

Proposed

**NORTH EAST TOWNSHIP**

**ORDINANCE NO. 2020 – 001**

**AN ORDINANCE TO REGULATE SHORT-TERM RENTAL  
UNITS WITHIN NORTH EAST TOWNSHIP, ERIE  
COUNTY, PENNSYLVANIA AND TO PROVIDE  
PENALTIES FOR VIOLATION.**

**WHEREAS**, the Board of Supervisors of North East Township, Erie County, Pennsylvania, has determined that it is appropriate to establish an Ordinance to regulate short-term rental units within North East Township and penalties for any violation thereof.

**NOW THEREFORE BE IT ENACTED AND ORDAINED** by the authority of the same that the Supervisors of North East Township, as follows:

**CHAPTER 100: SHORT-TERM RENTALS**

**100-1 Title**

This Chapter shall be known as North East Township Short-Term Rental Ordinance.

**100-2 Scope**

- A. This Chapter shall apply to all buildings where overnight lodging accommodations are provided for compensation for a period of less than 30 consecutive days per renter, and shall include rentals secured using internet short-term rental sites such as “air bed and breakfast” or “vacation rental by owner” or other direct or in-direct type of advertising media or agency to arrange and or process the rental. Rentals for more than 30 days are subject to requirements of current Rental Property requirements as defined in Chapter 231 of the North East Township Code.
- B. This Chapter shall not apply to a resort, campground, hotel/motel/inn, bed and breakfast, boarding house, or group home, as defined within the zoning provisions of the North East Township Code, Chapter 350.

**100-3 Interpretation**

This Chapter does not excuse any landowner from compliance with the North East Township Zoning Ordinance as set forth in the North East Township Code, Chapter 350. Whenever possible this Chapter and the Zoning Ordinance should be construed and interpreted as being consistent, and not in conflict.

**100-4 Permit Required**

- A. No owner of any property in North East Township shall operate a Short-Term Rental in the Township without first obtaining a Short-Term Rental Permit from the Zoning

Officer. Operation of a Short-Term Rental without such Short-Term Rental Permit is a violation of this Chapter.

- B. Only the property owner or the owner's hired managing agent may acquire a Short-Term Rental Permit and operate the permitted short-term rental. Long-term property renters are not permitted to provide short-term rentals. (No subletting is permitted.)
- C. A separate Short-Term Rental Permit is required for each Short-Term Rental unit.
- D. The Township will prescribe forms and procedures for the processing of Permit applications under this Ordinance.

#### **100-5 Short-Term Rental Standards**

- A. Short-Term Rental Standards are itemized in the Short-Term Rental Permit Application/Agreement, attached to this Ordinance and made a part hereof.
- B. Overnight occupancy of a Short-Term Rental shall be limited to no more than two (2) persons per bedroom plus four (4) additional persons, or a maximum of fourteen (14) occupants, whichever is less.
- C. Property must be able to support all rental activity with off-street and/or in-driveway parking availability and limited to a total of two vehicles per bedroom being rented.

#### **100-6 Fees, Term and Renewal**

- A. Short-Term Rental Permit fees shall be \$50 each and shall be payable to the Township upon filing of a Short-Term Rental Permit application.
- B. There is no term to the permit, unless otherwise determined by the Code Enforcement Officer.
- C. A change of ownership or significant changes to the Short-Term Rental Permit require a new permit application.

#### **100-7 Marketing**

Short-Term Rental units shall be marketed in accordance with the Short-Term Rental Permit requirements.

#### **100-8 Nuisance**

Permit may be revoked by the Code Enforcement Officer if the Code Enforcement Officer determines that the rental activity has become a nuisance or is in violation of the terms of the Short-Term Rental Permit Application/Agreement.

### **100-9 Penalties**

Any person who violates or permits a violation of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding, pay a fine of not more than \$600, plus all court costs, including reasonable attorney's fees, incurred by the Township in the enforcement of this Ordinance. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

### **100-10 Severability**

If any section, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

### **100-11 Effective Date**

All provisions of this Ordinance shall become effective five (5) days after its enactment.

**ENACTED AND ORDAINED** by the Board of Supervisors of the North East Township, Erie County, Pennsylvania, this \_\_\_\_ day of \_\_\_\_\_, 2022.

NORTH EAST TOWNSHIP

BY:

\_\_\_\_\_  
August Neff, Chairman

ATTEST:

\_\_\_\_\_  
Erica Carlstrom, Secretary

North East Township  
PO Box 249 10300 West Main Road  
North East, PA 16428  
814.725.8606

**SHORT-TERM RENTAL PERMIT APPLICATION/AGREEMENT**

**Property Address:** \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone (24 hour):** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Managing Agency, Agent, or Local Contact Person** (This person must be authorized in writing to accept service for the owner):

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone (24 hour):** \_\_\_\_\_

**Alternate Phone (24 hour):** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Requirements: Check each item below acknowledging that you understand and meet the requirements, and that you therefore, agree to comply with each requirement:**

**Owner/Manager of Short-Term Rental unit shall:**

Post in each unit a "Notice to Occupants" regarding all requirements of the Short-Term Rental including:

- ☐ Name of owner or managing agency and contact information with a 24-hour phone number;
- ☐ The 911 address of the property;
- ☐ The maximum number of occupants permitted to stay in the unit;
- ☐ The maximum number of vehicles allowed on the property and the requirement that all guest parking must be off-street in available parking areas on the property, and not in or along any private or public street right-of-way or on any lawn or vegetated area of the property;
- ☐ The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property;
- ☐ Notification that the occupant or guest shall by be cited and fined for creating a disturbance or for violating other provisions of the North East Township code, including parking and occupancy limits; and
- ☐ Notice that the unit shall not be subleased to another entity.

Meet all requirements of the applicable local building codes.

- ☐ Meet all requirements of local Zoning Ordinance.
- ☐ Include a 911 address marker properly installed at the premise.

- ☐ Have written permission from the Homeowners Association, if applicable.
- ☐ Assure that swimming pools, hot tubs and spas are in compliance with North East Township Code Section 350-42.
- ☐ Use best efforts to assure that the occupants or guests of the Short-Term Rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of any North East Township Codes or any state law pertaining to noise or disorderly conduct including, but not limited to, notifying the occupants of the rules regarding Short-Term Rentals and responding when notified those occupants are violating laws, ordinances or regulations regarding their occupancy.
- ☐ Be responsible for collecting and remitting all applicable taxes and assuring that said taxes are current. Delinquent taxes may cause revocation of Permit.

**Standards--Please check that all are met:**

All Short-Term Rental units shall be equipped with:

- ☐ Smoke detectors in each bedroom
- ☐ Smoke detectors outside each bedroom in common hallways
- ☐ Smoke detectors on each floor
- ☐ GFI outlets located within six (6) feet of water source
- ☐ Carbon monoxide detectors if open flame furnace, gas or wood fireplace, or wood-burning stove is available
- ☐ Carbon monoxide detector if garage is attached
- ☐ Fire extinguisher in kitchen

**Compliance with the requirements and standards of this application shall be considered conditions of the Short-Term Rental Permit, the violation of which may result in revocation of the permit by the Zoning Administrator.**

I hereby certify that I have read and agreed to all the conditions of this Application and Agreement.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Owner/Manager