

## Short-Term Rental Special Permit Requirements

Before listing and operating a Short-Term Rental unit, the Owner must first apply for and obtain a Special Permit (as outlined in Chapter 1328.13 of the City's Codified Zoning Ordinance: [Short-Term-Rental-1328.3-Ordinance.pdf](#))

In order to obtain a Special Permit, the following information must be submitted to the Department of Code Enforcement:

1. Completed application, all applicable fees (made payable to "City Controller").
  - a. The Special Permit fee is \$250.00 for a Short-Term Rental unit in a single-family dwelling and \$400.00 for a two-unit rental dwelling.
2. A letter from a licensed architect or a licensed engineer stating the rental unit is compliant with all applicable state and local building and safety codes and regulations;
3. An interior floor plan of the entire residential unit;
4. Certification showing the Owner of the Short-Term Rental unit has successfully completed *Destination Niagara USA's* "EXP Program."  
(<https://www.niagarafallsusa.com/partners/exp-niagara/>)
5. Proof of continual liability insurance appropriate to cover the Short-Term Rental use.
  - a. The policy should have an aggregate (total payout per policy duration) of not less than \$1,000,000.
    - i. Or conduct each Short-Term Rental transaction through a platform that provides equal or greater insurance coverage.
6. Proof that the Owner has notified all property owners within 200 feet of the subject premises that the property is to be used as a Short-Term Rental.
7. The owner of a Short-Term Rental unit must acquire a Short-Term Rental License within one (1) year from the issuance of a Special Permit.
  - a. If a license is not obtained, the permit becomes null and void, at which point the short-term rental becomes illegal.

Owners of Short-Term Rentals wishing to obtain a Special Permit should call (716) 286-4450 or visit: [Short-Term Rentals – Niagara Falls \(niagarafallsusa.org\)](#)

## Short-Term Rental License – Application, Renewal and Fees

In addition to the requirements outlined above, the Owner of a Short-Term Rental unit must also possess a current and valid Short-Term Rental License within one year of obtaining a Special Permit.

### **Application:**

Short-Term Rental licenses may be obtained by filing an application with the Department of Code Enforcement ([Short-Term Rentals – Niagara Falls \(niagarafallsusa.org\)](http://niagarafallsusa.org)).

The application must be signed by all persons and entities that have an ownership interest in the property, must be accompanied by payment of the annual permit fee and must provide the following information:

- a. The name, address, phone number, and email contact information of the Owner(s).
- b. The address of the proposed Short-Term Rental
- c. A signed and notarized acknowledgment by the Owner showing that:
  1. There are no outstanding property taxes or tax liens associated with the Short Term Rental unit, nor does the owner owe any other outstanding taxes fees or assessments to the City
  2. The Short Term Rental unit complies and will continue to comply with all standards contained Chapter 1328.13 of the City Zoning Ordinance [Short-Term-Rental-1328.3-Ordinance.pdf](#) and all other applicable laws, standards and regulations.
  3. The Owner has read, understands, and agrees to comply with all legal duties imposed by Chapter 1328.13 of the City Zoning Ordinance.
  4. The Owner will not discriminate in guest use or rental of a Short-Term Rental, and will comply with all applicable anti-discrimination laws, including but not limited to: Title VII of the Civil Rights Act of 1968, the Fair Housing Act (FHA), and the Americans with Disabilities Act (ADA).
  5. Designation by the Owner of a registered local contact who must be available twenty-four (24) hours per day, seven (7) days per week with the ability to respond to any complaint within forty-five (45) minutes for the purpose of responding to complaints regarding the condition, operation, or conduct of occupants of the short- term

vacation rental unit and taking immediate action to resolve any such complaints.

### **License Renewal**

Renewals must be obtained in the same manner as the initial license. In addition, owners must also provide the following information to the Department of Code Enforcement at least 30 days prior to the expiration of the Short-Term Rental License:

- a. A signed and notarized statement by the Owner providing that, in addition to the items specified above:
  1. The Owner's Short-Term Rental License has not been revoked in the previous year.
  2. Updated contact information, if applicable.
  3. Acknowledgement that the Owner is responsible for each and every occupant's compliance with the City of Niagara Falls' Codified Ordinances while they are on the property.
  4. Acknowledgement that the Owner agrees to indemnify and defend the City against any third-party claims based upon the veracity of the foregoing statements

### **Annual License Fee**

The License fee is \$250.00 for a Short-Term Rental unit in a single-family dwelling and \$400.00 for a two-unit rental dwelling.