily injury that arise out of the operation of a short-term rental unit. Notwithstanding any other provision of law, no insurer shall be required to provide such coverage.

(14) OMITTED

(15) Garbage and Refuse Requirements

(a) Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be bear proof containers always secured with tight-fitting covers to prevent leakage, spilling or odors.

(b) Dumpsters used by a short-term rental shall be at least ten (10) feet from the shoulder of the road at all times. All bear proof trash containers shall only be placed on the road for pickup on the same day as pickup.

(c) When garbage is not being picked up that same day, all refuse containers must be set back from any roadway to not impede traffic, plowing or roadwork.

(d) The Town of Ulster reserves the right to enforce all enacted local ordinances, laws including those that pertain to dumpsters, refuse and trash.

(16) OMITTED

(17) Weddings, corporate events, commercial functions are strictly not allowed

unless the property owner has submitted plans and received approvals via the Town Planning Board during Site Plan review.

(18) Map of property for guests showing boundaries & landmarks of property to prevent trespassing will be available to all guests of the short-term rental.

(19) Rental contracts may need to be furnished upon request by the Town and/or it's designated agents (eg: Code Enforcement Officer, Town Police.)

§ 6. Procedure upon filing application

A. Upon filing permit and paying nonrefundable fee, a provisional permit may be issued at the discretion of the Code Enforcement officer. Provisional permit is valid for 30 days.

B. Upon the filing with the Code Enforcement Officer of the permit application, permit fee, and all documents and information required by this section, the Code Enforcement Officer shall have 30 days to review the application and then either issue the permit, with or without conditions, or notify the applicant in writing that the application has been denied along with the reason or reasons for denial. If a permit is issued, the permit shall bear the signature of the Code Enforcement Officer.

C. Reasons for Permit Denial: The Code Enforcement Officer may decline an application for any of the following reasons:

1. If the application is deemed to be required to obtain site plan approval from the Town of Ulster Planning Board.

2. If the application is incomplete, the documentation required by this section or regulations adopted by the Town of Ulster was not included with the application or the full permit fee, in an acceptable form of payment, was not included with the application.

3. If the Code Enforcement Officer previously issued a short-term rental permit to any of the owners needing to sign the short-term rental permit application and any of such owners had a short-term rental permit revoked within the previous year.

4. If the affidavit from the owners or if an inspection conducted by the Code Enforcement Officer as authorized in this section evidences that the subject property is not in compliance with this section of the Town of Ulster Town Code.

5. If the site plan required to be submitted with the application does not comport with the requirements of this section.

§ 7. Short-term rental permits issued pursuant to this section shall state the following:

A. The names, addresses and phone numbers of every person or entity that has an ownership interest in the short-term rental property and of a primary contact person who shall be available to respond to or investigate complaints during the entire time (24 hours per day) the short-term rental property is being rented;

B. The maximum occupancy and vehicle limits for the short-term rental unit;

C. Identification of the number of and location of parking spaces available;

D. A statement that littering is illegal;

E. A statement that all fires must be attended; Any outdoor fire located within the limits of the Town of Ulster must be extinguished before left unattended.

F. A statement that renters must comply with and be provided with a copy of the noise ordinance of the Town of Ulster or any successor noise ordinance which set strict limits on noise levels between 10:00 p.m. and 7:00a.m., which ordinances will be enforced by the Code Enforcement Officer, the Town of Ulster Police Department, Ulster County Sheriff's Department, the New York State Police, or any law enforcement agency properly exercising jurisdiction over the short-term rental property or incident;

G. A statement that the short-term rental permit may be revoked for violations;

H. Any conditions imposed by the Town of Ulster Code Enforcement Officer;

I. That the permit shall expire on the day before the anniversary of the date the permit was issued.

§ 8. 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 law, the Code Enforcement Officer shall 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 this section. 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 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 inside and near the front entrance of the short-term rental.

(4) The short-term rental permit holder must conspicuously display the short-term rental permit number in all advertisements for the applicable short-term rental.

(5) The short-term rental permit must be conspicuously displayed within the front door of the property.

§ 9. Compliance and penalties

A. Violations of this section or of any short-term rental permit issued pursuant to this section shall be subject to enforcement and penalties prescribed in this chapter.

B. Owners of short-term rental units shall obey all applicable laws, ordinances and regulations of the Town of Ulster, Ulster County, New York State and the United States of America, and shall be subject to the enforcement and penalty provisions contained in the Town of Ulster Town Code and any other federal, state or local law.

C. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this section or of any short-term rental permit issued pursuant to this section, the Code Enforcement Officer shall

properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer determines there is a violation of this code, the owners 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 of the following actions:

(1) Attach conditions to the existing short-term rental permit.

(2) Suspend the short-term rental permit. The notice of suspension shall be provided to the property owner and a copy filed with the Town Clerk.

(3) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of notice from the Code Enforcement Officer or the owner risks revocation of the short-term rental permit.

(4) Issue a court appearance ticket for non-compliance with Town law.

(5) 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.

(6) The Code Enforcement Officer shall send notices of revocation to property owners and shall file a copy with the Town Clerk.

D. The following process shall be followed in the event of a complaint alleging a violation of these regulations or a permit issued under these regulations:

(1) The complaining party may contact the contact person designated on the permit, a law enforcement agency, the Code Enforcement Officer or any other person or entity which could assist in resolving the complaint, and describe the problem from which the complaint arises and indicate the desired remedy.

(2) The contact person shall, within sixty minutes of receiving the complaint, respond to the complaint and remedy as soon as reasonably possible any situation that is out of compliance with these regulations or with the permit for the property. The Fire Department Dispatch will have the names and contact information for each contact person to provide to a complaining party.

(3) If the response is not satisfactory to the complaining party

(including the inability to promptly reach the contact person), the complaining party may file a complaint with the Code Enforcement Officer by submitting a written complaint. The form of the complaint shall be established by the Code Enforcement Officer and may be filed in person, by mail, by email or online. The complaint shall provide pertinent information including the date, time and nature of the alleged violation as well as a statement that the complainant either unsuccessfully attempted to contact the contact person or did contact the contact person but the complaint was not adequately resolved. A failure to attempt to contact the contact person will not excuse a violation.

(4) If the Code Enforcement Officer finds a violation of the permit or of this section, the Code Enforcement Officer may do any of the following depending on the circumstances:

(a) Attach reasonable conditions to the existing short-term rental permit;

(b) Suspend the short-term rental permit;

(c) Revoke the short-term rental permit; or

(d) issue a violation or warning.

(5) Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit sooner than one year after the date of revocation.

(6) The Town of Ulster may also initiate enforcement proceedings under the Town of Ulster Town Code at any time following receipt of a complaint.

(7) Any fees associated with a court appearance ticket shall be borne by the property owner. If found guilty of non-compliance with applicable law, the fees shall be at minimum, equal to one year of permit fees.

(8) Decisions of the Code Enforcement Officer will be provided to the parties and may be appealed, within 30 days of receipt of the decision, by the owner or by the complainant.

(9) Any property owner found in willful violation of the provisions of this local law shall be required to reimburse the Town for its reasonable costs of enforcement, including reimbursement for staff time and

reasonable attorney's fees.

(10) The Code Enforcement Officer or his designee shall have the right to inspect the short-term rental property to ensure it complies with the provisions of this section at any reasonable time of day upon giving reasonable notice to the owner or occupant of said unit.

§ 10. Application for renewal of permit

Renewal permits will be granted for an additional one year term if the following conditions are met:

A. Application of the short-rental permit shall be made 30 days prior to expiration of current permit and requires payment of renewal fee.

B. At the time of for renewal, the owner or designated agent must present the previous permit for short-term rental.

C. The property must have undergone an inspection performed by the Code Enforcement Officer.

D. Any violations must be remedied prior to renewal of a permit for short-term rental.

§ 11. Grounds for suspension or revocation of permit

A. The Code Enforcement Officer may immediately suspend a short-term rental permit based on any of the following grounds:

1. Applicant has falsified or failed to provide information in the application for permit renewal.

2. Applicant failed to meet or comply with any of the requirements of this chapter.

3. Owner is in violation of any provision of the Code of the Town of Ulster.

4. Owner has violated any provision of the Penal Law of the State of New York, which violation occurred at, or related to the occupancy of the short-term rental.

5. Any conduct on the premises, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.

6. Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.

§ 12. Appeals and hearings

A. STR Appeals Board ("STR Appeals Board")

1. There is hereby established a Short-Term Rental Appeals Board, which shall be a separate administrative appellate body created solely for the purpose of hearing and determining appeals arising under this Local Law.

2. The persons duly appointed and serving from time to time as members of the Town of Ulster Zoning Board of Appeals shall, by virtue of such appointment and without further appointment, serve ex officio as the members of the Short-Term Rental Appeals Board. The Chairperson of the Zoning Board of Appeals shall serve as Chairperson of the Short-Term Rental Appeals Board.

3. When acting as the Short-Term Rental Appeals Board, such members shall act solely in their capacity as members of the Short-Term Rental Appeals Board and not in their capacity as members of the Zoning Board of Appeals.

4. An appeal arising under this Local Law shall not constitute an appeal to the Zoning Board of Appeals and shall not be governed by Town Law §§ 267, 267-a, 267-b or 267-c, or by any successor provisions governing zoning boards of appeals. The procedures, powers, duties and standards governing the Short-Term Rental Appeals Board shall be exclusively those set forth in this Local Law, except as otherwise required by the New York State Constitution, the Public Officers Law, the Civil Practice Law and Rules, or other applicable law.

5. The Short-Term Rental Appeals Board shall have no jurisdiction or authority to grant an area variance, use variance, zoning interpretation or other relief arising under the Town of Ulster Zoning Law. Any request for such relief shall be made separately to the Zoning Board of Appeals in accordance with applicable law.

6. The Short-Term Rental Appeals Board may affirm, reverse or modify, in whole or in part, a written decision or determination of the Code Enforcement Officer arising under this Local Law and may impose such lawful and reasonable conditions as are directly

related to compliance with this Local Law.

7. Service by a person as a member of the Short-Term Rental Appeals Board shall be coterminous with that person's service as a member of the Zoning Board of Appeals. A vacancy on the Zoning Board of Appeals shall result in a corresponding vacancy on the Short-Term Rental Appeals Board.

B. STR Appeals Board General Procedures

1. An owner, complainant or other party who wishes to appeal the decision or determination made by the Code Enforcement Officer shall make a written request for a hearing to the Town Clerk, and the STR Appeals Board shall endeavor to hear the appeal within thirty (30) days of the request.

2. At the hearing the tribunal shall not be bound by strict rules of evidence and may accept evidence, including reliable hearsay evidence offered by the property owner, the complaining party, the Code Enforcement Officer and any other witness with relevant evidence. The STR Appeals Board shall make its decision within ten (10) days of the hearing.

3. The STR Appeals Board shall conduct regular or special meetings at such time and place as may be determined necessary by the Chairman and all such meetings shall be open to the public with proper public notification. Three members of the STR Appeals Board present for the meeting shall constitute a quorum for the transaction of business.

4. The STR Appeals Board shall keep proper records of its proceedings and written notice of any special meeting of the STR Appeals Board shall be given to the members at least 24 hours prior to the date set for such a meeting.

5. The STR Appeals Board shall be authorized to purchase all necessary stationary, printing and supplies through the Town Clerk's Office from funds generated by the fee established by this local law.

6. The STR Appeals Board shall hold hearings regarding appeals by owners of the denial suspension, revocation, or nonrenewal of short-term rental permits. If the STR Appeals Board determines a permit should not have been denied, suspended, revoked or should have been renewed, such a determination shall be submitted in

writing to the Town Clerk and the Code Enforcement Officer for proper action.

Any person aggrieved by a final determination of the Short-Term Rental Appeals Board may seek judicial review pursuant to CPLR Article 78 within the applicable statute of limitations.

§ 13. Penalties for Offenses

A. Any person, association, firm, company or corporation which violates any provision of this section or assists in the violation of any provision of this section shall be guilty of a violation punishable:

(1) By a fine or penalty of not less than $350.00 and not exceeding $1,000.00 for a first offense or, if greater, the maximum amount allowed under the Municipal Home Rule Law and/or the Town Law.

(2) By a fine or penalty of not less than $1,000.00 and not exceeding $3,000.00 for a second offense both of which were committed within a period of five (5) years or, if greater, the maximum amount allowed under the Municipal Home Rule Law, or the Town Law.

(3) Each week's continued violation constitutes a separate additional violation.

B. In the event the Town of Ulster seeks injunctive relief or some other form of relief from a Court to enforce the provisions of this section then in such event the defendant/respondent shall pay the legal fees and expenses incurred by the Town in such court proceeding.

§ 14. Miscellaneous

A. The short-term rental agreement, whether written or oral, must contain a provision whereby the owner or owner's representative shall terminate the rental in the event the short-term rental permit is suspended or revoked at least one full week prior to the commencement of the rental term.

B. Any revocation of short-term rental permit due to health, safety or fire concerns shall cause immediate termination of any in progress rentals.

C. Maximum Number of Short-Term Rental Permits.

(1) Notwithstanding any other provision of this chapter, at no time shall there be more than one hundred (100) active short-term rental permits within the Town. Once one hundred (100) active permits

have been issued, no additional permit shall be issued unless and until an existing permit expires, is surrendered, is revoked, or otherwise becomes inactive.

(2) Applications received while the maximum number of active permits has been reached shall be placed on a waiting list in the order in which complete applications are received. The placement of an application on the waiting list shall not create any vested right or entitlement to the issuance of a permit.

(3) For purposes of this section, a permit shall be considered “active” from the date of issuance through its expiration date, unless it is earlier surrendered, revoked, or terminated in accordance with this chapter.