

New Short-Term Housing Law Applies to All Air B&B, Bed and Breakfast and Related Lodging

After hearing from residents, homeowners and rental property operators, the Town of Newfane has adopted a new Short-Term Housing Law that covers all transient, tourism and temporary housing units. Rapid growth and changes in the temporary housing market require improved management of the travel housing industry to protect the interests of existing residents and the safety of renters.

Who Must Apply

Owners of all temporary lodging and residential properties that are rented from a single night up to 90 days. This includes all apartments, homes, cottages, rooms, garages, accessory buildings, mobile homes and businesses or other forms of short-term rental lodging. It applies to properties rented directly by the owner or through any agent, realtor, broker or online rental platform.

All existing and new short-term rental properties are required to apply. Existing short-term rentals in the R-1 Single Family Residential Zones will not conform with the new law but can be approved and must apply. New short-term housing is that opened, reestablished or placed in use after June 3, 2023.

Motels and hotels are not required to apply and are covered by other local law.

The Application Process

All owners of Short-Term Rental units must apply for a permit with the Town of Newfane Building Department by September 29, 2023.

The applicant will be given instructions for preparing and submitting documentation needed to review and issue a permit and return it to the Building Department.

The owner or designated local representative will be scheduled for a permit review with the Town of Newfane Planning Board.

The Planning Board can approve or deny the application, require changes and amendments to the application, or postpone action pending further information and requirements.

The owner is required to update the application annually by contacting the Building Department.

The annual fee for Short-Term Housing applications is \$ 250.

How to Apply

Obtain permit applications from the Town of Newfane Building Department, or leave a message with the Building Department by calling 716-778-5947 ext. 5

The application will include a sheet that identifies the documents and information you need to prepare for the permit review -- return this information and the \$250 fee to the Building Department within 30 days.

Once all the necessary documentation, information and the fee are received by the Building Department, you will be contacted to schedule a date to appear for a permit review with the Town Planning Board. In most cases, a decision about your application will be made by the Planning Board at this meeting, unless more information or changes are necessary. Existing rental units are permitted to continue operation until the Planning Board makes a decision on the application.

-- continues on the next page --

When to Apply

The application process will open August 1, 2023 (submit the application and obtain the sheet outlining the information and sketch requirements to be submitted to the Building Department)

Reviews by the Planning Board will begin September 26. The Planning Board meets each fourth Tuesday of the month, unless special meetings are announced.

Applicants have until September 29, 2023 to submit an application request to the Building Department. Failure to apply or complete the application process will result in a violation and enforcement action as outlined in the Short-Term housing Law.

Information

Questions and information can be obtained by emailing mike@townofnewfane.com

You can also contact or leave a message with the Building Department by calling 716-778-5947 ext. 5. Staff at the Town Hall may not be able to answer all questions and it may be necessary for a Building official to return your call.

The following documents can be viewed and downloaded at www.townofnewfane.com

Short-Term Housing Factsheet

Short-Term Housing Application

Sample Site Sketches

The Short-Term Housing Law

The Town of Newfane Zoning Districts Map

These documents are provided for reference only. Property owners should not make independent decisions about eligibility using these references and should consult with the Building Department.