

**TOWNSHIP OF CAERNARVON**

Lancaster County, Pennsylvania

**ORDINANCE NO. 124**

**AN ORDINANCE OF CAERNARVON TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA REVISING AND AMENDING THE ZONING ORDINANCE OF CAERNARVON TOWNSHIP TO PROVIDE FOR SHORT TERM RENTALS AS SPECIAL EXCEPTION USES IN THE AGRICULTURAL, R-1 RESIDENTIAL, OPEN SPACE, AND CHURCHTOWN VILLAGE ZONING DISTRICTS AND ESTABLISHING STANDARDS FOR SUCH USES.**

WHEREAS, the Board of Supervisors of Caernarvon Township desires to hereby amend the Caernarvon Township Zoning Ordinance of 1991, as amended, (the "Zoning Ordinance") to establish definitions, regulations, and performance standards for Short Term Rental dwelling units as uses permitted by special exception in certain zoning districts; and

WHEREAS, the Board of Supervisors desires to hereby amend the Zoning Ordinance to establish criteria and standards governing special exception use approval.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Caernarvon Township, Lancaster County, Pennsylvania, as follows:

**SECTION 1.** The Zoning Ordinance, Article II entitled "Definitions," Section 201 is hereby amended by deleting and replacing the following definition:

**DWELLING UNIT** – one or more rooms providing living and sanitary facilities for one family, including equipment for cooking or provisions for same.

And adding the following definition:

**SHORT TERM RENTAL** – the use of a dwelling unit which is occupied for a period of less than thirty (30) continuous days by the same occupants. A dwelling unit with an approved bed and breakfast as an accessory use shall not be considered a short term rental.

**SECTION 2.** Article IV, Section 402, Article V, Section 502, Article VI, Section 602, and Article VIII, Section 802 of the Zoning Ordinance are amended to add Short Term Rentals as special exception uses to the Agricultural, Open Space, R-1 Residential, and Churchtown Village Zoning Districts subject to the additional criteria set forth in Article XXI, Section 2104 (Land Uses Permitted by Special Exception: Additional Criteria).

**SECTION 3.** The Zoning Ordinance, Article XXI, Section 2104 titled “Land Uses Permitted by Special Exception: Additional Criteria” is hereby amended to add the following regulations for Short Term Rentals:

#### SHORT TERM RENTALS

- (1) Only one short term rental per structure is permitted. The maximum occupancy for the short term rental shall be limited to two guests per bedroom.
- (2) The applicant shall demonstrate the property has adequate off-street parking.
- (3) The applicant for a short term rental shall demonstrate that the proposed short term rental unit contains or meets all of the following:
  - a. Hard wired smoke detector(s) in each bedroom or, if deemed impractical by the Township code official, smoke detector(s) with 10 year batteries.
  - b. Hard wired smoke detector(s) outside each bedroom in the common hallway or, if deemed impractical by the Township code official, smoke detector(s) with 10 year batteries.
  - c. All smoke detectors should be checked by owner between renters.
  - d. GFI outlets required if outlet located within six feet of water source (all sinks, sump pumps, etc.).
  - e. Aluminum or metal exhaust from dryer, if a dryer is provided.
  - f. Carbon monoxide detector, if open flame (oil or gas) furnace or gas fireplace.
  - g. Carbon monoxide detector, if garage is attached.
  - h. Fire extinguisher in kitchen.
  - i. Stairs (indoor and outdoor) in good condition.
  - j. Covers on all outlets.
  - k. If not served by a municipal water supply, the owner shall provide proof that a potable water supply is available for the unit.
  - l. If not served by a public sewer system, evidence that the sewer system is adequate.
  - m. Fully functioning bathing and toilet facilities.
  - n. Fully functioning kitchen, if one has been installed.
  - o. Before occupancy, an inspection will be required by a Township code official to verify compliance.
  - p. One parking space per bedroom, with a minimum of 2 spaces.
- (4) 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 911 address of the property.
  - 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 unless such designated right-of-way is not parking restricted.
  - e. 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) secured containers.
  - f. Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Township Ordinances.
- (5) 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. The local contact person shall respond to the Township or to a police officer within 30 minutes 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 available at all times the short term rental unit is operated. The owner may change the local contact person only after written notice to the Township, and any new local contact person shall meet all requirements of this subsection.
- (6) A short term unit may be rented only to a person 25 years of age or older.
- (7) No modifications to the exterior of the building which would alter its residential character shall be permitted.
- (8) No unsupervised/unleashed pets allowed outside or that may create a nuisance to neighbors.
- (9) The owner shall use his/her best efforts to ensure 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.
- (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 Township Ordinances or state law pertaining to noise, or disorderly conduct, promptly use their best efforts 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 the Board of Supervisors may establish by resolution. The permit application shall require that the owner provide sufficient information for the Township to confirm the name and contact information for the local contact person, confirm that the short

term rental unit complies with all current requirements of this Section and confirm that the short term rental unit complies with all other applicable Township Ordinances. If the Township confirms that the short term rental unit meets the requirements, the Township shall issue a permit to authorize continued operation of the short term rental unit for a one year period. Operation of a short term rental unit without the required annual permit is a violation of this Ordinance.

- (12) The Township has the right to suspend/revoke the Short-Term Rental permit as a result of multiple offenses/violations.

**SECTION 4.** This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Caernarvon as provided by law.

**SECTION 5.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the Township that the remainder of the Ordinance shall be and shall remain in full force and effect.

DULY ORDAINED AND ENACTED this 16<sup>th</sup> day of January, 2023, by the Board of Supervisors of the Township of Caernarvon, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF CAERNARVON  
BOARD OF SUPERVISORS

Attest: Kathryn M. Reiss By: Robert B. Lauffer  
(Asst.) Secretary (Vice) Chairman

[TOWNSHIP SEAL]

**CERTIFICATION**

I, Kathryn M. Rowis, Secretary of the Board of Supervisors of Caernarvon Township, Lancaster County, Pennsylvania, do hereby certify that the foregoing ordinance was duly adopted as set forth after a hearing held in conjunction with a regular meeting of the Board of Supervisors of Caernarvon Township held on January 16, 2023, at which a quorum was present and voted in favor thereof.

Kathryn M. Rowis  
Secretary