

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

INTRODUCTORY LOCAL LAW NO. 13 OF 2025

**A LOCAL LAW REVISING CHAPTER 186 “RENTAL HOUSING” OF THE VILLAGE
CODE TO CREATE A RENTAL UNIT REGISTRY IN THE VILLAGE OF CROTON-
ON-HUDSON**

BE IT ENACTED by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section 1: Purpose and Intent: The Board of Trustees finds that it is necessary and appropriate for the protection of the health, safety and welfare of the Village residents to provide a uniform program for the registration and inspection of rental properties within the Village.

Section 2: Chapter 186 of the Code of the Village of Croton-on-Hudson entitled “Rental Housing” is hereby revised with the addition of Article II as follows:

**ARTICLE II
Rental Unit Registry**

§ 186-3. Legislative findings, purpose and intent.

The Board of Trustees of the Village of Croton-on-Hudson hereby finds and declares that the rental or otherwise letting of all or any portion of a dwelling unit constitutes a business which has the potential to impact upon the health, safety, general welfare and quality of life of the people of the Village of Croton-on-Hudson and the public. The purpose of this legislation is to establish a uniform program for the registration and inspection of rental properties within the Village to protect and safeguard the rights, health, safety and welfare of occupants and landlords and ensure proper maintenance of the rental housing stock through the participation of owners, tenants, the Village and the community through annual registration and inspections of premises at which such housing stock is located.

The intent of the program is to achieve the following beneficial purposes:

- A. The protection of the character and stability of the residential areas within the Village;
- B. The correction and prevention of housing conditions and occupancy of dwelling units that adversely affect or are likely to adversely affect the health, safety, and general welfare of the public and the owners and occupants of residential dwellings;
- C. The enforcement of minimum standards for heating, plumbing, adequate bathroom facilities and other recognized acceptable sanitary living conditions necessary for health and safety;
- D. The enforcement of minimum standards for light and ventilation necessary for health and safety;
- E. The enforcement of minimum standards for the maintenance of existing residential buildings and the prevention of deterioration and blight conditions;

F. The preservation of the value of land and buildings throughout the Village.

§ 186-4. Definitions.

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

DWELLING UNIT: Shall have the same meaning as set forth in Chapter 230, Zoning, of the Village Code.

RENTAL UNIT: A room or group of rooms consisting of all or a portion of a dwelling unit forming a single habitable unit which may be occupied by a person or persons for living or sleeping, including for a short-term rental.

HOUSING CODE: All Federal, State, County and local laws, codes, ordinances, rules and regulations applicable to housing maintenance and construction standards, including but not limited to the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

OWNER: The owner or owners of the premises on which the rental dwelling unit is or will be located which may also include the holder of a lesser estate, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee or agent of the owner.

SHORT-TERM RENTAL: A rental unit that is let by lease, license or other form of agreement for a durational time period of between one and 30 days.

VILLAGE ENGINEER: The Village Engineer of the Village of Croton-on-Hudson, or their qualified designee. Certified code enforcement officials working for the Village are hereby deemed inherently qualified under this chapter.

§ 186-5. Rental unit registration, exemptions, criteria.

- A. Registration required. No person shall allow any rental unit to be occupied, leased or otherwise let to person for occupancy unless the owner has first registered with the Village and obtained a rental unit registration certificate as either a (1) rental unit or (2) short term rental unit.
 - 1. Exemptions. The provisions of this article shall not apply to (1) owner-occupied properties containing two or fewer dwelling units which are not short-term rentals; (2) properties owned by a college or university for occupancy by administrative officers and/or faculty free of charge; (3) properties owned by a faith-based non-profit organization for use as a living quarters by clergy free of charge; (4) hotels, motels, inns, bed-and-breakfasts; (5) hospitals; nursing homes; assisted living facilities; (6) group homes or other dwelling units which provide medical or nursing services if such units are subject to state or federal licensing or regulations concerning the safety of the users, patients or occupants.
- B. Criteria. The following are required for the issuance or validity of a rental unit certificate:

1. Inspection for compliance with housing code. The owner of the premises upon which a rental unit is or will be located acknowledges that an inspection by the Village shall be scheduled and conducted for the purpose of confirming compliance with the housing code. Following the inspection and as set forth herein, the Village shall provide the owner with a written copy of the results of the inspection indicating that the premises (a) is in compliance with the housing code, or (b) has not passed the inspection with details as to the manner in which the premises fails to comply with the housing code, including a citation to the specific provision or provisions that have not been met.
2. Real property taxes status. The owner of the premises upon which a rental unit is or will be located acknowledges that the Village will require that all real property taxes are current and up to date.

§186-6 Enforcement, presumptive evidence.

The Village Engineer, or their designee, shall have enforcement responsibilities outlined in this chapter.

The existence of the following shall create a rebuttable presumption that a premises is being used as or contains a rental unit:

- (1) The property is advertised as offered for lease, rent or otherwise to let for occupancy on a realtor, rental or other housing website, including but not limited to Airbnb, HomeAway, VRBO and similar websites, or by other advertising means.

§186-7. Application for registration.

- A. Within ninety (90) days after the effective date of this Article, the owner of each non-exempt rental dwelling unit existing as of the effective date shall apply to the Village Engineer's Office for a rental unit registration certificate. After the effective date, the owner of each new rental unit constructed or otherwise created shall apply for and obtain a rental unit registration certificate as herein provided prior to initial occupancy. All applications shall be made on a form furnished by the Village and shall provide the following information at a minimum, with additional information as may be necessary for efficient and effective administration, enforcement, and compliance with the provisions of this article and the housing code:
 - (1) Owner name, principal residence address, principal business address, e-mail address and telephone number, including cell phone number.
 - (2) If the owner is an association, limited liability partnership, joint tenancy, tenancy in common or tenancy by the entirety, then each and every owner or general partner shall be indicated on the application with the same contact information set forth above.
 - (3) If the owner is a corporation or LLC, the principal place of business of the corporation must be provided and the name, title and contact information for all officers, managing or general agents must be included.
 - (4) If the owner has designated an authorized agent or management company, then

the same contact information shall be provided for such agent or management company in addition to that of the owner.

- (5) It shall be the responsibility of the owner to properly register any change of address, agent or any other information which occurs after the filing of the application.
- (6) For purposes of this section, a post office box shall not be accepted as the owner's address. Further, the building intended to be licensed shall not be accepted as the owner's address unless it is the principal place of business or residence of the owner.
- (7) The owner shall specify the address(es) to which all notices pertaining to this article shall be forwarded.
- (8) If the owner does not reside within the County of Putnam or the County of Westchester, the owner must provide the name address and contact information, including a telephone number, of an authorized contact/agent who resides within those counties to be used for emergency contact purposes.
- (9) If the property on which any rental unit is located was constructed prior to 1978, the owner shall provide with the application a sworn certification including: (1) acknowledging the potential existence of lead paint; (ii) compliance with mandatory disclosure requirements concerning property that may contain lead paint; and (iii) obligation to undertake lead-safe methods during painting, renovation, or repair of the property. A form for such sworn certification shall be provided by the Village.

- B. Failure to provide a complete application, including any additional information required by the Village and the applicable fee, or the refusal to schedule the requisite inspection shall be grounds to deny or revoke a rental unit registration certificate, including for short-term rental.

§186-8. Issuance, denial or revocation of rental unit registration certificate.

In connection with a rental unit registration certificate, the Village of Croton-on-Hudson shall (1) investigate and confirm that all real property taxes are current and up to date, and (2) schedule and conduct an inspection of the premises upon which the rental unit is or will be located to confirm compliance with the housing code.

- a. Following completion of an inspection which confirms compliance with the housing code, and upon confirmation that all real estate taxes are up to date, the Village shall issue the short-term rental unit certificate or the rental unit certificate as may be applicable.
- b. If the real estate taxes are not current and up to date, the Village will grant a grace period of not more than 30 days during which the owner must provide proof of payment in full. In the event the proof of payment is not received within the 30-day period, the rental unit certificate shall be denied or revoked as may be applicable.
- c. Following completion of an inspection that identifies noncompliance with the housing code or the investigation reveals open property taxes, the Village shall issue a notice of violation in accordance with this article for the correction of any

violations of the housing code. Upon re-inspection, if the Village finds noncompliance with the notice of violation, the rental unit certificate shall be denied or revoked as may be applicable in accordance with the procedure set forth in this article.

§ 186-9. Notice of violation.

- A. Whenever the Village Engineer determines that a premises containing a rental unit is in violation of the housing code, a notice of violation will be issued to the owner which shall set forth the following, at a minimum:
 - (1) The location of the subject property;
 - (2) Specific violations of the housing code; and
 - (3) A reasonable time, not to exceed thirty (30) days, for the correction of any violations, except that any violations which are deemed to be an imminent threat to life and safety are cause for an accelerated period for correction and/or immediate rejection or revocation of a rental unit registration certificate as the facts may justify.
- B. Such notice may contain any additional information as determined by the Village Engineer which may be necessary to achieve the goals of this article.
- C. Except for non-qualifying violations as set forth above, for purposes of this article, the Village Engineer, upon good cause shown, may grant additional time to correct violations of the housing code beyond thirty (30) days. Any such extensions shall be requested and issued in writing stating the reasons for such extension and otherwise in accordance with the requirements of this article.
- D. The notice of violation shall be mailed by first-class mail to the owner at the address provided pursuant to this article or personally served upon the owner by delivering the notice to the owner or by delivering the notice to a person of suitable age and discretion at the owner's residence or place of business.
- E. On or before the deadline for correction of the violation, the owner must schedule a re-inspection of the premises. Upon re-inspection, if the Village finds noncompliance with the notice of violation or additional violations of the housing code, the rental unit registration certificate may be denied or revoked as applicable with such denial or revocation provided in a written statement setting forth the reasons for the denial or revocation.

§ 186-10. Effect of expiration, denial or revocation.

- A. Vacant units. When a rental unit registration certificate for a vacant rental unit has expired or been denied, revoked or terminated, no further rental and occupancy shall be permitted until a rental unit registration certificate has been issued in accordance with this article. A notice shall be affixed to the exterior of the building or structure within which the rental unit is located.
- B. Occupied units. In addition to other remedies at law or equity, when a rental unit registration certificate has expired, or been denied or revoked in accordance with this article, the rental unit shall be vacated after the Village Engineer provides notice to the owner and the occupants of the rental unit. Such notice shall direct the owner and occupants of the rental unit to vacate within a period of time as determined by the Village Engineer

and may provide a reasonable period for the owner or occupants an opportunity to cure violations or non-payment of real estate taxes. If to the owner, such notice shall be mailed by first class mail to the address provided by the owner pursuant to this article or personally served upon the owner by delivering the notice to the owner or by delivering the notice to a person of suitable age and discretion at the owner's residence or place of business. If to the occupant(s), such notice shall be mailed to the address of the rental unit or posted conspicuously at the premises upon which the rental unit is located. Vacated rental units shall not be reoccupied until a rental unit registration certificate has been duly issued.

- C. Occupied units with immediate hazard. In addition to other remedies at law or equity, when a rental unit registration certificate has expired, or been denied or revoked for reasons which, in the determination of the Village Engineer, present violations of the housing code that create an immediate hazard to the health and safety of the occupants and/or the public, the rental unit shall be vacated within the period of time reasonably determined by the Village Engineer under the circumstances. The determination of the Village Engineer shall be in writing and shall direct the owner and occupants of the rental unit presenting the immediate hazard to vacate the premises within a period of time not to exceed thirty (30) days. The determination shall be mailed by first-class mail to the owner at the address provided by the owner pursuant to this article or personally served upon the owner by delivering the notice to the owner or by delivering the notice to a person of suitable age and discretion at the owner's residence or place of business. The determination shall also be conspicuously posted at the premises upon which the rental unit is located, and to the extent possible, it shall also be posted conspicuously at each rental unit. Vacated rental units shall not be reoccupied until a rental unit registration certificate has been duly issued.
- D. The notices provided under this section shall not qualify as sufficient grounds for or be used to institute a summary eviction proceeding under the New York Real Property Actions and Proceedings Law.

§ 186-11. Term of rental unit registration.

A rental unit registration, other than for short-term rental, issued pursuant to this article shall expire no later than three (3) years after the date of its issuance, unless sooner revoked. A short-term rental unit certificate issued pursuant to this article shall expire one (1) year after its date of issuance. Within sixty (60) days prior to the expiration of a rental unit registration certificate, the owner shall make written application for a rental unit registration certificate in accordance with this article. In no event shall a rental unit registration certificate issued pursuant to this article remain in effect beyond the expiration date unless extended by the Village Engineer for good and sufficient cause presented by the owner.

§ 186-12. Transfer of rental unit registration.

A rental unit registration certificate issued pursuant to this article is transferable to a successor in title to the premises as to the remaining unexpired portion of the term for which it was issued provided that: (1) an application to transfer such certificate is filed with the Village Engineer within thirty (30) days of the transfer of title; (2) the information required by § 186-7 is provided and the rental unit is in compliance with the housing code.

§ 186-13. Revocation of rental unit registration certificate, grounds, hearing.

- A. A rental unit registration certificate issued pursuant to this chapter may be revoked by the Village Engineer for any one or more of the following reasons:
- (1) Fraud, misrepresentation or a false statement as to a material fact in the application.
 - (2) A finding that a rental unit registration was issued in error and not in accordance with applicable law.
 - (3) A violation of any of the provisions of the housing code, including noncompliance with a notice of violation issued pursuant to this article.
 - (4) A violation of applicable lead-based paint laws or regulations and failure to remediate after issuance of an order to remedy.
 - (5) The Village Engineer determines that the rental unit does not substantially conform with this article or the New York State Uniform Fire Prevention and Building Code.
 - (6) A finding that the owner or other person responsible for payment of property taxes of the rental dwelling unit is in arrears on said property taxes.
- B. Revocations and Violations under this section shall be appealable to Zoning Board of Appeals in due course. The Zoning Board of Appeals shall issue a written statement following the hearing setting forth the reasons for their decision.

§ 186-14. Duties of certificate holder.

Every holder of a rental unit registration certificate shall:

- A. Conspicuously post the certificate in a protected mounting in the corridor, hallway or lobby of the building for which the certificate was issued. If no common corridor, hallway or lobby exists, then posting shall be made at the entrance of each rental unit. A copy of the certificate must be provided to the occupant of the rental unit and produced upon demand of the Village Engineer.
- B. Comply with and cause occupants of any rental unit to comply with all other applicable laws, regulations and ordinances on matters not specifically addressed in this article, including but not limited to Chapter 160 “Noise”, Chapter 108 “Dogs”, Chapter 197 “Streets and Sidewalks; Chapter 135 “Garbage, Rubbish and Littering”; Chapter 185 “Recycling”; and Chapter 70 “Alarm Systems”.
- C. The occupancy agreement for a rental unit regulated under this article must include a disclosure of the smoking policy for the premises on which the rental unit is located. The disclosure must state whether smoking is prohibited on the premises, allowed on the entire premises or allowed in limited areas on the premises. If the smoking policy allows smoking in limited areas on the premises, the disclosure must identify the areas on the premises where smoking is permitted.

§ 186-15. Penalties for offenses.

- A. Any violation of this article shall be a violation punishable in accordance with the general penalty provisions under § 1-12 “Penalties for offenses against Code

provisions” of the Village Code of the Village of Croton-on-Hudson], with said penalties to be in addition to the revocation of a rental unit registration certificate issued under the provisions of this article. In addition, the annual registration fee will double thirty (30) days after the due date has passed and a second invoice for payment and demand for renewal registration has been sent first-class mail to the owner. In addition, a summons will be issued sixty (60) days after the due date has passed and a fine in the amount of Seventy-Five Dollars and Zero Cents (\$75.00) will be imposed in addition to all outstanding registration fees and late charges. Furthermore, a notice to vacate may be issued and all tenants ordered to vacate for failure of the owner to register a rental unit thirty (30) days after the due date has passed and upon written notice to the owner and occupants.

§ 186-16. Tenant accountability.

- A. With respect to the rental unit which the tenant occupies, controls or uses, the tenant shall be responsible for the following:
 - (1) Occupancy limitations and the lawful use of a dwelling unit.
 - (2) Maintenance of the dwelling unit in a clean, safe and sanitary condition.
 - (3) Preventative and customary maintenance of plumbing fixtures, such as toilets, sinks, faucets and showers, cooking and refrigeration equipment, appliances, fixtures and facilities contained in the rental unit in a clean and sanitary condition and exercising reasonable care in the operation and use thereof.
 - (4) Keeping points of ingress and egress to the rental unit free and clear. Common areas shall be the responsibility of the Owner, though both parties shall not obstruct the same
 - (5) Disposing of garbage and refuse in a sanitary manner and keeping the rental unit free and clear of garbage, refuse and debris.
 - (6) Keeping domestic animals and pets in an appropriate manner and under control.

§ 186-17. Appeals.

- A. Any person with standing and who is affected by a notice or order which has been issued under any provision of this article or of any rule or regulation adopted pursuant thereto may request and shall be granted an appellant hearing on the matter before the Zoning Board of Appeals. Upon receipt of a written petition from such person, which petition shall contain a brief statement of the grounds therefor, the Zoning Board of Appeals shall hold a hearing, at which time such person shall be given an opportunity to show why such notice or order should be modified or withdrawn. No such hearing shall be required unless the petition therefor shall have been filed within five (5) business days after the date the notice or order was issued. Upon receipt of such petition, the Zoning Board of Appeals shall set a time and place for such hearing in due course. The hearing shall be subject to notice provisions for hearings before the Zoning Board of Appeals. After such hearing, the Zoning Board of Appeals shall issue findings and may sustain, modify or withdraw the notice or order relating to the rental unit registration certificate. After any such hearing, in the case of any notice or order suspending any permit required by this article, when such

notice or order has been sustained by the Zoning Board of Appeals, such suspended permit shall be deemed to have been revoked. The proceedings at such hearing, including the findings and decision of the Zoning Board of Appeals, shall be reduced to writing and entered as a matter of public record with the Village Clerk. Such record shall also include a copy of every notice or order issued in connection with the matter. An applicant may appeal any decision of the Zoning Board of Appeals by commencing and action pursuant to Article 78 of the Civil Practice Law and Rules within thirty (30) days after the date the decision is file with the Village Clerk.

- B. No provision or requirement herein contained for a hearing shall in any way whatsoever affect or impair the right of the Village to at any time bring such legal proceedings, actions or prosecutions as otherwise or elsewhere are permitted by law or ordinance.
- C. Whenever the Village Engineer finds that an emergency exists which requires immediate action to protect the public health, he/she may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he/she deems necessary to meet the emergency. Notwithstanding the other provisions of this article, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but, upon written petition to the Zoning Board of Appeals, shall be afforded a hearing as soon as possible. After such hearing, depending upon his/her finding as to whether the provisions of this article and the rules and regulations adopted pursuant thereto have been complied with, the Zoning Board of Appeals shall continue such order in effect or modify or revoke it.

§ 186-18. Severability.

If a term, part or provision, section, subdivision or paragraph of this article shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remaining terms, parts, provisions, sections, subdivisions and paragraphs.

§ 186-19. Rules and regulations, authority.

The Village Manager is authorized to promulgate and adopt forms, rules and regulations consistent with the provisions of this article, and revisions thereto, for the purpose of carrying out the objectives of this legislation.

§ 186-20. Remedies not exclusive.

The provisions of this article are not exclusive and are in addition to and do not supersede or preempt other remedies or provisions of the Village, State, or Federal laws and the housing code as may apply. Nothing in this law shall be construed as limiting the Village's rights to enforce other local laws or laws of other authorities having jurisdiction, e.g. The New York State Property Maintenance Code.

§ 186-21. Fees; penalties for offenses.

- A. Fees. Fees for registration, inspection and renewal shall be established by resolution of the Village Board and such amounts shall be added to the official fee schedule maintained by the Village Clerk and may be amended thereafter in accordance with Chapter 122 of the Code of the Village of Croton-on-Hudson.
- B. Prior payment. All fees and penalties shall be paid prior to the issuance or renewal of any rental unit registration certificate.

Section 3: Except as otherwise provided herein, all other provisions of Chapter 186 of the Code of the Village of Croton-on-Hudson shall remain the same.

Section 4: Effective Date: This Local Law shall take effect immediately upon filing with the Secretary of State.