



# DAMASCUS TOWNSHIP

ZONING OFFICER

CODE ENFORCEMENT OFFICER

60 CONKLIN HILL ROAD, DAMASCUS, PA 18415

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## **SHORT-TERM RENTAL INFORMATION FOR PROPERTY OWNERS - ANNUAL INSPECTIONS AND CERTIFICATE OF USE ARE REQUIRED**

### APPLICATION REQUIREMENTS:

- The name, address, email and twenty-four-hour telephone number of the owner.
- The name, address, email and twenty-four-hour telephone number of the person in charge if different from the owner. A local person in charge shall have written authorization to accept service for the owner.
- If the building is a multi-unit structure, the total number of dwelling units in the structure and the number of dwelling units being used as short-term rentals.
- If not connected to a central sewer system, the location, approximate age and capacity of the sewage disposal system.
- Copies of current Wayne County hotel room excise tax certificate and current Pennsylvania sales and use tax permit.
- Signatures of both the owner and the local person in charge.
- Copy of the current recorded deed for the property establishing ownership.

### SHORT-TERM RENTAL REGULATIONS:

- **BEDROOM DEFINITION:** A room or space within a single-family dwelling or dwelling unit designed to be used for sleeping purposes with two means of egress (one of which may be a window acceptable under the building code), a closet, and in close proximity to a bathroom. Space used for eating, cooking, bathrooms, toilet rooms, closets, halls, storage or utility rooms, porches, enclosed porches, unfinished basements, finished basement rooms without direct and unobstructed exterior egress, unfinished attics, finished attics without a standard residential stairway, and similar uses are not considered bedrooms. Space used or intended for general and informal everyday use such as a living room, den, office, sitting room, sunroom, three-season room, or similar shall not be considered a bedroom. A detached or accessory structure that does not include bathroom facilities with water under pressure and connected to a sewage disposal system shall not be considered a bedroom. A recreational vehicle or manufactured home that is not situated on and anchored to a permanent foundation with water under pressure and connected to a sewage disposal system shall not be considered a bedroom.
- A Short-term Rental unit located in a Flood Hazard area (A or AE) shall have a specific flood hazard notification posted in a conspicuous place at the rental unit with evacuation instructions approved by the Township.
- The rental period for all transient use of any single family residential property or housing unit shall not exceed thirty (30) consecutive calendar days.

- Conversion of a non-dwelling structure (i.e. barn, storage building, garage, etc.) to a dwelling for the purpose of being used as a Short-Term Rental shall comply with all applicable provisions under the Uniform Construction Code for a single-family dwelling, and shall also be in compliance with the Pennsylvania Sewage Facilities Act. If the structure is a second or more dwelling on a parcel, or becomes a second use on the property, all provisions for a Land Development under the Zoning Ordinance and the Subdivision and Land Development Ordinance shall be met.
- A dwelling designated as a Short-Term Rental may be rented as a unit as a single rental. With the exception of an owner-occupied dwelling renting a single room only, rental of individual rooms shall be considered as a Hotel or Motel use and is prohibited under this section.
- Occupancy of a Short-Term Rental shall be limited to no more than three (3) persons per bedroom.
- The maximum number of day guests allowed at any one time, in addition to the occupants, shall be 75% for the maximum permitted occupancy of the Short-Term Rental.
- The number of bedrooms permitted for a Short-Term Rental shall not exceed the number of bedrooms approved for the dwelling unit on the sewage permit issued for such property. Where there is no sewage permit on record, the Short-Term Rental shall be limited to three bedrooms unless proof is provided to the Sewage Enforcement Officer that the septic system is adequate to handle additional flows. Any Short-Term Rental advertising more than five bedrooms shall provide proof that the septic system is adequate to handle such flows by having the system approved by the Sewage Enforcement Officer, or by providing a septic permit previously issued by a Sewage Enforcement Officer. If a sewage system malfunction occurs, Short-Term Rental of the dwelling unit shall be discontinued until the malfunction is corrected in accordance with Township and Pennsylvania Department of Environmental Protection requirements.
- Outdoor parking for occupants 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 tenants include spaces in any public street right-of-way or on any lawns or vegetated areas. A maximum of one car per bedroom is permitted for any Short-Term Rental unit.
- A Short-Term Rental property shall not have any outside appearance indicating a change of use from the surrounding residential uses.
- The only signs permitted shall be the 9-1-1 address number as required by the Damascus Township Building Numbering and Street Naming Ordinance, and the property owner's name sign, unless a business sign unrelated to the Short-Term Rental is installed for a permitted business use on the property.
- 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.
- The owner/agent 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 any Damascus Township 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.

- The owner shall, upon notification that occupants or guests of the Short-Term Rental have created unreasonable noise or disturbances, engaged in disorderly conduct or otherwise violated provisions of any Damascus Township 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.
- Overnight occupancy of recreational vehicles, camper trailers and tents (other than pup tents) at the property where the Short-Term Rental is located shall be prohibited. Outdoor overnight sleeping of occupants or guests of the Short-Term Rental is prohibited.
- 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:
  - The name of the owner of the unit or the person in charge and a telephone number at which that party can be reached on a twenty-four-hour basis.
  - The 9-1-1 address of the property, and if a landline telephone is provided, the ten-digit number for that telephone.
  - The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
  - The maximum number of all vehicles allowed to be on the property and the requirement that all guest parking must be parked in the available parking areas on the property and not in or along any private, community or public street right-of-way or on any lawn or vegetated area on the property.
  - The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property.
  - Notification that any occupant(s) or guest(s) may be cited and fined for creating a disturbance or for violating other provisions of any Damascus Township ordinances, including parking and occupancy limits.
  - Notification that Short-Term Rental occupants and guests are required to make the dwelling unit available for inspection by the Zoning Officer upon request.
  - Person In Charge: A person or agent with actual authority to represent the owner for purposes of contact and communication regarding the owner's Short-Term Rentals. A person in charge must reside or have an office within twenty-five (25) miles of the property and be able to act as the legal agent for the owner. The Township must be notified, in writing, within 14 days if there is a change in the identity of the person in charge

**ALL SHORT-TERM RENTALS SHALL BE EQUIPPED WITH THE FOLLOWING:**

- Smoke detectors in each bedroom;
- Smoke detectors outside each bedroom in common hallways;
- Smoke detectors on each floor;
- Ground Fault Circuit Interrupter (GFCI) outlets for outlets located within six feet of water source, and outdoor outlets;
- Aluminum or metal exhaust from clothes dryer;
- Carbon monoxide detector if open flame (oil or gas) furnace, gas or wood fireplace, or coal- or wood-burning stove, gas cooking stove;
- Carbon monoxide detector if garage is attached;
- Fire extinguisher in kitchen conspicuously located, and with current inspection tag;

- Stairs (indoor and outdoor), structurally sound and in good condition, with appropriate handrails in good condition;
- Hallways, walkways, etc. are unobstructed;
- Swimming pools, hot tubs and spas must meet the barrier requirements as indicated in Appendix G of the 2009 International Residential Code;
- Safety equipment shall be maintained and functional at all times; and
- Any occupancy requirements which may be added by ordinance amendment by the Board of Supervisors.

**ADDITIONAL INFORMATION:**

- Bed and Breakfast operations shall not be considered Short-Term Rentals.
- The Transient Use of Residential Properties by means of temporary structures, such as Tents, Campers, and Recreational Vehicles that lack permanent bathroom facilities or sanitation facilities is harmful to the public health, safety and welfare, and shall be prohibited as a Short-Term Rental.
- Permanent bathroom or sanitation facilities shall include a source of potable water and sanitary system connections. Chemical toilets, composting toilets, or portable toilets shall not be considered permanent bathroom facilities. Recreational vehicles with on-board water and sewage systems shall not be considered permanent bathroom facilities.
- Subleasing all or a portion of a Short-Term Rental unit shall be prohibited.
- A Recreational Cabin Exclusion (Uniform Construction Code) shall not be applied to any dwelling that is intended to be used as a Short-Term Rental, for new construction, reconstruction, structural changes, or room additions. Any dwelling, or portion thereof, that has been previously constructed or structurally changed under a Recreational Cabin Exclusion shall be subject to a safety inspection under the Uniform Construction Code prior to issuance of a Short-Term Rental Certificate, and the Owner shall be responsible for all inspection fees paid in advance. This action shall not put aside the Recreational Cabin Exclusion provisions.
- Compliance with the requirements of this Section shall be considered conditions of approval, the violation of which may result in a revocation of any zoning permit or license issued by the Zoning Officer.
- Every Short-Term Rental Certificate is good for a period not to exceed one year from the date of issuance and must be renewed annually.
- Short-Term Rental Certificate renewal applications shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this Section.

**FEES:** Must be paid by check or money order - A non-refundable \$125.00 application fee is required with each application. The fee includes two (2) inspections and the Certificate of Use if the inspections are successful. After two failed inspections, follow-up inspections shall be pre-paid at \$75.00 each until the property passes the inspections. A revocation of Certificate of Use shall require re-application by the Owner. A suspension shall require a pre-paid inspection prior to reinstatement of the Certificate.

Please feel free to contact the Zoning Officer if you have any questions.