

**BOROUGH OF AKRON**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF AKRON, COUNTY OF LANCASTER, AMENDING CHAPTER 13 OF THE BOROUGH OF AKRON CODE OF ORDINANCES, RELATED TO “LICENSES, PERMITS AND GENERAL BUSINESS REGULATION” BY ADDING A NEW PART 4 “SHORT-TERM RENTAL PERMIT”, INCLUDING CREATING CONDITIONS FOR APPROVAL OF THAT PERMIT, ESTABLISHING LICENSING OF SHORT-TERM RENTALS, IMPOSING CERTAIN REQUIREMENTS RELATING TO THE USE OF REAL PROPERTY ASSOCIATED WITH SHORT-TERM RENTALS, INCLUDING THE ESTABLISHMENT OF PENALTIES, APPLICATION FEES, AUTHORIZING A PERMIT OFFICER AND OTHER RELATED REGULATORY PROVISIONS FOR THE SHORT-TERM RENTAL PERMITTING PROGRAM.**

A. Borough Council found that the Borough’s Zoning Ordinance should make provisions for “short-term rentals” in all its Zoning Districts, subject to certain zoning regulations relating to that use.

B. The Borough of Akron Council has also determined that there should be licensing requirements related to such a zoning use, in order to ensure the safety of the public relating to such use and therefore the Borough of Akron Council has determined that it should implement a permit ordinance for such zoning uses.

NOW THEREFORE, BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the authority of the Council of the Borough of Akron, that Chapter 13 of the Borough of Akron Code of Ordinances (hereinafter “Code of Ordinances”), related to “Licenses, Permits and General Business Regulations” is amended by adding a new Part 4 “Short-Term Rental Permit”, to provide for the issuance and maintenance of a Short-Term Rental Permit as follows:

Part 4  
Short-Term Rental Permits

13-401. Definition: “Short-Term Rentals shall be defined as a fully furnished single family or portion of a single family dwelling owned by an Akron Borough resident that is rented on a short-term basis to registered guests for a period less than thirty (30) continuous days. Guests have use of the facilities as provided for in any contract of agreement with the owner or

management company, and no services, such as meals or daily house cleaning are provided to the guests, and as are a “Permitted Use” under Chapter 27 of the Code of Ordinances.

13-402. Permit Requirements: Requirements for the issuance and maintenance of a Short-Term Rental permit are as follows:

- a) The single family dwelling must be registered with the Borough of Akron as a short-term rental unit with the inspection of the property by the Borough Zoning Officer and Building Code Inspector for compliance respectively with the Zoning Ordinance and the Building and Property Maintenance Codes occurring prior to registration approval. A copy of the building layout and registration application must be provided to the Akron Borough Police Department, the Permit Officer and the Akron Volunteer Fire Company.
- b) The owner of the property and property manager must be identified, and the name and contact information shall be provided to the Borough of Akron.
- c) The maximum length of stay per registered party shall be less than thirty (30) consecutive days.
- d) The owner of the dwelling shall reside in the Borough of Akron.
- e) The building must be rented in the name of one individual, who represents the entire family or group renting the dwelling during the reserved time period.
- f) The number of guests in one party shall not exceed two adults per bedroom and four persons per bedroom, regardless of age.
- g) In addition of meeting the Pennsylvania Uniform Construction Codes and the International Property Maintenance Code (latest editions adopted by The Borough of Akron), the premises must meet all of the following:
  - A) Operating smoke detector in each bedroom
  - B) Operating smoke detector outside each bedroom in the common hallway
  - C) An additional operating smoke detector and carbon monoxide detector on each level.
  - D) GFI outlets required if outlet located within six feet of water source (all sinks, sump pumps, etc.)
  - E) Aluminum and metal exhaust from dryer (if dryer is provided)
  - F) Mounted and visible fire extinguisher in kitchen (2-A, 10BC fire extinguisher or better)
  - G) Stairs, including handrail, (indoor and outdoor) in good condition.
  - H) Covers on all outlets.
  - I) Fully functioning bathing and toilet facilities.
  - J) Fully functioning kitchen (if one has been installed)
- h) The applicant must meet the International Property Maintenance Code as adopted by the Borough of Akron, but the dwelling should continue to be considered a single family dwelling for such purposes.

- i) The applicant shall prepare and present to the Permit Officer a “notice” which shall be prominently and continuously posted at the short-term rental unit which shall contain all of the following information:
- i. The name of the local contact person, owner of the short-term rental unit and telephone numbers at which those parties can be reached on a 24-hour basis.
  - ii. The 911 address of the property
  - iii. The maximum number of occupants permitted to stay on the short-term rental unit.
  - iv. The maximum number of all vehicles allowed to be parked on the property or leased parking area and the requirement that parking is not permitted in any public road right-a-way, unless such designated public road right-of –way is not parking restricted.
  - v. Notification that 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 with a limit of three (3) containers.
  - vi. Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Akron Borough Ordinances.
  - vii. No removal of tampering with smoke detectors or carbon monoxide detectors.
  - viii. The applicant shall meet all requirements related to the Short-Term Rental permit use in Chapter 27 (Zoning) of the Borough of Akron Code of Ordinances.
- j) The applicant shall designate a local contact person who shall have access and authority to assume managements of the short term rental unit and take remedial measures. The local contact person shall respond to the Borough the police officer or Akron Volunteer Fire Company 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 is operated. The owner may change the local contact person only after written notice to the Zoning Officer, and any new contact person shall meet all requirements of this subsection.
- k) The applicant shall provide the Permit 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.
- l) A short-term rental unit may be rented only to a person at least 21 years of age.
- m) 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 the 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. More than two violations of this section may result in revocation of the permit.

n) The owner shall, upon notification that occupants of the short-term rental unit have created unreasonable noise or disturbance, 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 recurrence of such conduct by those occupants or guests.

o) 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 the Borough Council may establish. The application shall require that the owner provide sufficient information for the Permit Officer to confirm the name and contact information for the local contact person, confirm that the short-term rental unit has and will continue to meet all requirements of this Part and confirm that that the short term rental meets all other applicable Borough Ordinances. If the Zoning Officer and Building Code Official confirm that the short-term rental unit meets such requirements during an annual inspection, the Permit Officer may issue permits to authorize continued operation of the short- term rental unit for a one (1) year period. Operation of a short term rental without the required annual permits is a violation of this Chapter.

13-403. Permit Officer: The Borough Council shall appoint a Permit Officer to administrator the terms and conditions of this Ordinance. The Permit Officer shall administer this ordinance and shall also have the right to prosecute any violations of the terms and conditions of this Ordinance. Further, the Permit Officer shall have the right to revoke any permit issued hereunder and thereafter the continued use of the dwelling as a short-term rental unit shall be illegal.

3-404. Fees: The Borough Council may from time to time, by Resolution, designate fees for administration of this Ordinance, applications, etc.

3-405. Penalties and Attorney's Fees: Any violation of any term or condition of this Ordinance shall be considered a Summary Offense with a penalty of not more than five hundred dollars (\$500) for each offense. Each offense occurring on a separate day shall be considered a separate offense. The Permit Officer shall file the complaint before the Local Magisterial District Judge related thereto and may collect the Borough's reasonable Attorney's fees related thereto."

This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2019.

**AKRON BOROUGH COUNCIL**

By: \_\_\_\_\_  
John Williamson, President  
Borough of Akron

Attest: \_\_\_\_\_  
Susan Davidson, Secretary

(Seal)

APPROVED this \_\_\_\_\_ Day of \_\_\_\_\_, 2019.

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John McBeth, Mayor