

ORDINANCE NO 1 OF 2018
WHITE HAVEN BOROUGH, LUZERNE COUNTY, PENNSYLVANIA

**AN ORDINANCE OF WHITE HAVEN BOROUGH, LUZERNE COUNTY,
PENNSYLVANIA, AMENDING ITS ZONING ORDINANCE TO ADDRESS
VACATION HOME RENTALS**

The Council of White Haven Borough does hereby adopt the following amendments to the White Haven Borough Zoning Ordinance of 2012, as amended by:

Adding the following term under Chapter 29, Zoning, Part 2, Definitions, Section 202 of the Zoning Ordinance:

“Vacation Home Rental” means any dwelling within a residential dwelling unit rented for the purpose of overnight lodging for a period of not less than one (1) day and not more than thirty (30) days. Specifically included in this definition is any dwelling rented or leased through any online community marketplace or Airbnb.

Amending the following Sections of Part 4, Basic District Regulations, Section 405, R-3, Residential, Multi-Family, and Section 411, O-1, Open Space, of the Zoning Ordinance to include the following use:

§405. “R-3” Residential, Multi-Family.

- (b) Special Exception Uses.
 - 10. Vacation Home Rental.

§411. “O-1” Open Space.

- (b) Special Exception Uses.
 - 17. Vacation Home Rental.

Adding the following section under Chapter 29, Zoning, Part 8, Supplemental Regulations:

§837. Vacation Home Rental.

(a) Each owner of a vacation home rental who resides more than twenty (20) miles from the rental shall designate a local person, property manager or agent, as a local contact person who has access and authority to assume management of the unit and take remedial measures.

(b) The owner shall by written agreement, limit overnight occupancy of the vacation home rental to not more than two (2) persons per bedroom with the maximum number of bedrooms not to exceed five (5) per vacation home rental.

(c) All written agreements and/or documents associated with the rental must be made available to the White Haven Borough Code Officer, law enforcement officials, and the Fire Chief.

(d) A vacation home rental shall have a minimum of one (1) off-street parking space per bedroom. The required number of parking spaces may include spaces in a garage which can accommodate vehicles. All parking spaces shall comply with the requirements of Section 701 of the Zoning Ordinance.

(e) The owner shall use best efforts to assure that the occupants or guests of the vacation home rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of the Zoning Ordinance, and other local and state laws pertaining to noise or disorderly conduct by notifying the occupants of the rules regarding vacation home rentals and responding when notified that occupants are violating laws regarding their occupancy.

(f) Any lights used for exterior illumination shall be directed away from adjoining properties. Lighting shall be pointed/shielded downward to minimize upward glare.

(g) Occupancy of recreational vehicles, camper trailers and tents shall not be allowed.

(h) Outdoor burning is prohibited under Chapter 10, Part 1, Section 103 of the White Haven Code of Ordinances.

(i) The owner of the vacation home rental shall conspicuously place a notice on the front door of the principal building indicating that it has been approved as a vacation home rental; listing these zoning provisions so that occupants have notice of the rules and regulations governing vacation home rentals; and containing the following information:

- (i) The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a twenty-four (24) hour basis.
- (ii) The maximum number of occupants permitted to stay in the unit at any one time.
- (iii) The maximum number of all vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not in any private, community or public right-of-way.
- (iv) The number and location of on-site parking spaces and the parking rules for seasonal snow removal and emergency vehicle access (if any).

(v) The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property except within twenty-four (24) hours of the day designated for trash pick-up.

(j) The owner of the vacation rental unit must register with the Borough Zoning Officer the names, addresses and contact numbers for all persons renting a unit at least one week prior to the rental.

(k) The owner of the vacation rental unit must register the property with all applicable Commonwealth and Luzerne County offices, including all taxing authorities.

(l) All Vacation Home Rentals operating before the enactment of this ordinance, in operation during the enactment of this ordinance, or contemplated to be operating after the enactment of this ordinance must obtain a variance from the White Haven Borough Zoning Hearing Board.

(m) Vacation Home Rentals may not be used as anything other than Vacation Rentals or short term occupancy dwellings.

(n) An annual fee for each Vacation Home Rental is to be paid to White Haven Borough by the owner of the vacation home in an amount of \$350.00. This amount may be adjusted by White Haven Borough Council by Resolution.

(o) An annual inspection of each Vacation Home Rental is to be performed by a White Haven Borough designee. Each inspection is to be paid for by the by the owner of the vacation home in an amount set by White Haven Borough by Resolution.

This Amendment shall take effect immediately following its adoption.

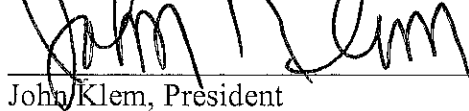
The remaining Articles and Sections of the White Haven Zoning Ordinance of 2012 shall remain the same and unchanged, except as amended.

NOW THEREFORE, this amendment to the White Haven Borough Zoning Ordinance shall become effective this ~~18th~~ day of ~~December, 2017~~

ATTEST:


Linda Szoke, Manager

WHITE HAVEN BOROUGH COUNCIL:


John Klem, President

APPROVED BY:


Mayor