BOROUGH OF PALMYRA

Lebanon County, Pennsylvania

ORDINANCE NO. 826

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF PALMYRA, CHAPTER 277, RENTAL PROPERTY, TO REVISE REGULATIONS GOVERNING VACANT PROPERTIES AND ADD REGULATIONS GOVERNING SHORT TERM RENTAL UNITS.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Palmyra, Lebanon County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Borough of Palmyra, Chapter 277, Rental and Vacant Property, Article I, Residential Rental Unit and Vacant Property Registration, §277-3, Definitions and word usage, shall be amended by inserting the following definitions in alphabetical order:

RESIDENTIAL OCCUPANCY – The non-transient occupancy of a dwelling unit by one family for a continuous period of 30 or more days. In order for the occupancy of a dwelling unit to be considered residential occupancy, such dwelling unit shall be owner-occupied or shall be leased for a period of not less than 30 continuous days.

RESIDENTIAL RENTAL UNIT – A rooming unit or a dwelling unit let for rent or a dwelling unit occupied by any persons other than one occupied solely by the owner and members of the owner's family for residential occupancy. Each individual townhouse dwelling, each individual apartment unit, each individual unit in a multifamily building, and each rooming unit shall be considered a separate residential rental unit. If a structure contains a rooming unit or if any portion of the structure is let for rent, it shall be considered a residential rental unit whether or not the owner or a relative of the owner also resides in the structure. A residential rental unit includes dwelling units under lease-purchase agreements or long-term (greater than six months) agreements of sale. A residential rental unit shall not include a hotel unit, a hospital room utilized for medical services or a short term rental.

SHORT TERM RENTAL – A short term rental as defined in Chapter 380, Zoning.

Section 2. The Code of Ordinances of the Borough of Palmyra, Chapter 277, Rental and Vacant Property, Article I, Residential Rental Unit and Vacant Property Registration, §277-5 Licensing of Residential Rental Units, Subsection B, shall be amended as follows:

B. Every owner, landlord, manager or agent or an owner who rents or leases or offers

for residential occupancy any real property or portion thereof in the Borough to any tenant or occupant shall submit an application to the Codes Compliance Officer for a residential rental license for that residential rental property, and the same shall be made upon forms furnished by the Borough for this purpose and shall include, but not be limited to, the following:

* * *

Section 3. The Code of Ordinances of the Borough of Palmyra, Chapter 277, Rental and Vacant Property, Article I, Residential Rental Unit and Vacant Property Registration, shall be amended by inserting new §277-12, Registration and maintenance of vacant and abandoned properties, Subsection A, shall be amended to provide as follows:

A.   The owner of a vacant and/or abandoned real property shall register the property with the Borough within 30 days of the vacancy or abandonment of the property. By November 30 of each calendar year, the owner of a vacant or abandoned property shall register such property with the Borough, which registration shall be valid from January 1 through December 31 of the following year. No application is complete without all of the required information and the required fee. The owner shall register the property with the Borough on forms provided by the Borough. Within 10 days of the property being lawfully occupied, the owner shall provide notice of the same to the Borough. The registration fee shall not be prorated based upon the date of registration.

Section 4. The Code of Ordinances of the Borough of Palmyra, Chapter 277, Rental and Vacant Property, Article I, Residential Rental Unit and Vacant Property Registration, shall be amended by inserting new §277-14, Registration and maintenance of short term rental units which shall provide as follows:

§277-14. Registration and maintenance of short term rental units.

A.   The owner or operator of any short term rental shall obtain a license for the short term rental within ten days after the issuance of a Zoning Hearing Board decision authorizing establishment of the short term rental. By November 30 of each calendar year, the owner of each short term rental shall apply for a short term rental license from the Borough, which shall be valid from January 1 to December 31 of the following year. No application is complete without all of the required information and the required fee.

B.   The owner of each short term rental shall make an application for a license on the forms furnished by the Borough for this purpose and shall include all of the following information:

(1)   The name, address, telephone number and email address(es) of the property owner(s).

(2)   The name, address and telephone number of a manager who resides or has an office within 30 miles of the short term rental if the property owner lives outside the thirty-mile radius of the Borough.

(3)   The street address of the short term rental.

(4)   The number of bedrooms within the short term rental.

(5)   The maximum occupancy of the short term rental.

(6)   The location of the off-street parking for the short term rental.

(7)   Proof that the owner of the short term rental has obtained all licenses or registrations required by the Commonwealth and the County for hotel or room taxes applicable to temporary lodging.

C.   The owner shall execute a form, subject to penalties for unsworn falsification set forth in 18 Pa. C.S. §4904 that the short term rental has all equipment required by Chapter 380 of the Code of Ordinances.

Section 5. All other sections, parts and provisions of the Code of Ordinances of the Borough of Palmyra shall remain in full force and effect as previously enacted and amended.

Section 6. In the event any provision, section, sentence, clause or section 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 sections of this Ordinance; it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 7. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 22nd day of _August_, 2023, by Borough Council of the Borough of Palmyra, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF PALMYRA
Lebanon County, Pennsylvania

Attest: _Brenda L. Pera_

(Assistant) Secretary

By: _Beth Y. Shearer_

(Vice)-President
Borough Council

[BOROUGH SEAL]
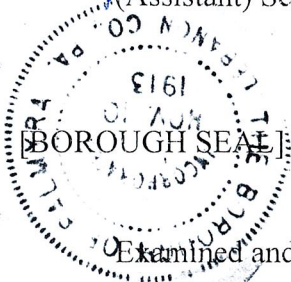
Examined and approved as an Ordinance this 22nd day of _August_, 2023.
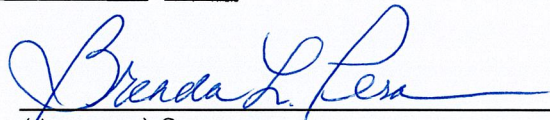
By: _Fredd S. Carpenter_
Mayor

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CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Borough of Palmyra, Lebanon County, Pennsylvania ("Borough") certify that: The foregoing is a true and correct copy of an Ordinance of Borough Council of the Borough which duly was enacted by affirmative vote of a majority of the members of Borough Council of the Borough of Palmyra at a meeting duly held on the __22nd__ day of _____August_____, _2023__; and was examined and approved by the Mayor; such Ordinance has been duly recorded in the Ordinance Book of the Borough; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that Borough Council of the Borough of Palmyra met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S.§701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Borough of Palmyra or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough of Palmyra, this __22nd__ day of __August__, _2023_.

[BOROUGH SEAL]

Brenda L. Pera
(Assistant) Secretary