

**BRECKNOCK TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024- 236**

**AN ORDINANCE OF THE TOWNSHIP OF BRECKNOCK, LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE BRECKNOCK TOWNSHIP ZONING ORDINANCE OF 1993 TO ALLOW FOR AND PROVIDE REGULATIONS FOR SHORT-TERM RENTALS**

**WHEREAS**, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the uses of property; and

**WHEREAS**, the Board of Supervisors of Brecknock Township enacted a Comprehensive Zoning Ordinance on April 13, 1993, entitled the Brecknock Township Zoning Ordinance of 1993 (“Zoning Ordinance”); and

**WHEREAS**, Brecknock Township has subsequently amended the Zoning Ordinance from time to time; and

**WHEREAS**, the Zoning Ordinance is codified as Chapter 110 in the Code of the Township of Brecknock; and

**WHEREAS**, the Township seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Brecknock Township Zoning Ordinance of 1993, as amended, to provide for and regulate Short-Term Rentals in the Township.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Brecknock, Lancaster County, Pennsylvania, pursuant to the authority conferred by the Pennsylvania Municipalities Planning Code as follows:

**SECTION 1.** The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article II entitled “Definitions”, Section 110-7 entitled “Definitions” is hereby amended to alphabetically add the following term:

Short-Term Rental – a single-family detached dwelling in which lodging is designed and provided for transients for a period of 30 continuous days, or less, in return for compensation to the owner. A short-term rental house is not owner-occupied during the same time period as the transient occupancy. The use of a dwelling as an approved bed-and-breakfast establishment as an accessory use shall not be considered a short-term rental.

**SECTION 2.** The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-18 entitled “Agricultural (AG) District”, Section 110-18.B(1) is amended to add a new letter “(j)” which shall read in its entirety as follows:

- (j) Short-Term Rental in accordance with Section 110-74.5.

SECTION 3. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-19 entitled “Agricultural-2 (AG-2) District”, Section 110-19.B(1) is amended to add a new letter “(i)” which shall read in its entirety as follows:

- (i) Short-Term Rental in accordance with Section 110-74.5.

SECTION 4. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-20 entitled “Forest Recreational (FR) District”, Section 110-20.B(1) is amended to add a new letter “(j)” which shall read in its entirety as follows:

- (j) Short-Term Rental in accordance with Section 110-74.5.

SECTION 5. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-21 entitled “Residential Low (RL) District”, Section 110-21.B(1) is amended to add a new letter “(f)” which shall read in its entirety as follows:

- (f) Short-Term Rental in accordance with Section 110-74.5.

SECTION 6. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-22 entitled “Residential Medium (RM) District”, Section 110-22.B(1) is amended to add a new letter “(f)” which shall read in its entirety as follows:

- (f) Short-Term Rental in accordance with Section 110-74.5.

SECTION 7. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-24 entitled “Highway Commercial (HC) District”, Section 110-24.B(1) is amended to add a new letter “(c)” which shall read in its entirety as follows:

- (c) Short-Term Rental in accordance with Section 110-74.5.

SECTION 8. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article IV entitled “District Regulations”, Section 110-25 entitled “Light Industrial (LI) District”, Section 110-25.B(1) is amended to add a new letter “(c)” which shall read in its entirety as follows:

- (c) Short-Term Rental in accordance with Section 110-74.5.

SECTION 9. The Code of the Township of Brecknock, Chapter 110 entitled “Zoning”, Article VII entitled “Performance Regulations” is amended to add a new Section 110-74.5 entitled “Short-Term rental use”, which shall read in its entirety as follows:

§110-74.5 **Short-Term rental use.**

- A. A single-family detached dwelling shall require a zoning permit for use as a Short-Term Rental, in districts where such use is permitted.
- B. The zoning permit shall be good for a period of one year from the date of issuance and shall be renewed annually. An application for the renewal of a license must be made by the property owner to the Zoning Officer thirty (30) days prior to the date of the expiration of the license, and must include the applicable license fee as set forth in the fee resolution of the Township.
- C. All Short-Term Rental uses shall be conducted in single-family detached dwellings legally existing as of the effective date of this section.
- D. A Short-Term Rental unit may be rented only to a person twenty-five (25) years of age or older and must be one of the occupants staying on the property.
- E. The applicant shall provide the Zoning Officer with a plan of the structure proposed to contain the Short-Term Rental unit and identifying the rooms on each floor of the structure.
- F. The property owner shall be the primary enforcer to assure that the occupants of the Short-Term Rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of Township ordinances or any state law pertaining to noise or disorderly conduct by notifying the occupants of the rules regarding Short-Term Rental units and responding when notified that occupants are violating laws regarding their occupancy.
- G. Owner must provide renter with a plan for controlling noise and smoke.
- H. Owner must provide notification to renter that trash and refuse shall not be left or stored on the exterior of the structure except in secure, watertight metal or plastic cans designed for such storage.
- I. Owner must provide name and address and phone number of the current, and any future owner to the Township.
- J. Owner must maintain a local contact person who lives within a one (1) hour drive to property and must provide contact information to renter and the Township.

- K. Owner must provide contact information for management/rental company updated as necessary. This includes a twenty-four (24) hour telephone number and email address and provide information to renter and Township.
- L. Parking is not permitted in any public road right-of-way.
- M. Owner must provide renter with the 911 address of the property.
- N. All floors above grade shall have a fire escape which provides a direct means of escape to the ground level.
- O. In the absence of public sewer facilities, the Zoning Officer may require the applicant to provide written notice from the Township Sewage Enforcement Officer that the existing sanitary sewage facilities are adequate to treat the anticipated sewage.
- P. ATVs are not permitted on the property.
- Q. The applicant shall provide the Zoning Officer with confirmation that the applicant has taken all action required to register with the Lancaster County Treasurer to enable the applicant to pay the hotel and/or room taxes imposed by Lancaster County. The Zoning Officer shall not issue a certificate of occupancy for the Short-Term Rental unit until the applicant presents such confirmation of registration.
- R. Any additions, structural changes or renovations will require compliance with UCC regulations.
- S. Signs shall comply with § 110-84B.
- T. The Zoning Office shall enforce these provisions. A first violation or complaint will result in a notice from the Zoning Officer. Further violations and/or complaints may result in the revocation of the zoning permit if the applicant cannot meet any of the standards of this section.

SECTION 10. Severability.

If any section, subsection, clause, sentence, paragraph or part of this Ordinance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, such invalidity, illegality or unconstitutionality shall not affect, impair or invalidate the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Board of Supervisors that this Ordinance would have been adopted had such provisions not been included herein.

SECTION 11. Other Ordinances.

All other articles, sections, parts and provisions of the Brecknock Township Zoning Ordinance of 1993, as amended, and the Ordinances of Brecknock Township shall remain in full force and effect as previously enacted and amended.

SECTION 12. Repealer.

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

SECTION 13. Effective Date. This Ordinance shall become effective five (5) days after enactment, as provided by law.

ENACTED AND ORDAINED as an Ordinance of Brecknock Township, Lancaster County, Pennsylvania, this 11<sup>th</sup> day of June, 2024.

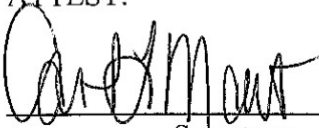
**BOARD OF SUPERVISORS OF  
BRECKNOCK TOWNSHIP,  
LANCASTER COUNTY, PENNSYLVANIA**

Chairman

Vice Chairman

Member


ATTEST:

  
Secretary

**CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2024 - ~~236~~ adopted by the Board of Supervisors of Brecknock Township, Lancaster County, Pennsylvania at a public meeting held on June 11, 2024, pursuant to notice as required by law.

Dated: 6/11/2024

  
Township Secretary