

**BOROUGH OF SPRINGDALE**

**ORDINANCE NO. 1296**

**AN ORDINANCE OF THE BOROUGH OF SPRINGDALE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR AND REGULATING THE USE OF SHORT-TERM RENTALS IN CERTAIN DESIGNATED ZONING DISTRICTS, ESTABLISHING CERTAIN OTHER REQUIREMENTS PERTAINING TO SUCH USES, PROVIDING DEFINED TERMS IN CONNECTION THEREWITH AND PROVIDING PENALTIES FOR ANY VIOLATIONS.**

**WHEREAS**, the Council of the Borough of Springdale ("Borough") acknowledges that residential properties have the ability to be used as short-term rentals; and

**WHEREAS**, the Council of the Borough of Springdale acknowledges that the presence of short-term rentals in primarily residential areas is reasonable likely to interfere with the quiet enjoyment of surrounding residences, negatively impact property values, deteriorate the communal nature of residential neighborhoods, pose an increased risk of harm as a result of the influx of transient persons, and be overall detrimental to the general welfare of the community; and

**WHEREAS**, the Council of the Borough of Springdale desires to permit short-term rental uses within the Borough in such a manner as to provide the benefits of such rentals while protecting the character and residential qualities of the neighborhoods.

**WHEREAS**, the Council of the Borough of Springdale finds that short-term rentals should be subject to reasonable regulations and permitting requirements to safeguard the health and safety of guests and to prevent and abate nuisance conditions.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Springdale Borough Council, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same, incorporating the above recitals by reference.

Section I. Title. This Ordinance shall be known and may be cited as the "Short Term Rental Ordinance."

Section II. Purpose. The provisions of this Ordinance shall apply to all residential dwelling units, conversions of non-residential structures to residential dwellings, and all existing premises within the Borough of Springdale, except that they shall not apply to any resort, camp, hotel/motel/inn, bed and breakfast, boarding house, or group home, as may be defined within the Zoning Ordinance. The owner of the subject property shall be responsible for compliance with the provisions of this Ordinance and the failure of an owner, agency, managing agency, local contact person, or renting occupants to comply with the provisions of this Ordinance shall be deemed noncompliance by the owner.

Section III. Definitions. The following words, when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates otherwise:

"Adult" means a person who is 18 years of age or older.

"Council" means the Springdale Borough Council.

"Certified Code Official" means the person holding commercial or residential inspection certifications with the Pennsylvania Department of Labor and Industry, or a property maintenance certification through International Code Council, who performs the inspection of the short-term rental to ensure compliance with the most recently adopted International Property Maintenance Code (IPMC).

"Code Official" means the person appointed by the Springdale Borough Council to administer and enforce this Ordinance.

"Conspicuously Posted" means in a manner that a reasonable person would not believe they were trespassing while viewing the posted permit at the short-term rental.

"Owner" means the person or entity holding legal and/or equitable title to the short-term rental.

"Person" means any natural person, individual, partnership, firm, association, corporation, or other entity.

"Short-term rental" means the rental of any structure or any portion of any structure for occupancy, dwelling, lodging or sleeping purposes for at least one consecutive nights, but no more than 30 consecutive calendar days in duration, in a zoning district where residential uses are allowed, including, but not limited to, detached single-family dwellings, two-family dwellings, condominiums, duplexes, triplexes, townhomes and multiple-family dwellings.

"Structure" means any man-made object having an ascertainable stationary location at any given time on land or water.

Section IV. Permit Required. No owner of a short-term rental shall rent, offer to rent, or advertise for rent the short-term rental to another person without a valid short-term rental permit approved and issued in the manner provided for by this Ordinance.

Section V. Permit Application; Fee. The application for a short-term rental permit shall be made by the owner to the Code Official accompanied by a fee established by resolution of Council. The permit fee shall not be prorated when applied for during a calendar year and shall be valid for the year in which it is issued and the following year. The application shall contain the following information:

- A. The name, physical address, telephone number and email address of the owner. If the owner does not have a managing agency, agent or local contact person then the owner shall provide a 24 hour telephone number. If the owner uses a managing agency, agent or local contact person then that managing agency, agent or local contact person shall

have written authorization to accept service for the owner. If the owner resides at a location over approximately fifteen (15) miles from the Short Term Rental Property, an agent or local contact person must be selected to act as Person in Charge for the property.

- B. The name, physical address, email address and 24 hour telephone number of the Agent or Person in Charge, when required, of the Owner of the short-term rental.
- C. Evidence that the short-term rental has been inspected in the year in which the permit is being issued for compliance with the most recently adopted International Property Maintenance Code or most recently adopted IPMC, by a person who holds current commercial and residential inspection certifications with the Pennsylvania Department of Labor and Industry. All applications for a short-term rental permit shall include a dated inspection report in the year the application is made, which includes the name, city and certification number of the certified code official performing the inspection.
- D. Such other information as the Code Official may deem appropriate to show compliance with all Springdale Borough Ordinances.

Section VI. Inspection. Prior to the issuance of a Permit under this Ordinance, the owner of the short-term rental shall permit the Certified Code Official appointed by the Borough to inspect the short-term rental unit to ensure that the rental unit is in compliance with the most recently adopted International Property Maintenance Code.

Section VII. Permit Renewal. A short-term rental permit shall be valid for the remainder of the calendar year and the following calendar year from which it is issued. The owner shall renew a short-term rental permit by re- applying biennially (every two years) on or before December 15.

Section VIII. Conditions of Permit. All permits and renewals issued pursuant to this Ordinance are subject to the following standard conditions:

- A. The owner of the short-term rental passing the inspection set forth under Section 106 above and complying with the most recently adopted International Property Maintenance Code, which is herein adopted for purposes of this Ordinance.
- B. The owner shall provide proof that short-term rental is not prohibited by any applicable property owners or homeowner association or any declaration of conditions, covenants and restrictions. If not permitted, the Borough will notify the Property Owners or Homeowner Association of the issuance of the permit as the Code Official cannot enforce a private covenant and this Ordinance is separate from any private covenant.
- C. The owner furnishing to the Code Official a 24-hour emergency contact phone number for a person who will be available to respond to complaints.
- D. The short-term rental must have a minimum of one off-street parking space for each bedroom. However, the maximum number of vehicles allowed at the short-term rental

shall be limited to the available number of off-street parking spaces provided on the same property as the short-term rental.

- E. Short-term rentals shall be used only for overnight lodging accommodations.
- F. All advertising for the short-term rental shall include the Borough issued permit number.
- G. The primary overnight and daytime occupant of the short-term rental must be an adult individual. This primary adult occupant must provide a telephone number to the Owner and shall be accessible to the Owner by telephone at all times.
- H. Prior to renting, the Owner shall obtain the name, address and driver's license number or a copy of the passport of the primary adult occupant of the short-term rental. The Owner shall require that same adult to sign a formal acknowledgment that he or she is legally responsible for compliance by all occupants and guests of the short-term rental with the provisions of this Ordinance. This information shall be readily available upon request of the Code Official.
- I. The Code Official shall have the authority at any time to impose additional uniform or standard conditions, applicable to all short-term rentals, as necessary to achieve the objectives of this Ordinance.

Section IX. Posting of Permit; Limitation on Permit.

- A. Posting of Permit. Short-term rental permits shall be conspicuously posted on the property being rented during the appeal period set forth under Section 112(C) below.
- B. Limitation on Permit. Short-term are not transferable from one owner to another owner. Upon sale or transfer of a short-term rental, a new owner shall secure a new short-term rental permit

Section X. Denial of Permit. No application for an initial or renewal permit shall be denied if it is in compliance with this Ordinance. If a short-term rental permit is denied, the Code Official shall send the owner written notice of the denial along with the reasons for denial. The owner has the right to appeal the denial of a permit under Section 112 below.

Section XI. Revocation of Permit. Any short-term permit issued may be subsequently revoked by the Code Official when the Code Official finds that the information contained in the application is false, or a violation of this Ordinance has occurred on three or more occasions after the issuance of the Permit. A permit may only be revoked by the Code Official after written notice to the owner describing the violation of this Ordinance or the condition of the permit citing the applicable sections of this Ordinance. The owner has the right to appeal the revocation of a permit under Section 112 below.

Section XII. Notice/Service; Corrective Measures; Appeal Rights.

- A. Notice/Service. The Code Official shall have authority to give notice, by personal service, posting of the short-term rental, or by regular United States mail, postage prepaid, to any owner violating this Ordinance, or when denying or revoking a permit.
- B. Corrective Measures. For a violation, the notice shall direct compliance with this Ordinance within ten (10) calendar days following service of the notice. Any notice issued for a violation of this Ordinance shall be sufficient to constitute notice of any subsequent violation provided that the violation is for the same section of this Ordinance and the violation occurs within the same calendar year.
- C. Appeal. Any person directly affected by a determination of the Code Official shall have the right to appeal to the Council, provided that a written application for appeal is filed within ten (10) calendar days after the day the notice was served or the permit issued.
- D. Stays of enforcement. Appeals of notices or permits issued by the Code Official shall stay the action or enforcement of the notice until the appeal is heard by the Council.

Section XIII. Short Term Rental Standards

- A. Overnight occupancy of a Short Term Rental shall be limited to no more than two (2) persons per bedroom, or (ii) a maximum of eight (08) occupants, whichever is less.
- B. The maximum number of day guests allowed at any one time, in addition to the overnight occupants, shall be seventy-five percent for the maximum overnight occupancy of the Short Term Rental.
- C. Outdoor parking for overnight and day guests shall be limited to available parking areas on the Short Term Rental property and lawful on street parking areas. In no event shall parking for Short Term Rental guests include spaces on any lawns or vegetated areas.
- D. Neither Short Term Rental occupants nor guests shall engage in disorderly conduct or disturb the peace and quiet of any nearby neighborhood or person by loud, unusual or excessive noise, by tumultuous or offensive conduct, public indecency, threatening, traducing, quarreling, challenging to fight, or fighting, or creating a dangerous or physically offensive condition.
- E. The owner shall 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 the Borough Code 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 that occupants are violating laws, ordinances or regulations regarding their occupancy.

- F. The owner shall, upon notification that occupants or guests of the Short Term Rental have created unreasonable noise or disturbances, engaged in disorderly conduct or otherwise violated provisions of the Borough Code or state law pertaining to noise or disorderly conduct, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.
- G. Overnight occupancy of recreational vehicles, camper trailers and tents at the property where the Short Term Rental is located shall not be allowed. Outdoor overnight sleeping of occupants or guests of the Short Term Rental is prohibited.
- H. A Short Term Rental shall not have any outside appearance indicating a change of use from the surrounding residential uses.
- I. Fireworks and floating lanterns are prohibited.
- J. Subleasing all or a portion of the dwelling unit is prohibited.
- K. All Short Term Rentals shall have a clearly visible and legible notice posted within the dwelling unit on or adjacent to the front door containing the following information:
  - 1. The name of the owner of the unit or the managing agency, agent, property manager, or local contact authorized in writing to accept service for the owner of the unit and a telephone number at which that party can be reached on a 24-hour basis.
  - 2. The 911 address of the property.
  - 3. The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
  - 4. The maximum number of all vehicles allowed to be on the property and the requirement that all guest parking must be parked in the available parking areas on the property and not in or along any private, community or public street right-of-way or on any lawn or vegetated area on the property.
  - 5. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property.
  - 6. Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Borough Code, including parking and occupancy limits.
  - 7. Notification that Short Term Rental occupants and guests are required to make the dwelling unit available for inspection by the Enforcement Officer

upon request.

- L. All Short Term Rentals shall be equipped with the following:
1. Smoke detectors in each bedroom;
  2. Smoke detectors outside each bedroom in common hallways;
  3. Smoke detectors on each floor;
  4. Escape ladders for any floors above ground levels;
  5. Exit markers on walls near baseboards;
  6. GFI outlets for outlets located within six (6) feet of water source;
  7. Aluminum or metal exhaust from dryer;
  8. Carbon monoxide detector if open flame (oil or gas) furnace, gas or wood fireplace, or wood-burning stove;
  9. Carbon monoxide detector if garage is attached;
  10. Fire extinguisher in kitchen;
  11. Stairs (indoor and outdoor) in good condition; and
  12. Swimming pools, hot tubs and spas must meet the barrier requirements as indicated in Appendix G of the 2009 international Residential Code.
  13. Any other occupancy requirements required by the IPMC or which may be added by Ordinance revision by the Borough Council.
- M. Compliance with the requirements of this section shall be considered conditions of a Short Term rental Permit, the violation of which may result in a revocation of that permit by the Enforcement Officer.

Section XIV. Enforcement. The Code Official of the Borough is charged with enforcement of the provisions of this Ordinance.

Section XV. Penalties.

- A. Any person or owner who violates or permits the violation of this Ordinance shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of not less than three hundred (300.00) and not more than one thousand (\$1,000.00) plus the costs of prosecution; OR a civil penalty of not more than one thousand (\$1,000.00))



Dollars together with court costs and reasonable attorney fees. A violation of this Ordinance shall arise for each day of the violation subject to an additional penalty.

- B. In addition to, but not in limitation of, the provisions of Subsection A. and §100-13, the Enforcement Officer may either revoke, or deny an application to renew, a Short Term Rental Permit for three (3) uncured or repeated violations of this Chapter in any rolling twelve (12) calendar month period. The revocation or denial to renew a Short Term Rental Permit shall continue for six (6) months for the first set of three (3) uncured or repeated violations, and continue for one (1) year for any subsequent sets of violations.

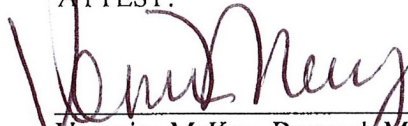
Section XVI. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate and distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section XVII. Repealer. All ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistencies.

Section XVII. Effective Date. This Ordinance shall become effective within 30 days following its adoption.

ORDAINED and ENACTED this 20th day of August, 2024.

ATTEST:

  
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Veronica McKay, Borough Manager


BOROUGH OF SPRINGDALE

  
\_\_\_\_\_  
Michael Ziencik, Council President

Examined and approved by me this 20th day of August, 2024.

  
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Joel Anderson, Mayor

APPROVED AS TO FORM:

  
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Craig H. Alexander, Solicitor