

**LEHIGH TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2020-3**

**AN ORDINANCE ENACTED BY THE BOARD OF SUPERVISORS  
OF LEHIGH TOWNSHIP, NORTHAMPTON COUNTY,  
PENNSYLVANIA, AMENDING THE LEHIGH TOWNSHIP ZONING  
ORDINANCE, ORDINANCE NO. 2002-1, AS CODIFIED AT CHAPTER  
180 AND AS AMENDED FROM TIME TO TIME, BY ADDING THE USE AND  
TERM "SHORT TERM RENTAL" AND PROVIDING REGULATIONS  
FOR THE SAME.**

**BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF  
THE TOWNSHIP OF LEHIGH, NORTHAMPTON COUNTY, PENNSYLVANIA, THAT  
THE LEHIGH TOWNSHIP ZONING ORDINANCE SHALL BE AMENDED AS  
FOLLOWS:**

**SECTION I:** Section 180-15 entitled "Word Usage and Definitions" shall be amended by adding the following terms and definitions:

A. Bedroom – Any room or space designated to be used or intended to be used for sleeping purposes. Spaces used for eating, cooking, bathrooms, toilet rooms, closets, halls, storage or utility room and similar uses are not considered bedrooms.

B. Occupancy – The purpose for which a building or portion thereof is utilized or occupied.

C. Short Term Rental – Any dwelling unit owned or managed by a person or entity which is rented or leased to a Transient Visitor for a period of less than 30 days. This term shall not include "bed and breakfast" or a "hotel" as those terms are defined in this Chapter.

D. Short Term Rental License – The written grant of right to operate a Short Term Rental.

E. Transient Visitor – An occupant of a dwelling unit or bedroom for not more than 30 days, unless the occupant is related to the Owner as married spouse, parent or child, grandparent or grandchild, or brother or sister.

**SECTION II:** Section 180-46.1 shall be added and shall provide the following requirements for a "Short Term Rental License":

A. Application requirements. Short-Term Rental License applications shall contain all of the following information:

1. The name, address, telephone number and email address of the owner. If the

owner does not have a managing agency, agent or local contact person, then the owner shall provide a 24-hour telephone number.

2. The name, address, and 24-hour telephone number of the managing agency, agent or local contact person.

3. Floor plans for the Short-Term Rental, including habitable floor space and total number of bedrooms.

4. If the building is a multi-unit structure, the number of dwelling units and the number of dwelling units being used as Short-Term Rentals.

5. A site plan showing the location and number of on-site parking spaces shall be provided. If not on a central sewer system, the location, approximate age and capacity of the sewage disposal system.

6. Copies of current Northampton County Hotel Room Excise Tax Certificate and current Pennsylvania Sales Tax License.

7. Signatures of both the owner and the local managing agent or local contact person.

8. Copy of the current recorded Deed for the Property establishing ownership.

B. A Short-Term Rental License shall be issued only to the owner of the Short-Term Rental property.

1. A separate Short-Term Rental License is required for each Dwelling Unit; for Two-Family or Multi-Family Dwellings, a separate License shall be required for each Dwelling Unit being rented as a Short-Term Rental.

2. A Short-Term Rental License is effective for a period of one (1) year, or until any of the conditions of the Short-Term Rental which are governed by this Chapter are changed, whichever shall first occur. A Short-Term Rental License must be renewed annually, and also when any of the conditions of the Short-Term Rental which are governed by this Chapter are changed.

3. The owner, by making application for a Short-Term Rental License and/or accepting issuance of a Short-Term Rental License, grants permission for any and all inspections authorized by Section 180-96.1N of this Chapter.

4. The Township will prescribe forms and procedures for the processing of License applications under this Ordinance.

C. In the event that a short term rental owner receives two (2) violation notices (relating to the specific criteria or regulations under this Chapter), the Zoning Officer may terminate and revoke an existing license or deny a new license in accordance with the terms of this Chapter (unless the Owner appeals the violation and is found not guilty).

**SECTION III:** Short Term Rentals shall be permitted only in the Neighborhood Commercial (NC) and only in the Resort Commercial (RC) Zoning Districts by special exception and in accordance with the requirements set forth in Section 180-96.1. As such, Section 180-19C (NC) and Section 180-18C (RC) shall be amended to include the use of a Short Term Rental as a special exception use.

**SECTION IV:** Article V entitled "Specific Criteria" shall be amended by adding the following standards for "Short Term Rental" at Section 180-96.1:

Short-Term Rental standards.

A. Overnight occupancy of a Short-Term Rental shall be limited to no more than two (2) persons per bedroom plus two (2) additional persons per dwelling unit up to a maximum of ten (10) total persons.

B. The maximum number of day guests allowed at any one (1) time, in addition to the overnight occupants, shall be seventy-five percent (75%) of the maximum overnight occupancy of the Short-Term Rental.

C. The maximum number of bedrooms permitted for a Short-Term Rental is five (5).

D. Outdoor parking for overnight and day guests shall be limited to available parking areas on the Short-Term Rental property. In no event shall parking for Short-Term Rental guests include spaces in any private, community or public Street Right-of-Way. Parking spaces shall be a minimum of nine (9) feet in width by eighteen (18) feet in length with adequate aisle space to facilitate access and use. Any expansion of parking areas for a Short-Term Rental requires prior Township approval. Parking areas shall be maintained in a mud-free condition with paving, stone or similar material and shall count as part of the maximum lot coverage limits as set forth in the Lehigh Township SALDO. Notwithstanding the above, a Short Term Rental Plan shall provide one (1) parking space per bedroom and one (1) parking space for every two (2) day guests.

E. Neither Short-Term Rental occupants nor guests shall engage in disorderly conduct or disturb the peace and quiet of any nearby neighborhood or person by loud, unusual or excessive noise, by tumultuous or offensive conduct, public indecency, threatening, traducing, quarreling, challenging to fight, or fighting, or creating a dangerous or physically offensive condition without good reason.

F. The owner shall use best efforts to assure that the occupants or guests of the Short-Term Rental do not create unreasonable noise or disturbances, engage in

disorderly conduct, or otherwise violate provisions of the Lehigh Township Code of Ordinances or any state law pertaining to noise or disorderly conduct including, but not limited to, notifying the occupants of the rules regarding Short-Term Rentals and responding when notified that occupants are violating laws, ordinances or regulations regarding their occupancy.

G. The owner shall, upon notification that occupants or guests of the Short-Term Rental have created unreasonable noise or disturbances, engaged disorderly conduct or otherwise violated provisions of the Lehigh Township Code ordinances or state law pertaining to noise or disorderly conduct, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.

H. 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.

I. All Short-Term Rentals shall have a clearly visible and legible notice posted within the dwelling unit on or adjacent to the front door containing the following information:

1. The name of the managing agency, agent, property manager, local contact or owner of the unit and a telephone number at which that party can be reached on a 24-hour basis.
2. The 911 address of the property.
3. The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one (1) time.
4. The maximum number of all vehicles allowed to be parked on the property and the requirement that all guest parking must be on the property and not in or along any private, community or public Street Right-of-Way.
5. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property except in water-tight metal or plastic cans from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pick-up.
6. Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Lehigh Township Code of Ordinances, including parking and occupancy limits.
7. Notification that Short-Term Rental occupants and guests are required to make the dwelling unit available for inspection by the Zoning Officer upon request.

J. All Short-Term Rentals shall be equipped with the following:

1. Smoke detectors in each bedroom;
2. Smoke detectors outside each bedroom in common hallways;
3. Smoke detectors on each floor;
4. All smoke detectors must be hard wired.
5. GFI outlets for outlets located within six (6) feet of water source;
6. Aluminum or metal exhaust from dryer;
7. Carbon monoxide detector, if open flame (oil or gas), furnace, gas or wood fireplace, or wood-burning stove;
8. Carbon monoxide detector if garage is attached;
9. Fire extinguisher in kitchen and one (1) fire extinguisher on each floor and one in each bedroom;
10. Stairs (indoor and outdoor) in good condition;
11. Covers on all outlets;
12. All bedrooms shall have a direct means of ingress and egress; and
13. Any other occupancy requirements which may be added by Ordinance revision.

K. All Short Term Rentals shall have a fully functional septic system which shall be "pumped out" once per year. Written verification to be provided each year to the zoning officer.

L. There shall be no visible signage in any public or private Right-of-Way.

M. Fees, term and renewal.

1. Short-Term Rental license fees, payable to the Township upon the filing of a Short-Term Rental License application, shall be in such amount as may be established by resolution duly adopted by the Board of Supervisors.

2. Any Short-Term Rental License is good for a period not to exceed one (1) year from the date of issuance and must be renewed annually. Short-Term Rental License renewal fees, payable to the Township upon the filing of a Short-Term Rental License renewal application, shall be in such amount as maybe established by resolution duly adopted by the Board of Supervisors.

a. Short-Term Rental License renewal shall require inspections outlined in Section N, below.

b. Short-Term Rental License renewal applications shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this Ordinance.

N. Inspections required.

1. All Short-Term Rentals shall be subject to inspection by the Zoning Officer and the Building Code Official to verify application information, License, License renewal and/or operating requirements.

2. If there is reason to believe that any provision of this Chapter is being violated, the Zoning Officer, upon one-half (1/2) hour prior notice to Owner, may enter onto the premises for the purpose of inspection of any and all premises, properties, buildings and/or structures located at the premises in order to ascertain the existence of a violation(s). Said notice may be given by telephone call, voice message or e-mail to Owner.

#### **SECTION V: Severability.**

If any section, provision or portion of this Ordinance Shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

#### **SECTION VI: Repealer.**

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

**SECTION VII: Effective date.**


This Ordinance shall become effective five (5) days after enactment.

**ENACTED AND ORDAINED** this 10<sup>th</sup> day of November, 2020.

ATTEST

LEHIGH TOWNSHIP

  
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Secretary

  
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Chairperson, Board of Supervisors