

LONDONERRY TOWNSHIP

INFORMATION FOR RENTAL PROPERTY OWNERS

ON 04/01/2024 THE LONDONERRY TOWNSHIP BOARD OF SUPERVISORS PASSED ORDINANCE 2024-02 AND 2024-03 PUTTING IN PLACE CHANGES TO THE TOWNSHIP CODE OF ORDINANCES THAT REGULATE RENTAL HOUSING IN THE TOWNSHIP. THIS DOCUMENT HAS BEEN PUT TOGETHER TO LET YOU AS A CURRENT OR POTENTIAL RENTAL PROPERTY OWNER KNOW WHAT THE ORDINANCES REQUIRE OF YOU AS A RENTAL PROPERTY OWNER.

TYPES OF RENTAL LICENSE/PERMIT:

THE TOWNSHIP ADOPTED TWO (2) TYPES OF RENTAL PERMITS:

- LONG-TERM RENTAL
- SHORT-TERM RENTAL

THESE RENTAL PERMITS ARE ADMINISTERED UNDER THE REGULATIONS SET FORTH IN CHAPTER 11 RENTAL HOUSING OF THE TOWNSHIP CODE OF ORDINANCES.

A LICENSE MUST BE ACQUIRED FOR EVERY DWELLING UNIT SEEKING TO BE USED AS A RENTAL PRIOR TO OPERATING ANY RENTAL UNIT WITHIN THE TOWNSHIP. A LONG-TERM RENTAL MAY NOT OPERATE AS A SHORT-TERM RENTAL WITHOUT FIRST ACQUIRING A SEPARATE LICENSE/PERMIT FOR A SHORT-TERM RENTAL – FOR PROPERTIES THAT CAN MEET THE REQUIREMENTS OF BOTH LICENSES DUAL PERMITTING IS PERMITTED

LICENSE/PERMITS ARE VALID JANUARY 1ST TO DECEMBER 31ST AND MUST BE RENEWED NO LATER THAN THIRTY (30) DAYS PRIOR TO EXPIRATION.

PROPERTIES THAT REGISTER PART WAY THROUGH THE YEAR WILL BE ISSUED A LICENSE VALID FROM THE DATE OF APPROVAL UNTIL DECEMBER 31ST OF THAT YEAR. FEES WILL NOT BE PRORATED FOR PARTIAL YEAR REGISTRATION

ANY PROPERTY THAT FAILS TO RENEW THEIR LICENSE BY DECEMBER 15TH OF ANY GIVEN YEAR WILL BE ISSUED A LATE FEE. FAILURE TO REGISTER FOR THE YEAR BY JANUARY 15TH OF ANY GIVEN YEAR WILL RESULT IN THE PROPERTY BEING REMOVED FROM THE PROGRAM AND THE VIOLATION PROCESSES STARTED AGAINST THE PROPERTY.

PRIOR TO OPERATING ANY RENTAL USE ON THE PROPERTY, THE OWNER MUST ACQUIRE A ZONING PERMIT AND USE & OCCUPANCY CERTIFICATE FROM THE ZONING OFFICER SHOWING THAT THE USE IS PERMITTED AT THE PROPERTY IN QUESTION.

LICENSES WILL ONLY BE ISSUED TO THE PROPERTY OWNER AND LICENSES ARE NOT TRANSFERABLE UPON SALE OF THE PROPERTY. IF A PROPERTY WITH AN EXISTING LICENSE IS SOLD, THE NEW OWNER MUST APPLY FOR A NEW LICENSE ISSUED TO THEM.

LONG TERM RENTALS:

CHAPTER 11 DEFINES A "LONG-TERM RENTAL" AS:

"A DWELLING UNIT THAT IS RENTED BY A FAMILY FOR A PERIOD OF MORE THAN THIRTY (30) CONSECUTIVE DAYS. THE TERM DOES NOT INCLUDE SHORT-TERM RENTALS, BED-AND-BREAKFAST ESTABLISHMENTS, BOARDING HOUSES, HOTEL, MOTEL, RESIDENTIAL HOTEL, OR GROUP HOME"

LONG-TERM RENTALS MUST BE RENTED TO A "FAMILY", A "FAMILY" IS DEFINED UNDER SECTION 27-302 ZONING DEFINITIONS OF THE LONDONDERRY TOWNSHIP CODE OF ORDINANCE AND READS AS FOLLOWS:

"AN INDIVIDUAL PERSON LIVING ALONE OR ANY OF THE FOLLOWING GROUPS LIVING TOGETHER AS A SINGLE, STABLE, NON-TRANSIENT HOUSEKEEPING UNIT:

1. ANY NUMBER OF RELATED PERSONS
2. THREE UNRELATED PERSONS
3. TWO UNRELATED PERSON AND ANY CHILDREN RELATED TO EITHER OF THEM
4. NOT MORE THAN EIGHT (8) RELATED OR UNRELATED PERSONS WHO ARE THE FUNCTIONAL EQUIVALENT OF A FAMILY...

THE DEFINITION OF "FAMILY" DOES NOT INCLUDE

1. MORE THAN THREE (3) UNRELATED PERSONS LIVING TOGETHER
2. ANY SOCIETY, CLUB, FRATERNITY, SORORITY...
3. ANY GROUP OF INDIVIDUALS WHOSE ASSOCIATION IS TRANSIENT OR SEASONAL...

4. ANY GROUP OF INDIVIDUALS WHO ARE IN A GROUP LIVING ARRANGEMENT AS A RESULT OF INSTITUTIONAL USES OR CRIMINAL OFFENSES
5. ANY INDIVIDUAL OR GROUP OF INDIVIDUALS OCCUPYING A BOARDING HOUSE"

A LONG-TERM RENTAL MUST BE LET FOR RENT FOR AN INITIAL PERIOD OF NO LESS THAN THIRTY (30) DAYS.

THE OVERNIGHT OCCUPANCY OF A LONG-TERM RENTAL SHALL BE LIMITED TO THREE (3) OCCUPANTS PER BEDROOM LET FOR RENT

THE OVERNIGHT OCCUPANCY OF RECREATIONAL VEHICLES, CAMPER TRAILERS, OR VEHICLE CAMPING AT A PROPERTY THAT HAS A RENTAL LICENSE IS NOT PERMITTED

LONG-TERM RENTALS ARE PERMITTED IN THE FOLLOWING ZONING DISTRICTS:

- AGRICULTURAL: AG
- RESIDENTIAL COUNTRY: R-1
- RESIDENTIAL SUBURBAN: R-2
- COMMERCIAL NEIGHBORHOOD: C-1
- COMMERCIAL SHOPPING CENTER: C-2

SHORT-TERM RENTALS:

CHAPTER 11 DEFINES A "SHORT-TERM RENTAL" AS:

"A UNIFORM CONSTRUCTION CODE COMPLIANT DWELLING UNIT RENTED TO A FAMILY ON ONE OR MORE OCCASIONS PER YEAR FOR THE PURPOSE OF TRANSIENT LIVING AND OVERNIGHT LODGING, FOR A PERIOD OF NOT LESS THAN ONE DAY AND NOT MORE THAN THIRTY (30) CONSECUTIVE DAYS. THE TERM SHALL NOT INCLUDE A BED-AND-BREAKFAST ESTABLISHMENT, BOARDING HOUSE, HOTEL, MOTEL, RESIDENTIAL HOTEL, LONG-TERM RENTAL, OR GROUP HOME"

A SHORT-TERM RENTAL MUST BE RENTED TO A "FAMILY" UNDERSTOOD TO BE THE DEFINED AS PREVIOUSLY GIVEN FROM SECTION 27-302 ZONING DEFINITIONS.

A SHORT-TERM RENTAL MUST BE RENTED FOR A PERIOD OF AT LEAST ONE (1) DAY AND NOT TO EXCEED THIRTY (30) DAYS TO SOMEONE OTHER THEN FAMILY OF THE OWNER WHEN NO RENT IS BEING COLLECTED.

THE OVERNIGHT OCCUPANCY OF A SHORT-TERM RENTAL SHALL BE LIMITED TO TWO (2) OCCUPANTS PER BEDROOM OR TEN (10) OCCUPANTS PER RENTAL UNIT. ADDITIONALLY THE NUMBER OF GUESTS ALLOWED DURING THE DAY AT ANY ONE TIME IN ADDITION TO THE OVERNIGHT GUESTS MAY NOT EXCEED 50% OF THE MAXIMUM OCCUPANCY STATED ON THE LICENSE (EXAMPLE: 6 OVERNIGHT GUESTS PERMITTED UNDER THE LICENSE – MAX OF 3 ADDITIONAL GUESTS DURING THE DAY MAY BE PRESENT – TOTAL OF 9 OCCUPANTS ON SITE)

THE OVERNIGHT OCCUPANCY OF RECREATIONAL VEHICLES, CAMPER TRAILERS, OR VEHICLE CAMPING AT A PROPERTY THAT HAS A RENTAL LICENSE IS NOT PERMITTED, OUTDOOR OVERNIGHT SLEEPING OF OCCUPANTS OR THEIR DAY GUESTS IS PROHIBITED.

OUTDOOR PARKING FOR OVERNIGHT OCCUPANTS AND DAY GUESTS SHALL BE LIMITED TO AVAILABLE PARKING ON THE PROPERTY. NO PARKING SHALL TAKE PLACE IN ANY PUBLIC STREET RIGHT-OF-WAY OR ON ANY LAWNS OR OTHER VEGETATED AREAS.

SHORT-TERM RENTALS ARE PERMITTED IN THE FOLLOWING ZONING DISTRICTS:

- RESIDENTIAL SUBURBAN: R-2
- COMMERCIAL NEIGHBORHOOD: C-1
- COMMERCIAL SHOPPING CENTER: C-2

GENERAL REQUIREMENTS FOR ALL RENTAL UNITS:

ALL RENTAL UNITS WITHIN LONDONDERRY TOWNSHIP SHALL BE HELD TO THE FOLLOWING STANDARDS:

- ALL AREAS, INCLUDING BUT NOT LIMITED TO BEDROOMS AND HABITABLE AREAS, SHALL MEET THE REQUIREMENTS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (AS ADOPTED AND AMENDED) AND THE UNIFORM CONSTRUCTION CODE
- MEANS OF EGRESS SHALL BE PROVIDED IN A CONTINUOUS AND UNOBSTRUCTED PATH FOR BOTH VERTICAL AND HORIZONTAL TRAVEL FROM ALL PORTIONS OF THE DWELLING TO AN EGRESS DOOR THAT SHALL DIRECTLY OPEN TO A YARD OR COURT WITH ACCESS TO A PUBLIC WAY, OR THE PUBLIC WAY DIRECTLY WITHOUT PASSING THROUGH A GARAGE
- SWIMMING POOLS, HOT TUBS, AND SPAS MUST MEET THE BARRIER REQUIREMENTS AS INDICATED IN THE UNIFORM CONSTRUCTION CODE
- A MINIMUM OF A 3A30BC FIRE EXTINGUISHER SHALL BE INSTALLED IN A CONSPICUOUS LOCATION IN THE KITCHEN AT 46 INCHES TO THE TOP OF THE HANDLE FROM THE FLOOR AND MUST BE TAGGED WITH CURRENT INSPECTION DATE FROM A FIRE EXTINGUISHER INSPECTION COMPANY AND MUST BE INSPECTED YEARLY.

LICENSING REQUIREMENTS:

THE FOLLOWING INFORMATION IS REQUIRED AT MINIMUM IN ORDER FOR A RENTAL LICENSE TO BE ISSUED. ITEMS SPECIFIC TO SHORT-TERM RENTALS WILL HAVE A *(STR)* PREFIX AND HAVE BEEN GATHERED NEAR THE END OF THIS LIST:

- TYPE OF LICENSE REQUESTED
- NAME, ADDRESS (NOT A POST OFFICE BOX), TELEPHONE NUMBER, AND EMAIL OF THE PROPERTY OWNER
- SITE PLAN SHOWING AT MINIMUM THE ON-SITE PARKING AREA(S), LOCATION OF ON-LOT SEWAGE SYSTEM (IF APPLICABLE), BOUNDARIES OF THE PROPERTY, AND GENERAL CONFORMANCE WITH THE REQUIREMENTS OF A ZONING SITE PLAN FROM SECTION 27-422 SITE PLAN REQUIREMENTS OF THE LONDONDERRY TOWNSHIP ZONING ORDINANCE
- FLOOR PLANS FOR THE RENTAL UNIT AND MUST INCLUDE AT MINIMUM THE TOTAL HABITABLE FLOOR SPACE, MEANS OF EGRESS, FIRE ALARM AND DETECTOR LOCATIONS, AND TOTAL NUMBER OF BEDROOMS
- TRESPASS WAIVER, SIGNED BY THE OWNER, ALLOWING ACCESS TO THE PROPERTY FOR THE CODE OFFICIAL TO CONDUCT INSPECTIONS
- COPY OF THE CURRENT DEED VERIFYING OWNERSHIP OF THE PROPERTY
- INSURANCE DECLARATION PAGE SHOWING AT MINIMUM \$500,000 IN LIABILITY COVERAGE WHICH SPECIFICALLY COVERS RENTAL UNITS
- *(STR)* COPIES OF CURRENT DAUPHIN COUNTY ROOM EXCISE TAX CERTIFICATE AND PA SALES, USE AND HOTEL OCCUPANCY TAX LICENSE

THIS IS NOT AN EXHAUSTIVE LIST OF ALL THE REQUIREMENTS THAT MAY AFFECT A PROPERTY BEING GRANTED A RENTAL LICENSE. EACH PROPERTY IS DIFFERENT AND MAY HAVE DIFFERENT ITEMS THAT NEED TO BE ADDRESSED PRIOR TO A LICENSE BEING ISSUED.

PROPERTY MANAGEMENT:

ANY PROPERTY OWNER MAY APPOINT A PROPERTY MANAGER AT THEIR DISCRETION.

ANY PROPERTY OWNER THAT DOES NOT HAVE THEIR PERMANENT RESIDENCE WITHIN A TWENTY (20) MILE RADIUS OF THE TOWNSHIP SHALL BE REQUIRED TO APPOINT A PROPERTY MANAGER

IN THE EVENT THAT A PROPERTY OWNER EITHER ELECTS TO APPOINT OR IS REQUIRED BY ORDINANCE TO APPOINT A PROPERTY MANAGER THE FOLLOWING INFORMATION IS REQUIRED:

- NAME, ADDRESS (NOT A POST OFFICE BOX), PHONE, AND EMAIL OF THE MANAGING AGENCY AND THE NAME AND 24-HOUR PHONE NUMBER OF THE LOCAL CONTACT PERSON.
- SIGNATURE OF BOTH THE PROPERTY OWNER AND THE PROPERTY MANAGER ON THE APPLICATION SIGNIFYING THAT THE PROPERTY MANAGER SHALL BE RESPONSIBLE TO RECEIVE NOTICES AND COMMUNICATION NECESSARY TO THE ADMINISTRATION OF THE RENTAL UNIT AND SERVICE OF PROCESS FOR ANY LEGAL PROCEEDINGS REGARDING THE RENTAL UNIT.

IT SHALL BE THE RESPONSIBILITY OF THE OWNER TO UPDATE AS NEEDED THE INFORMATION REGARDING PROPERTY MANAGEMENT IF CHANGES OCCUR FROM THE ORIGINAL FILING.

OWNER REQUIREMENTS AND RESPONSIBILITIES:

PROPERTY OWNERS OPERATING RENTAL UNITS IN LONDONDERRY TOWNSHIP ARE HELD TO THE FOLLOWING STANDARDS AS LISTED IN CHAPTER 11 RENTAL HOUSING SECTION 11-404 OWNER REQUIREMENTS

THE OWNER SHALL ENSURE THAT A PACKET IS PROVIDED TO OCCUPANTS CONTAINING THE FOLLOWING:

-
- THE NAME OF THE OWNER OF THE RENTAL UNIT
- THE NAME OF THE PROPERTY MANAGER AND LOCAL CONTACT WITH A 24-HOUR PHONE NUMBER (IF APPLICABLE)
- THE E-911 ADDRESS TO THE PROPERTY
- MAXIMUM NUMBER OF OCCUPANTS PERMITTED TO STAY IN THE RENTAL UNIT AS SHOWN ON THE LICENSE
- THE TRASH DISPOSAL METHOD, INCLUDING CONTACT INFORMATION FOR THE HAULER, AND STATEMENT THAT TRASH AND REFUSE MAY NOT BE LEFT OR STORED ALONG THE STREET EXCEPT IN A WATERTIGHT METAL OR PLASTIC CONTAINER BETWEEN THE HOURS OF 6PM THE EVENING PRIOR TO TRASH PICK-UP AND 6PM THE EVENING AFTER TRASH PICK-UP.
- NOTIFICATION THAT OCCUPANTS AND/OR THEIR GUESTS MAY BE CITED OR FINED FOR CREATING A DISTURBANCE OR FOR VIOLATING OTHER PROVISIONS OF THE TOWNSHIP CODE, INCLUDING PARKING AND OCCUPANCY LIMITS
- (STR) THE MAXIMUM NUMBER OF DAY GUEST PERMITTED AT ANY ONE TIME
- (STR) THE MAXIMUM NUMBER OF VEHICLES ALLOWED TO BE ON THE PROPERTY AND THE REQUIREMENT THAT ALL VEHICLES AT THE PROPERTY MUST BE PARKED IN THE DESIGNATED PARKING AREAS.

ADDITIONALLY, OWNER MUST ALSO:

- APPOINT A PROPERTY MANAGER IF THEIR PRIMARY RESIDENCE IS NOT WITHIN TWENTY (20) MILES OF THE TOWNSHIP
- ENSURE THAT ALL ADVERTISING FOR THE RENTAL UNIT CONTAINS THE TOWNSHIP LICENSE NUMBER AND THAT THE MAXIMUM OCCUPANCY FOR THE UNIT IS ADVERTISED (*FAILURE TO DO SO IS A VIOLATION OF THE ORDINANCE*)

- EMPLOY BEST EFFORTS TO ASSURE THAT OCCUPANTS AND GUESTS OF THE RENTAL UNIT DO NOT CREATE UNREASONABLE NOISE OR DISTURBANCES ENGAGE IN DISORDERLY CONDUCT, OR OTHERWISE VIOLATE PROVISIONS OF THE TOWNSHIP CODE AND STATE LAW
- OBTAIN THE NAME AND DRIVERS LICENSE NUMBER OF COPY OF PASSPORT FOR THE TENANTS AND NAMES OF ALL OCCUPANTS ON THE RENTAL UNIT AND HAVE AVAILABLE FOR REVIEW BY THE CODE OFFICIAL UPON REQUEST
- HAVE TENANT SIGN A FORMAL ACKNOWLEDGEMENT THAT THEY ARE LEGALLY RESPONSIBLE FOR COMPLIANCE WITH THE ORDINANCE AND HAVE SUCH ACKNOWLEDGEMENT AVAILABLE FOR REVIEW BY THE CODE OFFICIAL UPON REQUEST

ENFORCEMENT OF THE ORDINANCE

PURSUANT TO SECTION 11-501 OF THE ORDINANCE THE CODE OFFICIAL SHALL HAVE THE RESPONSIBILITY AND AUTHORITY TO ADMINISTER AND ENFORCE ALL PROVISIONS OF CHAPTER 11

INSPECTION SHALL OCCUR UPON ENTRY OF THE RENTAL UNIT INTO THE PROGRAM PRIOR TO ISSUANCE OF THE LICENSE AND THEN UPON THE PRESCRIBED INTERVAL SET OUT IN THE ORDINANCE.

INSPECTION MAY ALSO OCCUR AS THE RESULT OF COMPLAINT OR IF THE CODE OFFICIAL HAS REASON TO BELIEVE THAT A VIOLATION OF THE ORDINANCE EXISTS, SUCH INSPECTION WILL TAKE PLACE WITH PRIOR ARRANGEMENTS WITH THE OWNER AND OCCUPANTS AND IF APPLICABLE, THE PROPERTY MANAGER. NOTHING SHALL PREVENT THE CODE OFFICIAL FROM SEEKING AN ADMINISTRATIVE WARRANT TO SEARCH THE PROPERTY TO ENSURE COMPLIANCE WITH THE ORDINANCE.

THE PENNSYLVANIA STATE POLICE (PSP) MAY BE NOTIFIED OF ANY POTENTIAL VIOLATIONS AND LOCATIONS OF CONCERN AND ASKED TO COORDINATE WITH THE CODE OFFICIAL ON ENFORCEMENT OF THE ORDINANCE

THIS ORDINANCE SHALL BE ENFORCED BY ACTION OF THE MAGISTERIAL DISTRICT JUDGE THROUGH SUMMARY OFFENSE WITH FINES OF NOT LESS THAN \$100 AND NOT MORE THAN \$1,000 PER OFFENSE PER DAY THAT THE OFFENSE EXISTS, PLUS ALL COURT COSTS AND REASONABLE ATTORNEYS FEES INCURRED BY THE TOWNSHIP.

LICENSE MAY BE REVOKED OR RENEWAL DENIED BY THE CODE OFFICIAL FOR UNCURED OR REPEATED VIOLATIONS IN THE PRECEDING 12-MONTH PERIOD. SUCH REVOCATION OR DENIAL OF RENEWAL SHALL LAST AT MINIMUM 12 MONTHS FROM THE DATE OF THE ACTION.

APPEALS OF DETERMINATION:

AN APPEAL MAY BE FILED BY A PROPERTY OWNER IN REGARDS TO A CHAPTER 11 DETERMINATION FROM THE CODE OFFICIAL FOR THE FOLLOWING ITEMS:

- DENIAL OF AN APPLICATION FOR NEW RENTAL LICENSE
- DENIAL OF AN APPLICATION FOR RENEWAL OF A RENTAL LICENSE
- REVOCATION OF A RENTAL LICENSE

AN APPEAL MUST BE FILED WITH THE BOARD OF SUPERVISORS WITH IN 30 DAYS OF THE DETERMINATION BEING ISSUED. THE TOWNSHIP MANAGER AS MATTER OF POLICY SHALL RECEIVE SUCH APPEALS ON BEHALF OF THE BOARD OF SUPERVISORS.

APPEALS SHALL BE FILED ON A FORM APPROVED BY THE BOARD OF SUPERVISORS AND ACCOMPANIED BY A FEE SET BY RESOLUTION OF THE BOARD OF SUPERVISORS.

ALL APPEAL PROCEEDING SHALL BE CONDUCTED AND DECISIONS MADE AND PRODUCED ACCORDING TO THE LOCAL AGENCY LAW [DEC. 2, 1968 (P.L. 1133, NO 353)]92 Pa.C.S. §551 *et seq.*) AND IN ACCORDANCE WITH SECTION 11-603 HEARINGS OF CHAPTER 11 RENTAL HOUSING OF THE LONDONDERRY TOWNSHIP CODE OF ORDINANCES