

STATE OF NEW YORK }
COUNTY OF WESTCHESTER } ss.:
CITY OF WHITE PLAINS }

I, the undersigned, City Clerk, of the City of White Plains, NY, do hereby certify that I have compared the proceeding with the original Local Law adopted by the Common Council of the City of White Plains, NY, by a vote of the majority of the members of the Common Council at a **Regular Stated** meeting held **August 5, 2024**, and I do hereby certify the same to be a correct transcript therefrom and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of White Plains, NY, this

August 6 2024



CERTIFIED COPY

from the

CITY OF WHITE PLAINS
255 Main Street
White Plains, NY 10601



CERTIFIED COPY

of a(an)

LOCAL LAW

**A LOCAL LAW AMENDING THE
WHITE PLAINS MUNICIPAL CODE
TO MODIFY PROVISIONS
RELATING TO PERMANENT
RESIDENCY FOR PURPOSES OF
THE CITY OF WHITE PLAINS
ROOM OCCUPANCY TAX.**

**ADOPTED BY THE
COMMON COUNCIL**

of the

CITY OF WHITE PLAINS

on

August 5, 2024

**THE CITY OF WHITE PLAINS, NEW YORK
LOCAL LAW INTRODUCTORY NO. 2 OF 2024**

A LOCAL LAW AMENDING THE WHITE PLAINS MUNICIPAL CODE TO MODIFY
PROVISIONS RELATING TO PERMANENT RESIDENCY FOR PURPOSES OF THE CITY
OF WHITE PLAINS ROOM OCCUPANCY TAX.

BE IT ENACTED by the Common Council of the City of White Plains, New York, as follows:

Section 1.

Section 2-4-120 of Title II, Chapter 2-1, Article III, Division 7 of the White Plains Municipal Code is hereby amended as follows:

Sec. 2-4-120. – Definitions

When used in this law [division], the following terms shall mean:

- (1) *Commissioner of finance.* The commissioner of finance of the City of White Plains or such other person as may be designated by the common council to administer and collect the tax provided for herein.
- (2) *Effective date.* The date on which the Secretary of State files this law [division] herein.
- (3) *Exempt occupant.* Any occupant of any room or rooms in a hotel whose rent is paid from public assistance from the County of Westchester shall be deemed an "exempt occupant" with respect to the period of such occupancy, regardless of the length thereof.
- (4) *Hotel.* A building or portion thereof, which is regularly used and kept open as such for the lodging of guests. For the purposes of this law [division], the term "hotel" includes apartment hotels, motels, boarding houses, tourist homes, motel courts, clubs or similar facilities with at least four (4) rentable rooms for lodging, whether or not meals are served to guests or residents thereof.
- (5) *Occupancy.* The use or possession or the right to the use or possession of any room in a hotel.
- (6) [~~Occupancy~~]**Occupant.** A person who, for a consideration, uses, possesses or has the right to use or possess any room in a hotel under any lease, concession, permit, right of access, license to use or other agreement or otherwise.

- (7) *Operator.* Any person operating a hotel in the City of White Plains, including, but not limited to, an owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel.
- (8) *Permanent resident.* Any occupant of any room or rooms in a hotel at least [~~ninety~~]**thirty** [~~(90)~~]**(30)** consecutive days shall be considered a "permanent resident" with regard to the period of such occupancy. **For purposes of this definition, the term "occupant" shall be limited to a natural person.**
- (9) *Person.* An individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee and any other person acting in a fiduciary or representative capacity; whether appointed by a court or otherwise, and any combination of the foregoing.
- (10) *Commissioner of public safety.* The commissioner of public safety of the City of White Plains or his/her successor in office.
- (11) *Rent.* The consideration received for occupancy valued in money, whether received in money or otherwise, for the occupancy of a room in a hotel for any period of time.
- (12) *Return.* Any return filed or required to be filed as herein provided.
- (13) *Room.* Any room or rooms or suite of rooms with sleeping accommodations, whether or not such accommodations are used, of any kind in any part or portion of a hotel which is available for or let out for any purpose.

(L.L. No. 2-2009, § 1)

Section 2.

This Local Law shall take effect immediately upon filing with the Secretary of State.