



# TOWN OF EAST HAMPTON

## ORDINANCE ENFORCEMENT DEPARTMENT

PUBLIC SAFETY DIVISION

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### SINGLE FAMILY RESIDENCES – PROHIBITED USES

Excerpts of East Hampton Town Code §255-11-64. See the full code for complete statute language

No person, including the owner, shall use or permit to be used any single-family residence for any of the following:

A. **TWO FAMILY RESIDENCE.** Creation, use or maintenance of a two-family residence as defined herein, except as may be authorized in certain cases by special permit pursuant to the Use Table and Article [V](#) of the East Hampton Town Code.

B. **MULTIFAMILY OCCUPANCY.** Occupancy at any time by more than one family, except as permitted by § 255-11-62C (3), Rental of one or two guest rooms, and (4) Rental of an affordable accessory apartment pursuant to § 255-11-63.

C. **PARTIAL OCCUPANCY OR RENTAL.** Rentals to, or use or occupancy by, any person or persons of less than the entire residence, except as permitted in § 255-11-62C (3) and (4) hereof.

D. **EXCESSIVE TURNOVER.** Except in the case of the rental of guest rooms pursuant to § 255-11-62C (3) hereof, rentals, tenancies or occupancies constituting "motel" use as defined below.

**MOTEL** (§ 255-1-20 ) A single-family residence which is rented to, or occupied by, a tenant or tenants for a term of not more than two weeks, on three or more occasions during any six-month period, shall be deemed to be unlawfully operating as a "motel" for all purposes under this chapter, and no such use, however long maintained, shall be deemed to give rise to a nonconforming "motel" use or to any vested right to use the residence for any purpose not specifically authorized

E. **SHARES.** The selling of shares or the establishing of other ownership, tenancy or use arrangements in which individuals obtain rights of occupancy in individual bedrooms, whether or not specifically identified, or rights to occupy all or part of the residence on particular days of the week, specified weekends or other similar occasions or terms.

F. **FRACTIONALIZED OWNERSHIP INTERESTS.** The creation of cooperative-style ownership, less-than-fee simple ownership or other similar arrangements resulting in proprietary tenancies for one or more persons in the residence, the establishment of interval or time-sharing ownership for any person in all or any part of the residence, or the like. However, this subsection shall not be deemed to preclude the creation of mortgages, liens, easements or other similar interests encumbering the residential property as a whole to secure a loan or for any other legitimate purposes.

G. **PARKING.** When in use pursuant to § 255-11-62D, **SUPPLEMENTAL USE WHEN OWNER OR OWNER'S FAMILY NOT IN RESIDENCE (GUEST OR TENANT USE)**, parking of vehicles of occupants and their visitors on the street or on any property other than the lot on which the residence is located or parking overnight of more than four vehicles on said lot.  
**THE ABOVE PARKING RESTRICTIONS DO NOT APPLY TO OWNER OCCUPIED SINGLE FAMILY RESIDENCES.**

H. **OVERCROWDING.** Occupancy of any bedroom by more occupants than permitted by the minimum area requirements set forth in § 255-11-67A (9). This occupancy limitation applies to all bedrooms in single-family residences, including guest rooms in single-family residences as provided in § 255-11-62C(3).

§ 255-11-67A (9) **AREA FOR SLEEPING PURPOSES.** Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m<sup>2</sup>) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupancy thereof. Bedrooms having a sloped ceiling over all or part of the room shall have a clear ceiling height of at least seven feet over not less than 1/2 of the required minimum floor area and only those portions of the floor area with a clear ceiling height of five feet or more shall be included in calculating the floor area of such bedroom.