

Penn Lake Park Borough- SHORT-TERM RENTAL ORDINANCE

**ORDINANCE NO. 2020 - # 1
AN ORDINANCE RELATING TO THE USE AND REGULATION OF SHORT-TERM
RENTAL UNITS WITHIN THE BOROUGH AND ESTABLISHING APPLICATION
AND PERMIT STANDARDS AND PROCEDURES, PROVIDING FOR
ADMINISTRATION AND ENFORCEMENT INCLUDING PENALTIES.**

AS AMENDED OCTOBER 13th 2022

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Section 1 – Title

This ordinance shall be known as and may be cited as the "Penn Lake Park Borough Short-Term Rental Ordinance".

Section 2 - Scope and Legal Authority

The provisions of this Ordinance shall apply to all residential dwelling units and all existing premises within the Borough of Penn Lake Park. The owner of the subject property shall be responsible for compliance with the provisions of this Ordinance and the failure of an owner, agency, managing agency, local contact person, or renting occupants to comply with the provisions of this Ordinance shall be deemed noncompliance by the owner.

Section 3 – Interpretation

This Ordinance is not intended to, and does not, excuse any landowner from compliance with the Penn Lake Park Borough Zoning Ordinance, as amended from time to time. Whenever possible, this Ordinance and the Zoning Ordinance should be construed and interpreted as being consistent, and not in conflict. In the event of conflict, the regulations of this ordinance shall apply.

Section 4 – Definitions

For the purposes of this Ordinance, words and terms used shall have the following definitions:
DWELLING UNIT - One or more rooms designed, occupied or intended for occupancy as separate living quarters for one or more persons, with cooking, sleeping, and sanitary facilities provided.

GOOD STANDING – Not found to be in violation of any of the conditions governing Short Term Rental Permits found in the Short Term Residential Rental Registration Affidavit.

SHORT-TERM RENTAL - Any Dwelling Unit owned or managed by a person, firm or corporation which is rented or leased for a period of less than thirty (30) consecutive days.

SHORT-TERM RENTAL PERMIT - Permission granted by the borough to utilize a Dwelling Unit for Short-Term Rental Use.

Section 5 - Permit Required

No owner of any property in Penn Lake Park Borough shall operate or allow the operation of a Short-Term Rental in Penn Lake Park Borough without first obtaining a Short-Term Rental Permit from the Borough Secretary. Operation of a Short-Term Rental without such Short-Term Rental Permit is a violation of this Ordinance.

Section 5.1 – Number of Permits

The number of permits available shall be equal to 5% of the Land Use 101 properties in the borough and may be adjusted annually.

Section 5.2 – Permit Eligibility

Borough residents are eligible for STR permits. For purpose of this section, a resident shall be defined as a person who provides copies of 2 of the following 3 records to establish residence within the borough:

- A driver's license with an address in the borough
- A voter registration card with an address in the borough
- A tax bill with the owner's name and mailing address in the borough

Section 6 - Permit Procedure

A Short-Term Rental Permit shall be issued only to the owner of the Short-Term Rental property. A separate Short-Term Rental Permit is required for each Dwelling Unit; A Short-Term Rental Permit is effective for a period of one (1) calendar year. In the first year of the adoption of this ordinance, the permit and applicable fee will be prorated. A Short-Term Rental Permit must be renewed annually. The borough will prescribe forms and procedures for the processing of Permit Applications under this Ordinance.

Short-Term Rental Permit applications shall be submitted to the Penn Lake Park Borough Secretary and shall contain the following information:

1. Contact Information- Name, address, phone number and email address of the owner.
2. Signature of the owner.
3. Copy of the current recorded deed for the property establishing ownership.

Section 7 - Fees, Term and Renewal

1. Short-Term Rental fees, payable to Penn Lake Park Borough upon the filing of a Short-Term Rental Permit application, shall be set each year by vote by Council at the November meeting of the prior year and listed in the permit application.
2. A Short-Term Rental Permit must be renewed annually. Short-Term Rental Permit renewal applications shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this Ordinance.
3. A current year permit holder in good standing who submits a renewal application for the following year by the 15th of December will be renewed ahead of any new applications received.

Section 8 - Nuisance

A violation of any of the provisions of this Ordinance is declared to be a public nuisance.

Section 9 - Occupancy

Maximum occupancy during the rental of a short term rental property shall be calculated as follows:

- (Number of bedrooms x 2) plus 2

Bedrooms	Occupancy
1	4
2	6
3	8
4	10
5	12

Section 10 – Severability

If any portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion of this ordinance so long as it remains legally enforceable minus the invalid portion.

Section 11 – Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 12 – Enforcement

This ordinance shall be enforced by the zoning officer and/or the President of the borough council or his or her designee. Any person who violates this ordinance shall be subject to a fine of \$250 and upon summary conviction of any subsequent offense, to a fine of \$1000, plus the costs of prosecution in each case.

Section 13 – Effective Date

This ordinance will be effective 9/10/2020.

Section 14 – Amendments

October 13 2022

- Section 4 modified
- Section 5.1 and 5.2 added
- Section 7 modified
- Section 12 modified

PENN LAKE PARK BOROUGH COUNCIL:

<u>Paul Buzgon</u>	AYE
PRESIDENT	
<u>[Signature]</u>	AYE
VICE PRESIDENT	
<u>[Signature]</u>	AYE
COUNCIL MEMBER	
<u>[Signature]</u>	AYE
COUNCIL MEMBER	
<u>[Signature]</u>	AYE
COUNCIL MEMBER	

APPROVED BY: [Signature]
MAYOR

ATTEST:
Karen Burden
Secretary