

ORDINANCE NO. 539

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF WORMLEYSBURG, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE CODE OF ORDINANCES OF THE BOROUGH OF WORMLEYSBURG ENTITLED “ZONING” TO PROVIDE FOR, AMONG OTHER THINGS, DEFINITIONAL AMENDMENTS, ADDITIONAL REGULATORY CRITERIA FOR SHORT TERM RENTALS

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101-11202, (the “MPC”) at Section 601 provides that a municipality may enact, amend, and repeal zoning ordinances; and

WHEREAS, Section 609 of the MPC, 53 P.S. § 10609, sets forth the procedures for zoning ordinance amendments; and

WHEREAS, the Borough Council of the Borough of Wormleysburg deems it to be in the best interest and for the general welfare of the citizens and residents of the Borough to amend Chapter 27 of the Code of Ordinances of the Borough of Wormleysburg entitled “Zoning”.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Borough Council of the Borough of Wormleysburg, Cumberland County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Chapter 27 of the Code of the Borough of Wormleysburg entitled “Zoning,” Part 2 entitled “Terms and Definitions,” Section 202 entitled “Definitions” is hereby amended to add the terms and their definitions as follows:

GUEST ROOM – Bedroom or sleeping quarters within a dwelling that may be used for Short-Term Rentals.

SHORT-TERM RENTAL – Any Dwelling Unit utilized as a single-family residence rented for the purpose of overnight lodging for a period of thirty (30) days or less. Dormitories, hotels, lodging houses, and motels are specifically excluded from this definition. May be abbreviated STR. Excludes Bed and Breakfast.

SECTION II: Chapter 27 of the Code of the Borough of Wormleysburg entitled “Zoning,” Part 4 entitled “Mixed-Use Zoning Districts,” Section 402 entitled “Permitted Uses” is hereby amended to add Short-Term Rental to Table 4.2 as follows:

Table 4-2 Permitted Uses - Mixed-Use Zoning Districts				
Types of Uses	Village MixedUse-1 Zoning District (VMU-1)	Village MixedUse-2 Zoning District (VMU-2)	The Waterfront Zoning District (WF)	Section Reference for Specific Use Regulations
B. Nonresidential Uses				
B.1 Commercial Uses				
Short-Term Rental	P	P	P	§27-1103

SECTION III: Chapter 27 of the Code of the Borough of Wormleysburg entitled “Zoning,” Part 11 entitled “Specific Use Regulations,” Section 1103 entitled “Additional Supplemental Standards and Requirements for Specific Principal Commercial Uses.” is hereby amended as follows:

16. Short-Term Rental. Short-Term Rentals are permitted subject to the following criteria:

- A. A valid Short-Term Rental Permit as outlined in Chapter 11 Part 3 of the Code of Wormleysburg. A permit is not considered valid unless and until an application has been filed and accepted, fees have been paid in full, and a permit has been issued by the Borough Manager, Codes Enforcement Officer, or their designee.
- B. Short-Term Rentals shall be permitted only in residential dwellings or buildings accessory thereto. No modification to the external appearance of the building which would alter its residential character shall be permitted.
- C. Accommodations for overnight lodging at Short-Term Rentals shall be limited to no more than five (5) guest rooms with no more than (2) guests per room.
- D. Two off-street parking spaces are required, plus one for every Guest Room after the first Guest Room and shall comply with §27-903 of the Borough of Wormleysburg Zoning Ordinance. In no event shall parking for Short-Term Rental guests include spaces in any public street right-of-way or on any lawns or vegetated areas.
- E. Guest rooms shall be rented to overnight guests on a daily basis for periods of thirty (30) days or less.
- F. All operators of Short-Term Rentals must provide to the Borough evidence that they have complied with, or plan to comply with, the Cumberland County Hotel Room Rental Tax, as authorized by 16 P.S. § 1770.7 and enacted by Cumberland County Ordinance No. 2019-5, as may be amended from time to time.

- G. Access to the property must be maintained and remain clear of obstructions to accommodate emergency vehicles.
- H. Owners/Operators of a Short-Term Rental shall ensure that the Borough and West Shore Regional Police Department are provided with the appropriate contact information for the Owner/Operator as well as a 24-hour contact phone number of the person responsible, within a fifteen-mile drive of the property, for the security and maintenance of the property. The contact phone number must also be posted in a visible, but discreet location on the property.
- I. 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, and all other applicable building, safety, and fire codes of the federal, state, or local government, including the Code of Ordinances of the Borough of Wormleysburg.
- J. Any outdoor amenities or improvements to the Short-Term Rental such as decks, seating areas, horseshoe pits, patios, and the like must be at least 25 feet from any adjacent single-family dwelling.
- K. Special events and public functions such as concerts, conferences, or weddings are prohibited on the lot of a Short-Term Rental.

SECTION IV: Chapter 27 of the Code of the Borough of Wormleysburg entitled “Zoning,” Part 9 entitled “Lot Access, Parking, and Loading Regulations,” Section 903 entitled “Parking Requirements.” is hereby amended to add Short-Term Rental to Table 9-3 as follows:

Table 9-3 Parking Schedule – Nonresidential Commercial	
Commercial Uses	Minimum Required Spaces
Short-Term Rental	2 per dwelling unit, plus 1 for every guest room after the first guest room. In no event shall parking for Short-Term Rental guests include spaces in any public street right-of-way or on any lawns or vegetated areas.

SECTION V: REPEALER. All provisions of previous Ordinances of the Borough of Wormleysburg which are contrary to this Ordinance are expressly repealed.

SECTION VI: SAVINGS CLAUSE. In all other respects, the Code of Ordinances of the Borough of Wormleysburg shall remain as heretofore enacted, ordained, and amended.

SECTION VII: SEVERABILITY. The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses, or sentences.

SECTION VIII: EFFECTIVE DATE. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 13th day of June 2023, by the Council of the Borough of Wormleysburg, Cumberland County, Pennsylvania.

ATTEST:



Deborah A. Ealer, Borough Secretary



Sue Stuart, Council President

APPROVED THIS 13th DAY OF June 2023.