

ORDINANCE No. 2023- ____

**AN ORDINANCE OF BRIDGETON TOWNSHIP, BUCKS COUNTY PENNSYLVANIA
REGARDING THE REGISTRATION AND REGULATION OF SHORT TERM RENTALS IN
BRIDGETON TOWNSHIP**

ARTICLE I. Purpose. Bridgeton Township’s residents, businesses, property owners, and visitors value the many qualities of life that make Bridgeton a great place to live and visit. It is recognized that Short-term Rentals, when properly managed, can provide many economic benefits to Bridgeton Township Residents. However, absent proper limitations and owner accountability, Short-term Rentals have the potential to negatively impact adjoining property owners, neighborhoods, and the community as a whole.

This Ordinance provides standards for the establishment of Short-term Rentals throughout Bridgeton Township. The regulations are intended to balance the economic opportunity created by short-term rentals with the need to maintain Bridgeton Township’s residential character and protect the rights and safety of owners, guests and neighbors.

ARTICLE II. Definitions.

Autonomous Dwelling Unit. A Residential Dwelling that is the Operator’s Primary Residence and being offered in its entirety as a Short-Term Rental. The Operator is not staying in the dwelling during the term of said rental.

Bridgeton Township Resident. A person whose Primary Residence is located in Bridgeton Township.

Operator. A natural person who is the owner of a residential unit that seeks to offer said residential unit as a short-term rental.

Primary Residence. A Residential Dwelling owned by the Operator and in which an Operator resides for at least nine months out of a 12-month period. Primary residence shall be demonstrated by showing that as of the date of usage applying for registration or renewal as a short-term rental, the Operator has resided in said Residential Dwelling for nine of the past 12 months or that the Operator intends to reside in the Residential Dwelling for nine of the next 12 months, in accordance with the proof of primary residence requirements set forth below.

Proof of Primary Residence. A copy of the deed, driver's license or state issued identification, as well as one other document showing residency at the Residential Dwelling for the short-term rental, such as: utility bill, cable bill, motor vehicle registration, passport or tax return reflecting the address of the Residential Dwelling as the Primary Residence. It is the burden of the applicant to demonstrate primary residency in the Township. After demonstrating proof of primary residency in the initial application, a declaration must be submitted to the zoning office on or before January 1st of every even-numbered year attesting to continued primary residency when the short-term rental is identified as such in the original application.

Residential Dwelling. A dwelling classified under as residential use, as those terms are defined in the Bridgeton Township Zoning Code (the “Code”), including either the primary dwelling or a legally established accessory dwelling. This term shall not include a hotel, motel or any other non-residential use.

Shared Dwelling. A Residential Dwelling that is the Operator’s Primary Residence and only a portion of the Residential Dwelling is being offered as a Short-Term Rental. The Operator shall be staying on the property in which the Residential Dwelling or legally established accessory dwelling is located during the term of said rental.

Short-term Rental. The rental of a Residential Dwelling for its intended purpose, in exchange for payment as residential accommodations for a duration of fewer than 28 consecutive days. Such a rental may or may not be facilitated through the use of a booking agent.

Zoning Officer. Bridgeton Township Zoning Officer or his or her designee.

ARTICLE III. REQUIREMENTS FOR THE OPERATION OF SHORT TERM RENTALS IN BRIDGETON TOWNSHIP

No Residential Dwelling shall be offered as a short-term rental in Bridgeton Township, except as provided herein.

(a) *Permitted Districts.* Short term rentals are permitted in all zoning districts where residential uses are permitted, as provided in the Bridgeton Township Zoning Ordinance.

(b) *Permitted Dwellings* Short-term rentals are permitted in legally established Primary Residence or a legally established accessory dwelling, that is permitted for residential use, as defined in the Bridgeton Township Zoning Ordinance.

(c) *Registration Requirement.* All Short-Term Rentals shall require a short-term rental permit from the Zoning Officer prior to the offering of a Primary Residence for a Short-term Rental.

(d) *Short-term Rental permit.* A Short-term Rental permit may be obtained for either the Primary Residence or an accessory dwelling legally established for residential use on the same Primary Residence property, but not both.

(e) *Operator's Primary Residence.* Except as otherwise provided, a Residential Dwelling offered as a Short-term Rental must be the Operator's Primary Residence, or an accessory dwelling legally established for residential use, located on the property of the Operator’s Primary Residence. It is the intent of these regulations to limit the ownership and operation of Short-term Rentals located throughout the Township to Bridgeton Township residents and to no more than one per individual, family living together, domestic partnership, those living as a family unit and/or acting as a principal in any business entity that has ownership of a Residential Dwelling. Assigning ownership and/or application for Short-term Rental use to separate individuals that are living together as a family, in a domestic partnership, or living as a family unit as a means of exceeding this limitation shall not be permitted.

(f) *Exception to Section (e)*. Where a current Bridgeton Township Resident has owned and operated a Short-term Rental on a second property (that is, a property that is not the Bridgeton Township resident's Primary Residence) in two of the years 2019-2022, that Bridgeton Township Resident may continue to operate a Short-term Rental on the property for so long as: (i) he or she owns that property or owns the majority share of any entity in which the property was held during 2022 and; (ii) so long as that person remains a Bridgeton Township Residence. Such right may not be assigned or transferred and in the case where the property is held by an entity, the transfer of any part of the entity shall be deemed a transfer so as to extinguish the Bridgeton Township Resident's right to operate a Short-term Rental on that property. No Operator for whom this exception applies shall be permitted to operate more than one Short-term Rental in addition to her or his Primary Residence. It is the burden of the applicant to demonstrate that the second property has been used as a Short-term Rental in two of the years 2019-2022.

(h) *One party of renters*. A Residential Dwelling offered as a Short-term Rental shall be rented to only one party of short-term renters at a time. Bedrooms, beds or other spaces in a Residential Dwelling shall not be offered as a separate Short-term Rentals to separate parties at any given time.

(i) *Number of short-term renters*. A Residential Dwelling offered as a Short-term Rental shall be limited to ten guests, or two guests per guest bedroom, whichever is fewer.

(j) *Short-term rental Sharing a Residence*. An Operator may offer bedrooms to a single renter as a Short-term Rental, within his or her Residential Dwelling, three hundred and sixty five (365) days per year. One bedroom in the Residential Dwelling shall be reserved for, and occupied by, the Operator during the entire term of the rental.

(k) *Short-term Rental of a Residential Dwelling. When the Operator is not present (Autonomous Dwelling)*. Short-term Rentals shall not exceed in the aggregate, ninety (90) consecutive or nonconsecutive calendar days per year, when the Operator is not occupying the Residential Dwelling during the entire term of the Short-term Rental for Autonomous Dwelling including an accessory dwelling legally permitted for a residential use.

(l) *Rental period and use*. Renting for an hourly rate, or for rental durations of fewer than ten consecutive hours shall not be permitted.

(m) *Events*.

1. Short-term Rentals must not include weddings, banquets, parties, charitable fundraising, or other commercial events or gatherings for direct or indirect compensation. The intent of Short-term Rentals is to provide transient accommodations and allow for limited accessory uses. These limited accessory uses must be consistent with typical residential uses as defined in the Bridgeton Township Zoning Ordinance.

2. Small, informal noncommercial gatherings of family and friends of Short-term Rental guests are permitted, provided the gathering is not a disturbance to the surrounding neighborhood.

(o). *Safety.* The Operator shall confirm that the Residential Dwelling to be rented to overnight guests meets the following requirements:

1. Each bedroom must comply with building code requirements for a sleeping room that were in place when the Residential Dwelling was legally established;
2. Each bedroom must have a smoke alarm that is interconnected with a smoke detector in an adjacent hallway that is in the Residential Dwelling; and
3. Each bedroom must be located on the floor of a Residential Dwelling that is equipped with a functioning carbon monoxide alarm. If the Residential Dwelling does not have fuel burning equipment or an attached garage, a carbon monoxide alarm is not required.

(p). *Renewal.* Short-term Rental permits must be renewed on or before January 1st of every even-numbered year. The fee for a Short-term Rental permit shall be established from time to time by the Board of Supervisors and set forth on the Bridgeton Township fee schedule.

(q). *No transferability.* Short-term Rental permits are not transferable to any other person including but not limited to another Operator, entity or to another location.

(r). *Permit Revocation and Penalties.*

1.. If an Operator fails to comply with the regulations provided in this Ordinance and conditions of approval, the Zoning Officer shall work with the applicant to achieve voluntary compliance. If voluntary compliance cannot be achieved, the Zoning Officer may revoke a Short-term Rental permit for failure to comply with the regulations of this section. Any such decision may be appealed to the Zoning Hearing Board in accordance with the applicable provisions of the Bridgeton Township Zoning Ordinance with regard to zoning appeals.

2. *No outstanding violations.* The Residential Dwelling offered as a Short-term Rental shall not have any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, or stop work orders, or other requirements, laws, or regulations that prohibit the Operator from offering the Residential Dwelling as a Short-term Rental. If a violation or other order is issued after a certificate of registration is issued, upon notice of said violation or order, the Zoning Officer shall suspend the permit for a Short-term Rental and any Short-term Rental in progress shall be immediately terminated until the violation has been cured or otherwise resolved.

3. A new Short-term Rental permit will not be issued to the Operator of a revoked Short-term Rental until two (2) years from the time of revocation have passed.

4. Penalties; enforcement. (a) No person or entity may offer a residential unit as a Short-term Rental in violation of this Ordinance. Operating a Short-term Rental without a permit shall be penalized by a fine of \$200 per day for the first offense and \$500 per day for each subsequent offense.

(s) *Compliance and interaction with other laws.* Operators shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act, G.L. c. 151B and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.

(t) *Retention of records.* The Operator shall retain and make available to the Zoning Officer, upon written request, records to demonstrate compliance with this Ordinance, including but not limited to: records demonstrating the number of months that the Operator has resided or will reside in Residential Dwelling, if applicable; records showing consent of the owner of the Residential Dwelling to its use as a Short-term Rental, if applicable; and records demonstrating number of days per year that the Residential Dwelling is offered as a Short-term Rental. The Operator shall retain such records for as long as he or she desires to use the Residential Dwelling as a Short-term Rental.

(u) *Notifications.* The Operator shall post and maintain a sign on the inside of the Short-term Rental on the entry level, visible to and reasonably likely to be readily accessed by individuals utilizing the Short-term Rental, with contact information for the Operator, insurance information, dates and times the Operator is not present at the Residential Dwelling, the contact information for a locally available contact designated to respond to all emergencies and problems that may arise during the rental period.

v) All applicable provisions of the Bridgeton Township Municipal, Building and Zoning Codes related to residential uses shall apply to Short-term Rentals, including owner occupancy requirements.

(w) *Relationship to Other Sections of the Code.* The provisions of this section apply in addition to the provisions of any other code provision or ordinance. Where there is a conflict, the more restrictive provision applies.

(x) *Severability.* If any provision in this Ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Effective date. The provisions of this Ordinance shall take effect 60 days after its adoption.

* SIGNATURE LINE FOR THE BOARD MEMBERS