

**BOROUGH OF LEMOYNE, PENNSYLVANIA
ORDINANCE NO. 786**

AN ORDINANCE ADOPTING AND SETTING FORTH REQUIREMENTS FOR SHORT-TERM RENTALS, INCLUDING, BUT NOT LIMITED TO, PERMITS AND STANDARDS AND PENALTIES, TO BE CODIFIED WITHIN CHAPTER 550 (ZONING) OF THE BOROUGH OF LEMOYNE CODIFIED ORDINANCES AS AMENDING §550-10, “DEFINITIONS,” ; §550-12 TABLE 550-3-2, “PERMITTED USES,” WITH RESPECT TO THE URBAN RESIDENTIAL (UR) ZONE; §550-17 TABLE 550-4-2, “PERMITTED USES,” WITH RESPECT TO THE VILLAGE MIXED-USE (VMU) AND DOWNTOWN (DT) ZONES; AND AMENDING §550-83, “ADDITIONAL SUPPLEMENTAL STANDARDS AND REQUIRMENTS FOR SPECIFIC PRINCIPAL COMMERCIAL USES,” TO ADD SUBSECTION “V.”

WHEREAS, Borough Council has deemed it necessary to make certain clarifications and updates to the Zoning Code provisions regarding the proliferation and increasing popularity of short-term rentals; and

WHEREAS, Borough Council, in consideration of the health, safety and welfare of the citizens of the borough, has deemed it necessary and appropriate to Amend the Zoning Ordinance to cover these uses;

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the Borough Council of the Borough of Lemoyne, Pennsylvania, that the following Ordinance shall be adopted and codified as amendments to the Zoning Ordinance, as follows:

Section 1. As to §550-10, “Definitions,” the following definition shall be added:

“SHORT-TERM RENTAL”

The Principal Use of a Building (except a Hotel, Motel or Bed and Breakfast) where, for compensation, temporary – i.e., fewer than thirty (30) consecutive days – lodging is provided for the transient guests and meals are not provided.

Section 2. As to §550-12 Table 550-3-2, “Permitted Uses,” With Respect to the Residential Zoning Districts, the following shall be changed:

Bed-and-Breakfast shall be a Non-Permitted (N) use in the Urban Residential (UR) Zone

Section 3. As to §550-17 Table 550-4-2, “Permitted Uses,” With Respect to the Mixed-Use Zoning District, the following shall be added:

SHORT-TERM RENTAL shall be permitted as a commercial use ONLY in the Village

Mixed-Use (VMU), and Downtown (DT) Zones.

The following change should be made:

Bed-and-Breakfast shall be a Non-Permitted (N) use in the Office-Residential (OR) Zone

Section 4. Amending §550-83, “Additional Supplemental Standards and Requirements for Specific Principal Commercial Uses,” to Add Subsection “V.”

V. Short-Term Rental. The following Use regulations shall apply:

a. Facility Specifications.

- (1) Short-Term rentals shall be permitted only in the VMU, and DT Zoning Districts, subject to the following:
 - (a) In the VMU Zoning District, the maximum number of guest bedrooms shall be three (3).
 - (b) In the DT Zoning District, the maximum number of guest bedrooms shall be six (6).
 - (c) In all Zoning Districts in which Short-Term Rentals are permitted, no more than two (2) persons shall occupy a guest bedroom.
 - (d) Each guest bedroom shall be rented to overnight guests for periods of thirty (30) days or less.
 - (e) Each guest bedroom shall not be rented for more than one hundred eighty (180) days per year.
- (2) Short-Term rentals shall be permitted for occupancy only in residential dwellings or buildings accessory thereto.
- (3) No modifications of the external appearance of the building which would alter its residential character shall be permitted, except that required to meet safety requirements.

b. Permit Required.

- (1) No Owner of any property in the Borough shall operate a Short-Term Rental in the Borough without obtaining a Short-Term Rental Permit from the Borough Manager, Code Enforcement Officer, or their designee. Operation of a Short-Term Rental without a Permit is a violation of this Ordinance.
- (2) Permits are not transferable. New property ownership shall require a new application.
- (3) The issuance of a Short-Term Rental Permit is not a warranty that the premise is lawful, safe, habitable, or in compliance with this Ordinance.
- (4) Permit Application Requirements. Short-Term Rental Permit applications shall

contain, at a minimum, the following information:

- (a) The name, address, telephone number and email address of the Owner.
 - (b) The name, address and 24-hour telephone number of the designated Local Property Representative as required by Section c.(1) of this Section.
 - (c) Floor plan identifying rooms on all floors, specific location of bedrooms, and location of any pools or hot tubs labeled as either in-ground or above-ground.
 - (d) The total number of bedrooms.
 - (e) If the Building is a multi-unit Structure, the total number of Dwelling Units in the Structure and identification of the Dwelling Units being used as the Short-Term Rentals.
 - (f) A diagram or aerial photograph showing the location and number of on-site parking spaces.
 - (g) If parking spaces are off-site, a copy of a signed attestation that the off-site parking property owner agrees and acknowledges the use for parking by renters of the Short-Term Rental property during the duration of the permit.
 - (h) Copy of current Cumberland County Hotel Room Excise Tax Certificate, in accordance with P.S. § 1770.7 and Cumberland County Ordinance No. 2019-5, as may be amended from time to time.
 - (i) Copy of current Pennsylvania Sales and Use Tax Permit or signed attestation that a third party collects this on behalf of the Short-Term Rental Owner.
 - (j) Copy of the current recorded Deed for the Property establishing ownership.
 - (k) Proof of commercial insurance to protect the dwelling, contents and tenants.
 - (l) If the property is located in a homeowners' association, the owner must provide the Borough with a copy of a signed attestation that the homeowners' association approves of the use of the subject residential property for a Short-Term Rental, when applicable.
 - (m) Signatures of the Owner and the designated Local Property Representative.
- (4) By signing the Short-Term Rental application, the Owner gives authorization to the Borough or an authorized third-party acting on behalf of the Borough to enter onto the property to inspect and ensure compliance with this Ordinance and all applicable ordinances and regulations administered and enforced by the Borough.

- (5) A separate Short-Term Rental Permit and permit fee payment, set by separate resolution is required for each Dwelling Unit.
- (6) A Short-Term Rental Permit is effective once approved by the Borough and is effective until the annual renewal period each year, or until any of the conditions of the Short-Term Rental which are governed by this Ordinance are changed, whichever shall first occur. Applicants shall apply for permit renewal annually with the required renewal fee. Renewal of Short-Term Rental permits may be applied for up to thirty (30) days before the start of the annual renewal period. The annual renewal period shall be a period of thirty days, determined by the Borough.

c. Operating Standards.

- (1) Local Property Representative. The Property Owner shall designate a Local Property Representative who shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of (1) responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the Short-Term Rental, and (2) taking remedial action to resolve any such complaints. The current name, address, and telephone contact number of the Property Owner and the Local Property Representative shall be kept on file at the Borough and the West Shore Regional Police Department. The failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of approval and/or civil or criminal penalties.
- (2) Occupancy. Maximum daytime and overnight occupancy of the rental shall be based on the Uniform Construction Code standards. The Property Owner and/or Local Property Representative shall be responsible for ensuring that the Dwelling Unit is in conformance with its maximum occupancy.
- (3) Restrictions on Use. A renter may not use a Short-Term Rental for a purpose not incidental to its Use for lodging or sleeping purposes. This restriction includes using the rental for a wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event, family party or any similar group activity.
- (4) Parking.
 - (a) The following minimum number of off-street parking spaces shall be provided for Short-Term Rental uses:
 - (i) A minimum of two (2) parking spaces for a Short-Term Rental with one (1) bedroom unit;
 - (ii) A minimum of one (1) additional parking space for each additional bedroom unit in the Short-Term Rental; and
 - (iii) All parking spaces shall comply with Chapter 550 - Article IX of the Lemoyne Borough Ordinances.

- (iv) Permitted garages and driveways on the property shall be unobstructed and made available for renter parking.
 - (b) Count towards the minimum parking requirement shall not include parking spaces in any Borough property, public Street right-of-way, or on any lawns or vegetated areas.
 - (c) Off-site parking spaces authorized by agreement with the property owner, shall be within 300 feet of the Short-Term Rental property.
- (5) Signage. No outdoor advertising Signs related to the rental dwelling shall be allowed on the site.
- (6) Access. A Short-Term Rental Driveway shall have direct access to a public road or public street.
- (7) Renters Packet. A packet of information shall be provided to renters of the Short-Term Rental summarizing guidelines and restrictions applicable to Short-Term Rental Use, including:
 - (a) Information on maximum occupancy;
 - (b) Applicable noise and Use restrictions;
 - (c) Location of designated off-street parking;
 - (d) Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;
 - (e) Contact information for the local property representative;
 - (f) Evacuation routes;
 - (g) The renter's responsibility not to trespass on private property or to create disturbances;
 - (h) Notification that the renter is responsible for complying with this Ordinance and that the renter may be cited or fined by the Borough for violating any provisions of this Ordinance.
- (8) Displayed Information. All Short-Term Rentals shall have a clearly visible and legible notice posted within the Dwelling Unit containing the following information:
 - (a) The name of the Owner of the unit and the Local Property Representative and a telephone number at which that party can be reached on a twenty-four (24) hour basis.
 - (b) The physical Street address of the property.
 - (c) The maximum number of occupants permitted to stay in the Dwelling Unit

and the maximum number of day guests permitted at any one time.

- (d) The maximum number of all vehicles allowed to be in the designated parking areas and the requirement that all guest parking shall be in the parking areas on the property or authorized off-site parking and not on any lawn or vegetated areas.
 - (e) The trash pick-up day and notification that trash and refuse shall not be left or stored outside of designated receptacles on the exterior of the property.
 - (f) Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of Borough Ordinances, including parking and occupancy limits.
 - (g) Notification that Short-Term Rental occupants and guests are required to make the property available for inspection by the Borough upon request.
 - (h) A copy of the Borough Short-Term Rental Permit.
- (9) Inspection. The Property Owner and/or the Local Property Representative shall maintain on file at the Borough an up-to-date certificate of inspection documenting that the dwelling complies with the provisions for transient accommodations in the Uniform Construction Code as adopted by the Borough and shall obtain an appropriate certificate of occupancy. All dwelling units in which Short-Term Rentals are offered shall comply with the rules and regulations of the Pennsylvania Department of Labor and Industry, as well as all applicable building and fire codes of the federal, state, or local government, including the Code of Ordinances of the Borough of Lemoyne. Compliance with these requirements shall be the responsibility of the Property Owner and/or Local Property Representative, who shall also schedule and pass an annual safety inspection performed by the Borough or its designee.
- (10) Conduct. The Owner and/or Local Property Representative must use best efforts to ensure that occupants or guests comply with this Ordinance, relevant Borough ordinances, federal and state laws, including promptly addressing any violations and taking measures to prevent their recurrence, including the following prohibited conduct:
- (a) Short-Term Rental occupants or guests shall not engage in disorderly conduct, disturb the peace of the neighborhood, or create a dangerous or physically offensive condition through loud, unusual, or excessive noise, offensive behavior, public indecency, or any threatening actions.
 - (b) Overnight occupancy of recreational vehicles, camper trailers, and tents at the property where the Short-Term Rental is located is prohibited. Outdoor overnight sleeping of occupants or guests of the Short-Term Rental is prohibited.

- (c) Fireworks and floating lanterns are prohibited.
- (d) Subleasing all or a portion of the Dwelling Unit or an Accessory Use on the same property is prohibited.


Section 4. Enforcement and penalties for violations of this Ordinance shall be as set forth in Section 550-101 of the Borough Code.

Section 5. Any/all provisions of Borough Ordinances, regulations, and/or Resolutions inconsistent with this Ordinance are repealed to the extent of such inconsistency.

Section 6. This Ordinance and any/all licensing requirements addressed herein, shall be effective five days after enactment.

ORDAINED and ENACTED by the Borough Council of the Borough of Lemoyne, County of Cumberland, the Commonwealth of Pennsylvania on this 17th day of April, 2025

ATTEST: 
Secretary
[Borough Seal]

BOROUGH OF LEMOYNE
BY: 
Gale Gallo, Council President

Approved this 17th day of April 2025

BY: 
Matthew Salkowski, Mayor