

**BOROUGH OF SHARON HILL
COUNTY OF DELAWARE
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 1414**

**AN ORDINANCE OF THE BOROUGH OF SHARON HILL, DELAWARE COUNTY
PENNSYLVANIA AMENDING ORDINANCE 200-4 RENTAL DWELLING LICENSE;
USE AND OCCUPANCY PERMITS TO INCLUDE SHORT -TERM RENTAL
PROPERTIES, REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF;
PROVIDING A SEVERALBILITY CLAUSE; AND PROVIDING
AN EFFECTIVE DATE**

WHEREAS, the Borough Code authorizes the Borough Council of the Borough of Sharon Hill (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough of Sharon Hill (“Borough”) and its citizens; and

WHEREAS, Section 200-4 of the Sharon Hill Zoning Ordinance regulates Housing and zoning in the Borough and

WHEREAS, there has been an increase in the number of homeowners leasing their homes, or rooms in their homes on a short-term property rental through the Commonwealth and;

WHEREAS, Borough Council desires to amend the Housing ordinance to create regulations for short-term property rental in the Borough and;

WHEREAS, properties used as short- term rental units are currently not subjected to the same inspection requirements as hotels and apartments; and

WHEREAS, if left unregulated, potential safety hazards could be created due to number of renters utilizing the properties; and

WHEREAS, the amendment will further protect the public health, safety and welfare of the residents, property owners, business owners and visitors to the Borough.

NOW, THEREFORE, be it and it is hereby **ORDAINED** by the Council of Sharon Hill Borough, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION 1. Article 2 entitled Definitions; 201 Definitions of terms is hereby amended to

add the following definitions:

“Short-term rental: Any rental dwelling unit owned or managed by a person, firm or corporation which is rented in separate increments of less than 30 consecutive days but not more than a total of 120 days in any calendar year.. Rooming units and rooming house are included in this definition when rented for separate increments of less than 30 consecutive days, but not more than a total of 120 days in any calendar year. Any rental dwelling unit rented continuously for a period of 30 or more consecutive days for a total of more than 120 days in any calendar year shall be deemed a hotel.”

SECTION 2. Section 200-4 entitled “Rental dwelling license; use and occupancy permits,” is hereby amended to add the following new section **D** entitled “ Supplementary Regulations for Short-Term Rentals:”

1. Short-term rentals shall only be permitted in compliance with the authorized zoning districts and approval process set forth in the Sharon Hill Borough Zoning Ordinance, as the same may be amended from time to time.
2. Short-term rental use of a dwelling unit shall comply with all applicable federal, state and local government laws, rules, ordinances and/or regulations, including without limitation, other provisions of the Zoning Ordinance which would be applicable to the use of the property as a dwelling unit when not subject to short-term rental.
3. The commencement of short-term rental activity of a dwelling unit shall be considered a change in use of the property and shall not occur without the property owner first applying for, and receiving, a special exception from he Zoning Hearing Board for such change of use.
4. No person, firm, corporation or any other type of entity shall not rent, lease, let out or permit the same to be occupied as a short-term rental without first applying for and securing the following: A short term rental license for each occupied and/or vacant dwelling(s) unit issued pursuant to the provisions of this article and other applicable ordinances, rules and regulations enacted by the Borough Council. A short-term rental permit is effective for a period of two year(s), or until any of the conditions of the short-term rental are changed.
5. Overnight occupancy of a short-term rental shall be limited to no more than 2 persons per bedroom.
6. The number of bedrooms permitted for a short-term rental shall not exceed the

number of bedrooms approved for the dwelling unit on the sewage permit issued for such property. Where there is no sewage permit on record, the short-term rental shall be limited to three bedrooms unless proof is provided that the septic system is adequate to handle additional flows. Any short-term rental advertising more than three bedrooms shall provide proof when applying for the Special Exception that the septic system is adequate to handle such flows.

7. A local contact person shall be designated who shall have access and authority to assume management of the short-term rental unit and take remedial measures. An owner who resides within the Borough or within 15 miles of the short-term rental unit may designate himself/herself as the local contact person. If not the owner of the property, the local contact person must reside within 10 miles of the property. 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 Borough, and any new local contact person shall meet all requirements of this subsection.
8. A short-term rental unit may be rented only to a person 21-years of age or older.
9. The owner 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 shall, 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, promptly use their best effort to prevent a recurrence of such conduct by those occupants or guests.
11. The owner of the short-term rental unit shall apply every two years for a permit to authorize continued operation of the short-term rental unit, accompanied by any fee which the Borough Council may establish by resolution. The owner will be required to update their information and resubmit the short-term rental application.
12. If the Borough confirms that the short-term rental unit meets such requirements, a permit will be issued to authorize continued operation of the short-term rental unit

for a two-year period.

13. The application for a short term rental permit shall contain 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) A copy of the description of the property used in the short-term rental advertisement.
- c) The 911 address of the property.
- d) A copy of the completed registration
- e) A copy of the completed inspection and occupancy permit.
- f) The maximum number of occupants permitted to stay in the short-term rental unit.
- g) The maximum number of all vehicles allowed to be parked on the property and an acknowledgement that parking is not permitted in any public road right-of-way unless such designated right-of-way is not parking restricted.
- h) A statement acknowledging that trash and refuse shall not be left or stored on the exterior of the property except in secure, watertight metal or plastic cans or similar containers designed for such storage with a limit of secured containers.
- i) A statement acknowledging that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Borough Ordinances.
- j) A statement acknowledging that the local contact person shall respond to the Borough or to a police officer 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.
- k) The applicant shall provide confirmation that the applicant has taken all action required to enable the applicant to pay the hotel and/or room taxes imposed by Sharon Hill Borough Delaware County, or the Commonwealth of Pennsylvania. A certificate of occupancy for the short-term rental unit will not be issued until the applicant presents such confirmation of meeting County and Commonwealth requirements.

14. PARKING: For short-term rental, two all weather parking spaces

(including garage space or spaces as part of the required number of spaces) plus one additional parking space for each room for rent shall be provided.

15. REVOCATION OF PERMIT. In addition to any other remedies available at law or equity, failure to comply with any of the requirements of this Article may result in revocation and/or non-renewal of a short term rental permit.

SECTION 3: The provisions of this Ordinance are declared to be severable . If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or the Code of Ordinances of Sharon Hill Borough.

SECTION 4. All Ordinances and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 5: This ordinance shall be effective immediately upon its legal enactment by the Borough Council of the Borough of Sharon Hill.

ORDAINED AND ENACTED by the Borough Council of the Borough Sharon Hill Delaware County, Pennsylvania this _____ day of _____, 2024

ATTEST

BOROUGH OF SHARON HILL

Secretary

By: _____

Tanya Allen, Council President

Examined and approved as an Ordinance this _____ day of _____ 2024

ATTEST:

Hykeem Green, Mayor

