

Chapter 34

ROOMING AND BOARDINGHOUSES

- § 34-1. Legislative intent.
- § 34-2. Definitions
- § 34-3. License required.
- § 34-4. Requirements for issuance and maintenance of license.
- § 34-5. Application for license.
- § 34-6. Sprinklers required.
- § 34-7. Registers.
- § 34-8. Penalties for offenses.
- § 34-9. License fees.
- § 34-10. Term of license.
- § 34-11. Effect on other provisions.
- § 34-12. State regulations applicable.

[HISTORY: Adopted by the Board of Trustees of the Village of Sleepy Hollow (formerly North Tarrytown) 10-15-1996 by L.L. No-1996. Amendments noted where applicable.]

§ 34-1. Legislative intent.

As a legislative determination, it is deemed necessary to the safety, health and general welfare of the residents of the Village of Sleepy Hollow that certain types of residential establishments within the village be regulated due to the severe overcrowding, congested conditions and depletion of parking they create. It is the purpose of this chapter to ensure the health, safety, comfort and general welfare of the inhabitants of the community.

§ 34-2. Definitions. [Amended X-X-2010 by L.L. No. X-2010]

- A. Notwithstanding any other provisions which may be contained in the Village Code of Sleepy Hollow in other Articles herein, for the purposes of this chapter “boarder” or “roomer” means a person who permanently occupies a room in a dwelling unit for sleeping purposes for which he or she pays compensation to the property owner, lessee, or other tenant occupying the dwelling.
- B. Notwithstanding any other provisions which may be contained in the Village Code of Sleepy Hollow in other Articles herein, “boardinghouse” or “rooming house” means a building which contains one or more rooming units and in which space is occupied or intended to be occupied by ~~three or more~~ persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner and operator and in which no table board is provided.

§ 34-3. License required.

No rooming house or boardinghouse which furnishes lodging or rooming accommodations for hire within the same shall exist or be maintained within the village without a license, which shall be issued by the Board of Trustees of the Village of Sleepy Hollow, New York, as hereinafter provided.

§ 34-4. Requirements for issuance and maintenance of license. [Amended 2-27-2001 by L.L. No. 3-2001]

No license shall be issued hereunder and any license heretofore or hereafter issued shall be subject to revocation unless the applicant or holder of such license fully complies with the following requirements:

- A. The applicant shall be the individual owner of such premises and shall be a good moral character.
- B. The maximum number of roomers or boarders shall be four.
- C. There shall be no more than one person occupying a room as a roomer or boarder, and such room shall have a minimum of 100 square feet of floor space. More than one person may occupy a single room if related by blood or marriage, provided that the room shall be of such size to provide a minimum of 75 square feet of floor area for each person.
- D. Rooming houses and boardinghouses legally operating and duly licensed at the time of the adoption of this chapter, as amended, which may be nonconforming uses under the Zoning Ordinance of the Village of Sleepy Hollow, shall be entitled to the issuance of a license under compliance with

all provisions of this chapter, except Subsections A, B, C, and D of this section under applications made prior to and for the license year ending December 31, 2001. After said date no license shall be issued to any applicant unless such applicant fully complies with all of the provisions of this chapter, including said Subsections A, B, C and D of this section. Notwithstanding the above, provisions regarding nonconformity shall not apply to any use established or building or structure erected in violation of law, regardless of the time of establishment or erection.

- E. All licensed rooming houses and boardinghouses shall be subject to inspections at all reasonable hours by properly authorized representatives of the Village of Sleepy Hollow. Failure to comply with provision shall constitute a ground for immediate revocation of the license.

¹ Editor's Note: See Ch. 62 Zoning.

§ 34-5. Application for license.

An application for a license shall be in writing upon printed forms furnished by the Village Clerk stating:

- A. The name, age and occupation for the applicant.
- B. The residence of the applicant. [Amended 2-27-2001 by L.L. No. 3-2001]
- C. The experience of the applicant in such a business.
- D. The location by street number where the occupation or business is to be carried on. [Amended 2-27-2001 by L.L. No. 3-2001]

§ 34-6. Sprinklers required. [Amended 2-27-2001 by L.L. No. 3-2001]

Notwithstanding anything contained herein to the contrary, all rooming houses and boardinghouses located within the Village of Sleepy Hollow shall comply with the installation of a fire sprinkler system meeting the requirements of the standards of the National Fire Protection Association relating to installations in these occupancies on or before December 31, 2001. In order to obtain a temporary license to operate, current owners shall provide to the Village of Sleepy Hollow a signed contract for the installation of the required fire protection system prior to obtaining said temporary license.

§ 34-7. Registers. [Amended 2-27-2001 by L.L. No. 3-2001]

Any person operating such a rooming house or boardinghouse pursuant to the provisions of this chapter shall keep upon such premises a list showing the names of all persons residing or living in or upon said premises and shall exhibit to any authorized

representative of the Village of Sleepy Hollow at any reasonable time upon demand, and the failure to so exhibit same shall constitute a violation and be punished in accordance with § 34-8.

§ 34-8. Penalties for offenses. [Amended X-X-2010 by L.L. No. X-2010]

Any person or persons violating any provisions of this chapter shall be liable to a civil penalty of not less than two hundred fifty dollars (\$250) nor more than one thousand five hundred dollars (\$1,500) for each day or part thereof during which such violation continues; which fine shall be increased to not less than five hundred dollars (\$500.) nor more than two thousand five hundred dollars (\$2,500.) for subsequent violations. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village. In addition to the fine, the Court may impose a one-year conditional discharge requiring the defendant to permit access to the Department to reinspect the premises from time to time during the period of the conditional discharge. ~~for and forfeit and pay a penalty or fine not exceeding \$100. for each day the violation continues.~~

§ 34-9. License fees.

The fee for any license required by the provisions of this chapter shall be at the levels fixed from time to time by resolution of the Board of Trustees of the Village of Sleepy Hollow or by local law. There shall be an annual license fee of \$200. per building plus a charge per room of \$20. for each room over four rooms per building which is used as an accommodation for hire under the provisions of this regulation.²

² Editor's Note: See Ch. 79, Fee Schedule, for the most up-to-date fees.

§ 34-10. Term of license.

- A. No license shall be issued or renewed for a longer period than one year and all licenses shall expire on December 31, of each year. All applications, properly filled out, must be filed with the Village Clerk of the Village of Sleepy Hollow at least 30 days prior to the expiration of the previous license or 30 days before the applicant intends to commence operations.
- B. The license fee for the issuance of a license hereunder or for subsequent renewals thereof is hereby established for the whole part of the calendar year.
- C. Said license shall be automatically null and void upon changing of ownership of the subject premises.

§ 34-11. Effect on other provisions.

Anything contained in any other ordinance or local law of the village to the contrary notwithstanding, the provisions of this chapter shall supersede such contrary provisions.

§ 34-12. State regulations applicable.

The provisions of the Public Health Law, Building Code and Sanitary Code of the State of New York applicable to boardinghouses and/or rooming houses shall apply to every boardinghouse and rooming house in the Village of Sleepy Hollow.