

LOCAL LAW OF THE TOWN OF LAKE GEORGE

FOR THE YEAR 2020

No. 5-2020 (Resolution 109-2020)

A LOCAL LAW

To enact a moratorium in the form of a local law in order to temporarily suspend a certain use of land which is allowed by the municipal Zoning Ordinance of the Town of Lake George; *Be it enacted by the Town Board of the Town of Lake George as follows:*

Section 1. Moratorium

Pursuant to the powers of New York State Home Rule and Town Law, a moratorium on the issuance of Short-term Residential Rental permits in the Residential Commercial High Density (RCH) and Residential High Density (RH) zoning districts is hereby enacted on October 19, 2020 for a period of three (3) months, until January 19, 2020. Any and all other zoning districts that allow for the Short-term Residential Rental use may see new rentals permitted during the duration of this moratorium.

Section 2. Variance from the Moratorium

Pursuant to the procedures set forth in Town of Lake George Code Section 175-95(C) for ‘Use Variances’, any Town property owner seeking a new Short-Term Residential Rental permit within the RCH and RH zoning districts and between the dates stated in Section 1 above, can apply for a “use variance” from the Zoning Board of Appeals to request relief of the moratorium prohibition. Any property owner who should be approved by the Zoning Board of Appeals for such variance shall be considered to have “vested rights” to the land use being restricted in the moratorium and shall be allowed to operate the Short-term Residential Rental regardless of the outcome of the moratorium or the associated zoning amendment.

Section 3. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. Effective Date.

This local law shall take effect once filed with the office of the New York State Secretary of State.