

ORDINANCE NO. 2021-1

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF PENN FOREST TOWNSHIP, CARBON COUNTY, PENNSYLVANIA, ENTITLED THE "PENN FOREST TOWNSHIP ZONING ORDINANCE" ("ZONING ORDINANCE").

BE IT ENACTED and **ORDAINED** by Penn Forest Township, Carbon County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED** by the authority of the same, that the following additions, deletions, and amendments be made a part of the Zoning Ordinance ("Ordinance"):

1. The definition of "Family" in Section 202 (Terms Defined) shall be amended by adding, "The definition of 'Family' does not include any person or group of individuals occupying, in whole or in part, a building or portion thereof as a Short-Term Rental."

2. The following definitions shall be added to section 202 (Terms Defined):

SHORT-TERM RENTAL - A dwelling unit that is rented and/or leased, in whole or in part, for a transient use in exchange for rent, compensation or remuneration of any kind. This definition applies to all types of dwelling units rented and/or leased for a transient use under this Ordinance, unless excluded herein, including (but not limited to) single family detached, twin dwelling units, townhouses, rowhouses or apartments, whether or not primarily used as permanent residences or seasonal or vacation homes.

TRANSIENT USE – Occupancy, use or possession of a dwelling unit by a person or persons for a period of less than 30 consecutive days, other than the owner(s) of the dwelling unit or tenant(s) of the dwelling unit with a lease for 30 consecutive days or more, and/or the family of such owner(s) or tenant(s); and further excluding temporary stays by unrelated individuals that are guests of the owner or tenant of the dwelling unit without the payment of any type of rent, compensation or other remuneration.

3. Subsection b (Commercial Uses) of section 306.B.1 (Uses Allowed in Each Zoning District) shall be amended to include "Short-Term Rental" as a permitted use in all zoning districts.

4. Section 402 (Additional Requirements for Specific Principal Uses) shall be amended by adding the following section 402.A.55:

55. **Short-Term Rental.**

Short-Term Rental shall be a use permitted in all zoning districts subject to compliance with the following restrictions, proof of which must be submitted to the Zoning Officer prior to the issuance of a Zoning Permit:

a. License. Possession of a current valid Short-Term Rental License issued by the Township in accordance with the Penn Forest Township Short-Term Rentals Ordinance ("Short-Term Rentals Ordinance").

b. Meals. Meals shall not be provided to overnight guests of the establishment.

c. Sewage disposal and occupancy. Sewage disposal meeting the requirements of the Township and PA Department of Environmental Protection shall be provided. Occupancy shall be limited by the capacity of the sewage disposal system.

d. Parking. There shall be at least one off street parking space (located on the same premises as the short-term rental use) for each bedroom.

e. PA Uniform Construction Code and Short-Term Rentals Ordinance. All short-term rentals shall comply with PA Uniform Construction Code, as amended, and, the Short-Term Rentals Ordinance, as amended. To the extent there is any conflict between the requirements of the PA Uniform Construction Code and the Short-Term Rentals Ordinance, whichever provides for stricter or greater requirements shall control.

f. Information required. In addition to the other information required by this Ordinance, this applicant shall include with the application:

- (1) The name, address, telephone number and email address of the owner of the short-term rental for which the permit is issued. If the owner is the contact person, then owner shall provide a 24-hour telephone number.
- (2) The name, address, and 24-hour telephone number of the contact person, if the owner is not the contact person.
- (3) The number of bedrooms and the maximum number of overnight occupants.
- (4) If the building is a twin dwelling, townhouse, rowhouse, or apartment building, the number of dwelling units and the

number of dwelling units being used as a Short-Term Rental.

- (5) A diagram or photograph of the premises showing and indicating the number and location of designated on-site parking spaces and the maximum number of vehicles allowed for overnight occupants.
- (6) Copy of a current Carbon County Hotel Room Excise Tax Certificate and current Pennsylvania Sales Tax License.

5. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby appealed.

6. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not affect nor impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

7. This Ordinance shall become effective five (5) days after the date of the date of the date of the adoption hereof.

ENACTED this 3rd day of May, 2021.

BOARD OF SUPERVISORS
TOWNSHIP OF PENN FOREST

ATTEST:

Township Secretary