



VILLAGE OF SAGAPONACK

PO Box 600
3175 Montauk Highway
Sagaponack, NY 11962
www.sagaponackvillage.org
631-537-0017 631-537-0612 (FAX)

SEASONAL RENTAL APPLICATION INSTRUCTIONS

Be advised that the items listed below are required for compliance with the seasonal rental law for your application. Please submit along with your completed application, the additional documents listed below so we may issue you a permit.

- _____ COMPLETED SEASONAL RENTAL APPLICATION
- _____ COPY OF CONTRACT WITH CARTER OR SEASONAL RENTAL
- _____ GARBAGE REMOVAL FORM
- _____ SELF INSPECTION CHECKLIST
- _____ MOST RECENT DEED CONFIRMING OWNERSHIP
- _____ LEASE AGREEMENT
- _____ FLOOR PLAN DEPICTING LOCATION & SIZE OF EACH BEDROOM
- _____ APPLICATION FEE - \$250.00



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SEASONAL RENTAL APPLICATION

Under the law of the Village of Sagaponack, a permit is required for all seasonal rentals. A **SEASONAL RENTAL** is an agreement which is either oral or written, whereby on a seasonal basis a dwelling unit is leased, used or occupied by a family for which compensation is paid for, directly or indirectly.

ANY APPLICATION WHICH HAS UNREADABLE CONTENT WILL BE DEEMED INCOMPLETE.

PART I – RENTAL PROPERTY INFORMATION:

- 1. Property Address: _____
- 2. SC Tax Map# 473615- _____ - _____ - _____ - _____

PART II – OWNER INFORMATION:

- 1. Owner’s Name/LLC Name: _____
Mailing Address: _____
Owner’s Cell phone Number: _____ Email: _____
- 2. Name of Real Estate Agent (if applicable): _____
Agent’s Mailing Address: _____
Agent’s Telephone Number: _____ Email: _____
- 3. Owner’s Signature: _____

PART III – SUMMER RENTAL DETAILS:

- 1. Number of Tenants: Adults: _____ Children: _____
- 2. Number of Conventional Bedrooms _____
- 3. Dates of Lease: _____
- 4. How will refuse be removed? _____

For Administrative Use Only

Receipt # _____ Date Received: _____
 Permit Number: _____ Date Issued: _____
 Building Inspector: _____ Date: _____

PART IV: SEASONAL RENTAL TENANT INFORMATION:

By signing my name to this form below, I affirm, AS TENANT, that I have received and read Village Code Chapter 245, Article III concerning summer rentals.

(1) **TENANT** Name: _____

TENANT Cell phone number: _____

Legal Address: _____

Mailing Address: _____

Signature: _____

Sworn to before me this _____ day of _____, 20__

Notary Public

(2) **TENANT** Name: _____

TENANT Cell phone number: _____

Legal Address: _____

Mailing Address: _____

Signature: _____

Sworn to before me this _____ day of _____, 20__

Notary Public

PART V: OWNER’S ACKNOWLEDGEMENT OF VILLAGE CODE:

I, _____ as owner of the above named property, do hereby certify that this rental is for a maximum length of 120 days or less and that I have read the Seasonal Rental code of the Village of Sagaponack.

Owner’s Name: _____

Owner’s Signature: _____

*This application will **NOT** be accepted for filing unless **SIGNED BY OWNER & EACH ADULT TENANT.***



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SEASONAL RENTAL GARBAGE REMOVAL

Property Location: _____

Owner/Tenant: _____

This letter states that I am applying for a permit from the Village of Sagaponack to rent the above property for the SUMMER SEASON OF 20__, and in accordance with this rental, I personally accept the responsibility for the collection of garbage at the above location for the duration of the rental.

Signed: _____

Date: _____

Sworn to before me this ____ day of _____, 20__

Notary Public

Please note that the above form is acceptable instead of a formal contract for garbage collection at summer rentals.



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SEASONAL RENTAL APPLICATION

AFFIDAVIT OF PROPERTY OWNER

IN LIEU OF SIGNATURE OF TENANT

STATE OF NEW YORK)

)ss:

COUNTY OF SUFFOLK)

This is to affirm and attest that I, _____, owner of
_____ Tax Map # _____ have
instructed my tenants of Village Code Chapter 245, Article III concerning summer rentals and do hereby take full responsibility for
the conduct of my tenants who will be renting my property located at _____,
Sagaponack, NY.

Signature of Owner

Date

Sworn to before me this _____ day of _____, 20__

Notary Public

Rental Property Self Inspection Checklist

Please Check () If Condition is Met

*All questions must be answered. Failure to answer any question will delay your issuance of a Rental Permit.

Exterior of the House

Yes No

- | | | |
|---|-----|-----|
| 1. House # is posted in numerals a minimum of 4 inches tall. | () | () |
| 2. House # is visible from the street. | () | () |
| 3. Is there a swimming pool? | () | () |
| If NO, go to # 9 | | |
| 4. Is there a code compliant, 4 foot-high fence directly around the pool separating it from the dwelling. | () | () |
| 5. Is there a code compliant pool fence around the entire yard. | () | () |
| If YES to #5, please answer questions a, b & c | | |
| a.) Is there a working alarm on every door to the pool area. | () | () |
| b.) Is there an alarm on the pool. | () | () |
| c.) Is there a working alarm on every first-floor window or a window limiter installed. | () | () |
| 6. Pool gates are self-closing, self-latching and lockable. | () | () |

Interior of the House

- | | | |
|--|-----|-------|
| 7. How many bedrooms in the house? | | _____ |
| 8. How many levels, including basement, if applicable, are in the house? | | _____ |
| 9. Is the basement a lower-level recreation area? | () | () |
| 10. Are there sleeping areas in the lower-level basement? | () | () |
| 11. Are there handrails on all stairways? | () | () |
| 12. The electrical panel is properly marked? | () | () |
| 13. Are there any open building permits on this property? | () | () |

Smoke Detectors/Carbon Monoxide Detectors

- | | | |
|--|-----|-----|
| 14. Smoke detectors are installed and working on every level. | () | () |
| 15. Carbon monoxide detectors are installed and working in every bedroom. | () | () |
| 16. Smoke detectors are installed and working in every bedroom. | () | () |
| 17. Smoke detectors are installed and working in every sleeping area. | () | () |
| 18. Smoke detectors are installed within 10 feet of any bedroom door in the hallway. | () | () |
| 19. Smoke and carbon monoxide detector batteries are replaced regularly. | () | () |

Fireplace/Wood Burning Stove

- | | | |
|--|-----|-----|
| 20. Does your home have a fireplace or wood-burning stove? | () | () |
| If YES, answer # 21 | | |
| 21. The fireplace or wood-burning stove has a door(s) and/or screen(s) | () | () |

Print Name: _____

Signature: _____

OWNER/Licensed Architect, Engineer, Home Inspector or Real Estate Agent

Sworn to before me this _____ day of _____, 20__

Notary Public



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ARTICLE III Seasonal Rentals

§ 245-14 Definitions.

In addition to the other definitions set forth in this chapter, the following definitions shall apply to this article:

SEASONAL RENTAL

An agreement, oral or in writing, whereby a dwelling is leased, used or occupied by a family for a period, any portion of which falls between May 15 and September 15 of any year, and for which compensation, cash or otherwise, is paid for, directly or indirectly. Any dwelling unit rented for more than 120 days in any calendar year does not qualify as a seasonal rental.

[Amended 11-15-2021 by L.L. No. 7-2021]

SEASONAL RENTAL PERMIT

A permit issued for the use or occupancy of a dwelling as a rental.

TENANT

An individual who leases, uses or occupies a seasonal rental.

§ 245-15 Permit required; application procedure.

A. A dwelling shall not be occupied as a seasonal rental unless a seasonal rental permit has been issued by the Building Inspector.

B. Where a dwelling is to be used as a seasonal rental, an application for a seasonal rental permit shall be filed with the Building Inspector before the term of the seasonal rental is to begin.

C. The application shall be signed by each owner of the rental property and shall contain the following:

(1) The name and legal address and, if different, mailing address of the owner or owners.

(2) The location of the seasonal rental, including the Suffolk County Tax Map parcel number.

(3) The number of tenants requested.

(4) A floor plan depicting the location and size of each conventional bedroom.

(5) A copy of a contract with a carter providing for weekly pickup, at a minimum, of refuse or proof by letter from the carter indicating that full payment for the entire term of the rental has been made or, in the alternative, an affidavit from the owner acknowledging responsibility for refuse removal in a timely and efficient manner.

(6) The name and legal address and, if different, mailing address of each tenant.

(7) The period of the proposed occupancy.

(8) A copy of the most recent deed and property tax bill, confirming the ownership of record of the rental property.

(9) An affidavit, signed by each owner and tenant named in the application, confirming that they have received copies of all Village laws and ordinances affecting seasonal rentals, noise, vehicle parking restrictions on residential lots and refuse disposal and that they agree to abide by the same.

D. A seasonal rental permit shall only be issued by the Building Inspector if the application for the permit complies with the relevant provisions of this article.

E. The seasonal rental permit shall expire on the last day of the rental period for which the permit use is granted.

F. In no event shall any seasonal rental exceed a period of 120 days within any year.

[Added 11-15-2021 by L.L. No. 7-2021]

G. Any application submission shall include a true, final and complete signed copy of the lease between the owner(s) and tenant(s).

[Added 11-15-2021 by L.L. No. 7-2021]

H. Any lease shall include the complete address of the primary residence of the tenant(s).

[Added 11-15-2021 by L.L. No. 7-2021]

§ 245-16 Regulations.

A. A dwelling utilized as a seasonal rental shall be leased only by a family pursuant to a permit issued in accordance with this article. In no event shall a seasonal rental be for a period less than 30 consecutive days excepting within any calendar year rentals of two weeks not more than twice is permitted.

[Amended 12-17-2012 by L.L. No. 4-2012]

B. No seasonal rental shall have overnight occupants exceeding two persons per bedroom.

C. No seasonal rental shall be leased, occupied or used by any tenant who is not listed as such on the seasonal rental application pursuant to § **245-15** of this article. Where there is to be a change in the individual tenants who will be leasing, occupying or using the dwelling, the rental application shall be amended to indicate the name of the new tenant before the new tenant may occupy the dwelling.

D. The selling of shares to tenants where they obtain the rights of use and occupancy in a dwelling for less than the term of the rental shall be prohibited. The rent or compensation paid for a seasonal rental shall not be shared by more than the permitted number of tenants.

E. The leasing, use or occupancy by a tenant of less than the entire dwelling is prohibited.

F. All applicable parking regulations provided for in § **245-45** of this chapter and Chapter **215**, Vehicles and Traffic, shall be complied with.

§ 245-17 Notice of violation.

[Amended 1-14-2008 by L.L. No. 2-2008]

Upon service of a notice of violation to a tenant for a violation of this article, notice of such service of a notice of violation shall be given by the Village Clerk to each owner and lessor of the rental property. Said notice shall be sent by certified mail to each such owner and lessor at the mailing address set forth in the rental permit application. Notice shall be deemed complete upon the execution of an affidavit of mailing by the Village Clerk.

§ 245-18 Penalties for offenses.

A. Where authorized by a duly adopted resolution of the Village Board, the Village Attorney shall bring and maintain a civil proceeding, in the name of the Village, to permanently enjoin the person or persons conducting, maintaining or permitting said violation. Each owner and lessor of the dwelling wherein the violation is conducted, maintained or permitted shall be made a defendant in the action, and each tenant of such dwelling may be joined as defendants in the action.

(1) Each person who is listed as an owner upon the rental permit application shall be presumed to be an owner thereof.

(2) If, upon the trial of an action under this chapter or upon a motion for summary judgment in an action under this chapter, a finding is made that the defendants or any of them has conducted, maintained or permitted a violation of this article, a penalty to be included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$1,000 for each day it is found that the defendant or any one of them conducted, maintained or permitted the violation.

B. Where authorized by a duly adopted resolution of the Village Board, the Village Attorney shall bring and maintain a civil proceeding in the name of the Village to recover a civil penalty against any person conducting, maintaining or permitting a violation of this article. The amount of any civil penalty awarded or judgment entered pursuant to this article may be at the

discretion of the court in an amount of \$1,000 for each day the violation has been conducted, maintained or permitted. Upon recovery, such penalty shall be paid into the general funds of the Village.

§ 245-19 **Enforcement.**

A. Notwithstanding the provisions of § ~~245-84~~ of this chapter, any duly authorized police officer, peace officer, fire marshal, ordinance inspector or building inspector hereby is authorized to enforce the provisions of this article and shall be defined as an enforcement officer under this article.

B. Any enforcement officer is authorized to make or cause to be made inspections to determine the compliance of a dwelling with this article and to safeguard the health, safety, and welfare of the public. The enforcement officer is authorized to enter, upon the consent of the owner, lessor, tenant or lessee, any premises for the purpose of performing his duties under this article.

C. The enforcement officer is authorized to make application for the issuance of a search warrant in order to conduct an inspection of any rental covered by this chapter where an owner or tenant refuses or fails to allow an inspection of the property and where there is reasonable cause to believe that a violation of this article has occurred.

D. Nothing in this chapter shall be deemed to authorize any enforcement officer to conduct an inspection of any rental property subject to this chapter without the consent of an owner or tenant of the rental property or without a warrant duly issued by an appropriate court.