

Statement by John Haggerty

December 20, 2023

Village of Aurora

Board Meeting—Public Comment for the Record

Thank you for the opportunity to speak. I oppose draft law #5 of 2023. I hope that it is well intentioned but it will not produce the results that you seek.

Playgrounds filled with happy children. A fully staffed volunteer fire company, and dozens of concerned and civic-minded citizens willing and eager to take positions on town boards. These are the dreams that have somehow been intertwined with the punitive and drastic goal to slash the number of short-term rentals in our beautiful village. This proposed law will deliver none of these things. Laws do not make dreams come true.

You have seen, as I have seen, a law enacted by another upstate New York local government. It is written in plain English, it assumes no ill intent on the part of those it seeks to regulate, and it “grandfathers” all existing short-term rentals provided they can meet clear safety and licensing requirements. It is very short by comparison to your 14-page proposed law, and you don’t need to be or to hire a lawyer to figure out what it requires an STR owner to do. It should be your blueprint for fair governance of STR’s in Aurora.

I commend and support the attempt to render STR’s safe and compliant with good neighbor rules. Anyone offering a rental home that is not safe should not expect a license. If that reduces the number that exist, so be it. But the role your proposed law creates for the code enforcement officer will require that individual to have a cape and

superpowers, if not a badge and a gun. Bed checks and body counts? Seriously?

I appreciate that you answered some of my submitted questions, but I object strenuously to the fact that they were answered in written form with no opportunity to discuss your answers. When you advertise a “question and ‘answer’ session”, and refer to “transparency”, you should deliver both.

One of my questions that you did answer was how many incidents of “noise, traffic, trash, trespassing and parking” can you attribute to STR’s? Your answer, two. A backed-up sewer and a complaint of the smell of smoke from a “long term tenant of a short-term rental”. What does that even mean? Two identifiable issues in at least 15 years and 14 pages of legalese to make things better. My dad (God rest his soul) would call that “killing a mosquito with a bazooka.”

If you pass this law, the one thing I know will happen is the Village will find itself challenged in court. At a time when all of you should be engaged in the creation of a contingency plan for the Village in the event that Wells College closes, you will instead be dedicating time and money to defending the expressed need for a law to solve a problem you did not adequately define.

Without a reliable and safe water system we don’t have a Village, let alone STR’s. Where is the secret committee to address this much more real and pressing problem? Why do you seek to eliminate more than half of the independent small businesses operating in a Village nearly devoid of economic diversity? Where is the committee looking to bring new businesses into Aurora? Why is our neighbor Union Springs enjoying a downtown renaissance while you use home rule to smash successful small businesses? Every one of the STR’s you want to eliminate is a small business built on the capital invested by the owners.

Really, is this the best use of your limited time and resources as a town board? I think you can do better.

Awarding a license to operate a business based on a lottery is a novel but ill-advised approach when those businesses have existed for years, despite your repeated assertion that local law #1 of 2008 makes them illegal. Your failure to enforce your existing law will be a barrier to being able to enforce your new law. **I strongly encourage you to amend Local Law #5 of 2023 to grandfather all existing such uses and to streamline your proposed law along the lines of the much better example in your possession.**

The STR's you wish to kill are mostly empty now. Use the time between now and the spring tourist season to **draft a better law. Do not vote tonight, but if you must, vote no and work to include the interests of more stakeholders in your next proposed law. I would be happy to help with that process.**

Laws do not make dreams come true.

Thank you. And why are we doing this Christmas week?