

BOROUGH OF QUARRYVILLE

Lancaster County, Pennsylvania

ORDINANCE NO. 455

AN ORDINANCE TO AMEND THE QUARRYVILLE BOROUGH CODE OF ORDINANCES, CHAPTER 420, ZONING, TO PROVIDE REGULATIONS FOR SHORT-TERM RENTAL UNITS.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Quarryville, Lancaster County, Pennsylvania, as follows:

Section 1. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article I, General Provisions §420-106, Word Usage; Definitions, Subsection B, shall be amended by deleting the definitions of “border, lodger, or roomer” and “boarding or rooming house” and adding or revising the following definitions in alphabetical order:

DWELLING UNIT – A room or group of rooms located within a residential building and forming a single, habitable unit with facilities used, or intended to be used, for residential occupancy by one family which has separate cooking and sanitary facilities, sometimes also referred to as a dwelling.

RESIDENTIAL OCCUPANCY – The non-transient occupancy of a dwelling unit by one family for a continuous period of 31 or more days.

SHORT-TERM RENTAL – The occupancy of a structure constructed as a dwelling in a manner which does not meet the definition of residential 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.

UCC – The Uniform Construction Code as adopted by the Borough.

Section 2. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article VI, Mixed-Use (MU) District, §420-602, Uses permitted by right and special exception, Subsection B, shall be amended by adding a new Paragraph (14), which shall provide as follows: “(14) Short-term rentals.”

Section 3. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article XI, Supplemental Regulations and Special Uses, §420-1103, Special Uses, Subsection T, Home occupations, Paragraph (11), shall be amended to provide as follows:

- (11) Home occupations shall not include the following: animal hospitals, commercial stables and kennels, funeral parlors or undertaking establishments, antique shops, restaurants, and short-term rentals.

Section 4. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article XI, Supplemental Regulations and Special Uses, §420-1103, Special Uses, shall be amended by adding a new Subsection RR, Short Term Rentals, which shall provide as follows:

RR. Short-Term Rentals.

- (1) No more than one short-term rental unit may be located in a structure, and a short-term rental unit may not be located in a structure which also contains a dwelling unit or any other unit of occupancy. If a structure containing multiple units of occupancy is owned by a single entity, the structure can contain multiple short term rental units if all of the units of occupancy are short term rental units. It is the intent of this paragraph that a short term rental unit cannot be located in a structure which has any use in additional to the short term rental unit(s).
- (2) The applicant for a special exception shall demonstrate that the proposed short-term rental unit meets the UCC. The applicant shall submit a report by the Building Code Official demonstrating that the short-term rental unit meets the requirements of the UCC to the Zoning Officer prior to the issuance of a zoning permit.
- (3) The applicant shall prepare and present to the Zoning Hearing Board a notice which shall be prominently and continuously posted at the short-term rental unit which shall contain all of the following information:
 - (a) The name of the local contact person or owner of the short-term rental unit and a telephone number at which that party may be reached on a 24-hour basis.
 - (b) The address of the property used by Lancaster County Wide Communications for emergency response purposes.
 - (c) The maximum number of occupants permitted to stay in the short-term rental unit.
 - (d) The maximum number of all vehicles allowed to be parked on the property and the requirement that parking is not permitted in any public road right-of-way.
 - (e) Notification that recyclables, trash and refuse shall not be left or stored on the exterior of the property except in secure, water-tight metal or plastic cans or similar containers designed for such storage which meet all requirements of Chapter 337, Solid Waste.

- (f) Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Borough Ordinances.
 - (g) Notification that the occupants must complete a manifest identifying the occupants and emergency contact information and place such manifest in the outdoor box installed to contain such manifest.
 - (h) Notification that any activities outside of the structure must comply with Borough noise regulations and must take place at least 20 feet from all property lines.
- (4) The applicant shall designate a local contact person who shall have access and authority to assume management of the short-term rental unit and take remedial measures and shall provide this information to the Zoning Hearing Board. An owner who resides within the Borough or within 30 miles of the short term rental unit may designate himself/herself as the local contact person. If the special exception is approved, the local contact person shall respond to the Borough or to a police officer within one (1) hour after being notified by such official of the existence of a violation of this chapter or any disturbance requiring immediate remedy or abatement. If the local contact person is not the owner, the local contact person shall immediately advise the owner of any notification of a violation. There shall be a local contact person at all times the short term rental unit is operated. The owner may change the local contact person only after written notice to the Zoning Officer, and any new local contact person shall meet all requirements of this subsection.
- (5) The applicant shall demonstrate to the Zoning Hearing Board that the applicant has installed an outdoor box which will be used to contain a manifest of the occupants of the short-term rental unit and emergency contact information for such occupants.
- (6) If the special exception is granted, 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.
- (7) The maximum occupancy of the short-term rental unit shall be based on the number of bedrooms. Each bedroom shall be occupied by no more than two persons, excluding children under the age of five. The maximum number of bedrooms available for occupants of the short-term rental shall be determined by building size. A building containing less than 2,200 square feet may have a maximum of three bedrooms. A building containing 2,200 square feet or more shall have a maximum of four bedrooms.

The applicant shall provide the Zoning Hearing Board with a plan of the structure proposed to contain the short term rental unit identifying square footage of the structure and the rooms on each floor of the structure to enable the Zoning Hearing Board to determine the number of bedrooms and the maximum occupancy of the short term rental unit.

- (8) A short term rental unit may be rented only to a person 21 years of age or older.
- (9) The owner and, if applicable, the local contact person, shall use his/her best efforts 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 Borough 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.
- (10) The owner and, if applicable, the local contact person, upon notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of Borough Ordinances or state law pertaining to noise or disorderly conduct, shall promptly use his/her best effort to prevent a recurrence of such conduct by those occupants or guests.
- (11) The owner of the short term rental unit shall submit an application each year for a permit to authorize continued operation of the short term rental unit, accompanied by any fee which Borough Council may establish by resolution. The application shall require that the owner provide sufficient information for the Zoning Officer to confirm the name and contact information for the local contact person, confirm that the short term rental unit meets all requirements of this §420-1103.RR, and confirm that the short term rental unit meets all other applicable Borough Ordinances. The Zoning Officer may inspect the short term rental unit to confirm compliance with this §420-1103.RR and other applicable Borough Ordinances. If the Zoning Officer confirms that the short term rental unit meets such requirements, the Zoning Officer may issue a permit to authorize continued operation of the short term rental unit for a one year period. Operation of a short term rental without the required annual permit is a violation of this chapter. If the owner of a short term rental does not file an application to renew the permit before the permit expires, the special exception shall expire and the owner shall have to obtain a new special exception meeting all current requirements.
- (12) If the property containing the short-term rental has any out of doors facilities such as a pool, patio, or similar items, such facilities shall be located not less than 20 feet from all property lines.

- (13) The applicant for a special exception shall demonstrate that the short term rental unit contains or meets the following:
- (a) Smoke detector in each bedroom.
 - (b) Smoke detector outside each bedroom in the common hallway.
 - (c) Smoke detector on each floor, including attic and basement.
 - (d) GFI outlet required if outlet located within six feet of water source.
 - (e) Metal exhaust from dryer (if dryer provided).
 - (f) Carbon monoxide detector if fossil fuel appliances or furnace is installed.
 - (g) Carbon monoxide detector if garage is attached to unit.
 - (h) Fire extinguisher in kitchen mounted in conspicuous location with a current charging tag.
 - (i) Indoor and outdoor stairs in good condition with handrails.
 - (j) All outlets and switches shall be properly covered.
 - (k) Fully functional bathing and toilet facilities.
 - (l) A placard shall be erected showing the floor plan to the front door exit. The placard shall be posted on the interior side of the front exit door or in an alternate location approved by the Zoning Officer.
- (14) No modifications shall be made to the external appearance of the building containing the short-term rental which would alter its residential character except fire escapes.
- (15) A short term rental unit may be used for transient lodging only. A short term rental unit shall not be used as an event venue, gathering place, retreat center, or any other use regardless of name involving the attendance of persons other than the persons staying at the short term rental unit for transient lodging.

Section 5. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article XII, Improvement Standards, §420-1203, Off-Street Parking Standards, Subsection D, Required Parking Spaces, Table 1, shall be amended to delete the following:

<u>Use</u>	<u>Minimum Number of Required Spaces</u>
Hotel, motel, tourist home and rooming or boarding house	One space for each room used for sleeping accommodations

Section 6. The Quarryville Borough Code of Ordinances, Chapter 420, Zoning, Article XII, Improvement Standards, §420-1203, Off-Street Parking Standards, Subsection D, Required Parking Spaces, Table 1, shall be amended to insert the following:

<u>Use</u>	<u>Minimum Number of Required Spaces</u>
Hotel or motel	One space for each room used for sleeping accommodations
Short-term rental	Two spaces

Section 7. All other sections, parts and provisions of the Code of Ordinances of Quarryville Borough shall remain in full force and effect as previously enacted and amended.

Section 8. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 9. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 1st day of APRIL, 2024, by Borough Council of the Borough of Quarryville, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF QUARRYVILLE
Lancaster County, Pennsylvania

Attest: Scott E. Pieper
(Assistant) Secretary

By: [Signature]
(Vice) President
Borough Council



Examined and approved as an Ordinance this 1st day of APRIL, 2024.

By: [Signature]
Mayor