

LOCAL LAW
NO. 1 OF 2023

A LOCAL LAW ESTABLISHING
A TEMPORARY MORATORIUM ON NEW SHORT-TERM
RENTALS IN TOWN OF LEWISTON

BE IT ENACTED BY THE LEWISTON TOWN BOARD AS FOLLOWS:

1. **Title and Authority** - This Local Law shall be known as the Town of Lewiston Short-Term Rental Moratorium Law. It is adopted pursuant to the New York State Constitution Article IX and Municipal Home Rule Law §10.

2. **Purpose** - The Town of Lewiston recognizes the growing interest in short-term rental property uses in the Town of Lewiston. It is further recognized that the short-term rental use is not currently authorized or properly regulated under the Town of Lewiston Code and could be incompatible with the existing character and property uses in some areas of the Town of Lewiston. It is further recognized that this incompatibility would potentially compromise and inhibit more appropriate growth as established by the Town of Lewiston's comprehensive plan and Zoning Code. Therefore, the purpose of this moratorium is to allow the Town Board the opportunity to draft a Short-Term Rental Law and/or update the Town's current Zoning Code as appropriate including, but not limited to, a determination as to whether short-term rentals should be permitted within the Town of Lewiston and, if allowed, an analysis of where and in what manner short-term rentals are most appropriate. These efforts are undertaken to promote and protect the health, safety and welfare of the citizens of the Town of Lewiston.

3. **Application** - This Local Law shall supersede and suspend those provisions of Chapter 360 (Zoning) of the Town Code of the Town of Lewiston which require the Planning Board and or the Town Code Enforcement Officer to accept, process and approve Special Use Permits and related land use applications within certain statutory time periods.

4. **Moratorium and Term** - The Town Board hereby imposes a moratorium on any Short-Term Rental on any property within the Town of Lewiston, outside of the Village of Lewiston, for a period beginning on the effective date of this Local Law and continuing until the last non-weekend/non-holiday day of the month six (6) months from date of Local Law and further provides that no application for a Special Use Permit under Chapter 360 (Zoning) of the Town Code of the Town of Lewiston

involving any quasi-short-term rental use on any parcel of property within the Town will be accepted, reviewed or approved during that period.

5. **Extensions** - This moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety, and welfare of the citizens of the Town and accomplish the stated purposes and intent of this Local Law.

6. **Termination** - This moratorium may be terminated earlier than its expiration date upon enactment of additional local legislation governing short-term rental within the Town or at the discretion of the Town Board.

7. **Severance** - The invalidity of any section, clause, sentence, or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

8. **Effective Date** - This Local Law shall take effect upon filing by the office of the New York State Secretary of State or as otherwise provided by law.