

## CHAPTER 48. Boardinghouses and Rooming Houses

### § 48.1.1 Definitions.

#### **BOARDINGHOUSE**

**Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.**

#### **LODGING HOUSE**

**A multiple dwelling, other than a hotel, a rooming house or a furnished room house, in which persons are housed for hire for a single night, or less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week.**

#### **ROOMING HOUSE**

**Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.**

### § 48.1.2 Operation Prohibited; exceptions.

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## CHAPTER 78 Housing and Property Maintenance

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### Article II. Minimum Standards

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#### § 78-17 ~~Boardinghouses, rooming and lodging houses~~ **Repealed.**

##### A.

###### Permits.

###### (1)

It shall be unlawful for any person, as owner, lessor, sublessor or agent, to use, establish, maintain, operate or let any boarding, rooming or lodging house entirely or partially for residence occupancy where rent is paid or other charges are made for such use or occupancy, without first having obtained a permit therefor from the Village.

###### (2)

No permit shall be issued for boarding, rooming or lodging houses unless it has first been established, after inspection by the Building Department, that such premises and its furnishings fully comply with all of the provisions of the Code of the Incorporated Village of Hempstead, all of the laws of the Sanitary and Housing Regulations of the County of Nassau and all the laws of the State of New York.

##### B.

Number and type of regulated plumbing fixtures. Boarding, rooming and lodging houses and portions thereof shall be provided with plumbing systems designed to dispose of the sewage from all fixtures and to furnish cold water to every water closet and urinal and hot and cold water to every sink, lavatory, bathtub and shower required therein.

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## CHAPTER 139 Zoning

### Article I. Title, Definitions, Zones and Boundaries

#### § 139-2 Definitions and word usage.

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#### **BOARDINGHOUSE**

**Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.**

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#### TRANSIENT DWELLING

Includes hotels, lodging houses, community residences, homeless shelters, halfway houses, group day-care centers, boarding and nursery schools, sorority houses, fraternity houses, college and school dormitories, convalescent, old-age and nursing homes, halfway houses, any recovery center or any dwellings that house individuals for recovery, including, but not limited to recovery for abused women, abused men, abused children and drug addicts, and dwellings used for single room occupancy. This applies to one-family houses, one- and two-story transient dwellings three or more stories in height that are in existence, and to all new transient dwellings.

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### Article III. Provisions Related to All Districts

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#### § 139-42.1 Means of Egress.

##### A.

In every transient dwelling **Class B Multiple Dwelling**, lodging house, community residence, homeless shelter, halfway house and group family day-care center to which this chapter is applicable there shall be from each at least two independent means of egress accessible to each room, apartment or suite, except with respect to a one-story transient building.

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D.

Where it is impractical in such existing ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers to provide a second means of egress, the Department may order, in lieu of the second means of egress, additional alteration to the first means of egress and to shafts, stairs and other vertical openings as the Department may deem necessary to safeguard the occupants of the dwelling, may require the public halls providing access to the first means of egress to be equipped on each story with an automatic sprinkler system and, in nonfireproof dwellings, may also require automatic sprinkler heads in the stair which serves as the only means of egress.

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Article IV. Residence AAA Districts.

§ 139-43 Permitted Uses

In a Residence AAA District, the following uses are permitted:

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E.

Accessory use on the same lot.

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(3)

Accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-43.1 Prohibited Uses.

In a Residence AAA District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings**.

B.

~~Lodging Houses~~. **Repealed**.

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Article V. Residence AA Districts.

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§ 139-53.1 Prohibited Uses.

In a Residence AA District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

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Article VI. Residence A Districts.

§ 139-63 Permitted Uses

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B. The following uses are also permitted in a Residence A District:

\* \* \*

3. Accessory use on the same lot.

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- (c) Accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-63.1 Prohibited Uses.

In a Residence A District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

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Article VII. Residence B Districts.

§ 139-72 Permitted Uses

In a Residence B District, the following uses are permitted:

\* \* \*

E. Accessory uses in the same multiple dwelling building.

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(3)

The accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-72.1 Prohibited Uses.

In a Residence B District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses. Repealed.~~

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Article VIII. Residence C Districts.

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§ 139-81.1 Prohibited Uses.

In a Residence C District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses. Repealed.~~

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Article IX. Residence D Districts.

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§ 139-82.1 Prohibited Uses.

In a Residence D District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses. Repealed.~~

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Article XIV. Business A Districts.

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§ 139-105 Prohibited uses.

In a Business A District, the following uses are prohibited:

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H.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

I.

~~Lodging Houses.~~ **Repealed.**

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Article XV. Business B Districts.

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§ 139-112 Prohibited uses.

In a Business B District, the following uses are prohibited:

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D.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

E.

~~Lodging Houses.~~ **Repealed.**

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ADDITIONS ARE INDICATED BY BOLD TEXT.

\*\*\* INDICATES NO CHANGE IN PRESENT TEXT

DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~.