

**TUSCARORA TOWNSHIP
Perry County, Pennsylvania**

ORDINANCE NO. ____

AN ORDINANCE OF TUSCARORA TOWNSHIP, PERRY COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP'S ZONING ORDINANCE TO PROVIDE FOR SHORT-TERM RENTAL USES AS PERMITTED IN THE AGRICULTURAL, CONSERVATION, VILLAGE, LIMITED INDUSTRIAL, AND COMMERCIAL ZONING DISTRICTS, CREATING SECTION 27-1101.23 TO ADD REGULATIONS FOR SUCH USES, AND AMENDING SECTION 27-201 FOR RELATED DEFINITIONS AND FURTHER AMENDING THE PLAN SIZE AND SCALE REQUIREMENTS SET FORTH IN THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

WHEREAS, Tuscarora Township, Perry County, Pennsylvania (the "Township") is governed by Pennsylvania's Second Class Township Code, 53 P.S. § 65101, *et seq.*, and must comply with Pennsylvania's Municipalities Planning Code, 53 P.S. § 10101, *et seq.*; and

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code entitled "Zoning," 53 P.S. § 10601, *et seq.*, authorizes the Township to enact, amend and repeal Zoning Ordinances within the Township; and

WHEREAS, Section 609 of the MPC, 53 P.S. § 10609, sets forth the procedures for zoning ordinance amendments; and

WHEREAS, the Tuscarora Township Zoning Ordinance, codified as Chapter 27 of the Code of the Tuscarora Township, was last amended on September 23, 2023, by Ordinance No. 2023-01; and

WHEREAS, the Zoning Ordinance does not currently expressly provide for Short-Term Rental uses throughout the Township and the Township has received related complaints from its residents in conservation, agricultural, and village areas; and

WHEREAS, the Township seeks to promote the general health, safety and welfare of the community, and to preserve, maintain, and enhance the community by adopting and implementing an amendment to the Zoning Ordinance providing for and regulating the use and operation of Short-Term Rentals; and

WHEREAS, the Board of Supervisors of the Township therefore deem it to be in the best interest and general welfare of the citizens and residents of the Township to update and amend these provisions of the Zoning Ordinance.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Tuscarora Township, Perry County, Pennsylvania as follows:

SECTION 1. Recitals. The above recitals are incorporated herein by reference.

SECTION 2. Amendments to the Zoning Ordinance. Chapter 27, Zoning, of the Code of Tuscarora Township (the “Code”) is hereby amended as follows:

A. Part 4, “Conservation District,” is hereby amended to add the following subsection under §27-402, “Permitted Uses”:

“13. Short-Term Rentals, subject to the requirements set forth in Section 27-1101.23.”

B. Part 5, “Agricultural District,” is hereby amended to add the following subsection under §27-502, “Permitted Uses”:

“13. Short-Term Rentals, subject to the requirements set forth in Section 27-1101.23.”

C. Part 6, “Village District,” is hereby amended to add the following subsection under §27-602.3.B, as a permitted commercial use:

“(12) Short-Term Rentals, subject to the requirements set forth in Section 27-1101.23.”

D. Part 7, “Commercial District,” is hereby amended to add the following subsection under §27-702, “Permitted Uses”:

“42. Short-Term Rentals, subject to the requirements set forth in Section 27-1101.23.”

E. Part 8, “Limited Industrial District,” is hereby amended to add the following subsection under §27-802, “Permitted Uses”:

“24. Short-Term Rentals, subject to the requirements set forth in Section 27-1101.23.”

F. Part 11, “General Regulations,” is hereby amended to add the following use regulations:

“§27-1101.23. Short-Term Rentals.

A Short-Term Rental of a Dwelling Unit shall be permitted, subject to the following use requirements. These requirements are not intended to apply to Bed and Breakfast, Hotel/Motel, or Boarding House uses.

a. The dwelling unit may be rented for no longer than 30 consecutive days.

b. No more than one Short-Term Rental unit may be located in a structure, and a Short-Term Rental unit may not be located in a structure which contains a dwelling unit in addition to the Short-Term Rental unit.

- c. A Short-Term Rental unit may be rented only to a person 21 years of age or older.
- d. No dwelling unit may be operated as a Short-Term Rental without first obtaining a zoning permit from the Zoning Officer. Operation of a Short-Term Rental without a permit is a violation of this chapter.
 1. Permits may be transferable to any new owner of the property, provided that an application with updated contact information is submitted to the Township and all prior violations of this chapter have been remedied.
 2. The issuance of a zoning permit is not a warranty that the premises is lawful, safe, habitable, or in compliance with this chapter.
 3. Permit applications shall contain the following information:
 - i. The name, address, telephone number and email address of the owner.
 - ii. The name, address and 24-hour telephone number of the designated local property representative as required by this Chapter.
 - iii. Floor plan identifying rooms on all floors, specific location of bedrooms, and location of any pools labeled as either in-ground or aboveground.
 - iv. The total number of bedrooms and the maximum number of residents who will be served.
 - v. Signatures of the owner and the designated local property representative. By signing the short-term rental application, the owner acknowledges that the Township may request to enter onto the property to inspect and ensure compliance with this Chapter and all applicable ordinances and regulations administered and enforced by the Township.
 - vi. Confirmation that the Property contains unshared direct road frontage so that access to and from the Property will not rely upon the use of shared driveways in accordance with a valid PADOT HOP/Township Driveway permit. If use of a shared driveway is proposed within a submitted application, applicants shall document the legal ability to use the shared driveway for such purposes and to such intensity, and/or contain the consent of affected property owners.
 4. A separate Short-Term Rental zoning permit is required for each dwelling unit; for two-family or multifamily dwellings, a separate permit shall be required for each dwelling unit being rented as a short-term rental.
 5. The owner of the Short-Term Rental unit shall submit an application, no later than March 1 of each year, for a permit to authorize continued operation of the Short-Term Rental unit, accompanied by any fee which the Township Board of Supervisors may establish by resolution. If an application for Short-Term Rentals is received after

September 1 for the first year of operation, that application and fee shall additionally cover the following year. The application shall require that the owner provide sufficient information to enable the Zoning Officer to confirm the name and contact information for the local contact person, confirm that the Short-Term Rental unit meets all requirements of this Chapter and all other applicable Township Ordinances. Operation of a Short-Term Rental without the required annual permit is a violation of this Chapter.

e. Operating standards.

1. Local property representative. The property owner shall designate a local property representative who shall be available 24 hours per day, seven days per week, for the purpose of: (1) responding to complaints regarding the condition, operation, or conduct of occupants of the short-term rental, and (2) taking remedial action to resolve any such complaints.
 - i. The name, address, and telephone contact number of the property owner and the local property representative shall be kept on file at the Township.
 - ii. The failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of approval and/or civil or criminal penalties.
2. Restrictions on use. A renter may not use a Short-Term Rental for a purpose not incidental to its use for lodging or sleeping purposes.
3. Parking. The following minimum number of parking spaces shall be provided for Short-Term Rental uses:
 - i. A minimum of one parking space for short-term rentals in a studio or one-bedroom unit;
 - ii. A minimum of two parking spaces for short-term rentals with two to four bedrooms; and
 - iii. A minimum of three parking spaces for short-term rentals with five or more bedrooms.
 - iv. Vehicles must remain on property and cannot obstruct rights-of-way or access to the property by emergency equipment.
4. Minimum required parking spaces cannot be satisfied by parking on lawns or vegetated areas.
5. Outdoor parking for overnight and day guests shall be limited to available parking areas on the Short-Term Rental property. Parking for Short-Term Rental guests shall not include spaces in any private, community, or public street right-of-way.

6. Permitted garages and driveways on the property shall be unobstructed and made available for renter parking.
7. Signage. No outdoor advertising signs related to the rental dwelling shall be allowed on the site.
8. Informational packet. A packet of information shall be provided to renters and posted conspicuously in the common area of the Short-Term Rental summarizing guidelines and restrictions applicable to the Short-Term Rental use, including:
 - i. The name of the owner of the unit and and/or the local property representative and a telephone number at which that party can be reached on a twenty-four-hour basis.
 - ii. The physical street address of the property.
 - iii. The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
 - iv. The maximum number of all vehicles allowed to be on the property and the requirement that all guest parking shall be in the available parking areas on the property and not in or along any private, community or public street right-of-way.
 - v. The trash pickup day and notification that trash and refuse shall not be left or stored outside of designated receptacles on the exterior of the property.
 - vi. Evacuation routes;
 - vii. The renter's responsibility not to trespass on private property or to create disturbances; and
 - viii. A copy of the Township Short-Term Rental permit.
 - ix. Notification that the renter is responsible for complying with this Chapter and that the renter may be cited or fined by the Township for violating any provisions of this chapter.
 - x. Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of Township ordinances, including parking and occupancy limits.
9. The owner and/or local property representative 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 this chapter (or any other Township ordinance) and 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. Part 2, “Definitions,” is hereby amended to include and update the following under Section 27-201.3:

Bed and Breakfast – An owner-occupied dwelling providing temporary overnight lodging accommodations for transient guests and related meal service for compensation.

Dwelling – a building or structure designed for living quarters for one or more families, including manufactured homes which are supported either by a foundation or are otherwise permanently attached to the land.

Short-Term Rental – The use of a dwelling in which the owner rents any area of the dwelling to one or more individuals for compensation or a fee of any type for less than 30 consecutive days.

Family – One or more persons, occupying a dwelling unit, living together as a single housekeeping unit and using cooking facilities and certain rooms in common.

SECTION 3. Amendments to the Subdivisions and Land Development Ordinance. Chapter 22, “Subdivision and Land Development,” of the Tuscarora Code is hereby amended as follows:

A. Part 4, “Plat Specifications and Processing Procedures,” Section 22-403, “Minor Subdivision and Land Development Application,” subsection A.(2)(e) is revised to state:

“Ten copies and one reproducible mylar of the plat prepared by a registered surveyor or engineer on sheets no larger than 24 inches x 36 inches clearly labeled “final plat,” shall be submitted containing the following information:

(e) A separate drawing of the proposed lot (scale 1" = 200') with lot area, lot number, lot dimensions, bearings and distances of lot lines, existing street right-of-way and street name and number, building setback lines and contours, with a minimum 5-foot interval ”

B. Part 4, “Plat Specifications and Processing Procedures,” Section 22-407, “Final Plat Specifications,” subsection A is revised to state:

“Ten copies and one mylar of the final plat in the form of a map or series of maps on sheets no larger than 24 inches x 36 inches, drawn to scale not smaller than 200 feet to 1 inch and clearly labeled “Final Plat.” When more than one sheet is required, an index sheet of the entire subdivision or land development shall be shown on a sheet of the same size. The final plat shall be drawn in ink and in addition to all specifications required as part of the preliminary plan, shall show the following:”

SECTION 4. Repealer. All provisions of previous Ordinances of the Township, which are contrary to this Ordinance, are expressly repealed.

SECTION 5. Savings Clause. In all other respects, the Ordinances of the Township shall remain as previously enacted and ordained.

SECTION 6. Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

SECTION 7. Effective Date. This Ordinance shall become immediately effective in accordance with law.

ENACTED, ORDAINED, AND APPROVED this _____ day of _____, 2026, by the Board of Supervisors of Tuscarora Township, Perry County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TUSCARORA TOWNSHIP

Secretary

Wayne Campbell, Chair

Patrick McIntyre, Vice-Chair

James W. Fuller, Sr., Supervisor
