

HELLAM TOWNSHIP

YORK COUNTY, PENNSYLVANIA

**AN ORDINANCE OF HELLAM TOWNSHIP, YORK COUNTY,
PENNSYLVANIA, TO REPEAL AND REPLACE CHAPTER 382,
ORDINANCE 2023-01 OF THE TOWNSHIP OF HELLAM CODE
PERTAINING TO SHORT- TERM RENTALS WITH ORDINANCE 2025-02**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Hellam, and it is hereby enacted and ordained, as follows:

SECTION 1: Chapter 382 of the Code of the Township of Hellam is created to address short-term rentals as follows:

§382-1. Title.

This chapter shall be known as and may be cited as the "Hellam Township Short-Term Rental Ordinance."

§382-2. Purpose and Intent.

- A. To permit development of short-term rental units in appropriate zoning districts and to require that short-term rental units will be of such character as to promote and protect the well-being, quality of life and character of the Township.
- B. To protect other uses on, and the values of, properties contiguous to or near short-term rentals.

§382-3. Interpretation

This chapter is not intended to and does not excuse any landowner from compliance with the Hellam Township Zoning Ordinance, as amended from time to time. Whenever possible, this chapter and the Zoning Ordinance should be construed and interpreted as being consistent with, and not in conflict with, the other.

§382-4. Terms defined.

As used in this chapter, the following terms shall have the following meanings:

APPLICANT- a landowner or developer, as defined in the Hellam Township Zoning Ordinance or the Hellam Township Subdivision and Land Development Ordinance, who has filed an application for development, including that landowner or developer's heirs, successors and assigns.

BEDROOM – is defined as a room that is a minimum of 80 square feet has 2 (two) exits (1 (one) which can be a window capable of egress) and is furnished and used as primarily a permanent sleeping area.

GUEST- A person who, for personal or business purposes, is invited to visit premises or take part in a function organized by the tenant.

OTHER DESIGNATED SLEEPING AREA – a room/area chosen from either a Living Room, Family Room, Den, Loft or basement and is a minimum of 80 square feet in size with 2 (two) exits (1 (one) which can be a window capable of egress) can be designated as a sleeping area.

Only 1 (one) room can be selected.

SHORT-TERM RENTAL LICENSE APPLICATION HEARING- is the initial STR License review by the Board of Supervisors.

SHORT-TERM RENTAL LICENSE- a license granted by the Township permitting a structure to be utilized for short-term rental use.

SHORT-TERM RENTAL (STR) - the rental of a residential unit or portion thereof for a period of less than 30 consecutive nights, for which the tenant compensates the owner/owners or the property rental management agency of the unit. Each STR Unit can only have 1 (one) active rental agreement per day.

SHORT-TERM RENTAL UNIT – is defined as either a single area of a dwelling rented to 1 (one) tenant or the entire dwelling rented to 1 (one) tenant.

TENANT- is each individual who signed an agreement with the owner or owner's agent for the temporary use of a short-term rental (STR). A tenant must be 21 years or older.

RESIDENTIAL CAMPING UNIT- also known as "glamping" or "glamorous camping". These structures shall be constructed with canvas or wood and may contain amenities such as beds, electricity, heat and indoor plumbing usually not used when camping traditionally. These units are designed to be used or occupied for transient and recreational purposes and shall follow the regulations for a short-term rental. A residential camping unit shall not exceed 399 square feet of habitable floor area.

VIOLATION- is a verified complaint.

Terms not defined in this document are defined in Chapter 490.

§382-5. License Required.

No owner of any property in Hellam Township shall operate a short-term rental in Hellam Township without first obtaining a short-term rental license from the Township Zoning Officer. Operation of a short-term rental without such license is a violation of this chapter.

- A. All initial STR Licenses shall be approved by the Board of Supervisors at a STR License Application Hearing held in a public meeting.
- B. A change of STR ownership requires the current License holder to inform the Township within 14 days of the official change in ownership.
- C. An STR operating without a license shall subject to a fine of \$5000 and shall immediately stop any additional rentals. If an STR is found to continue renting the STR after the notification of the fine, an additional fine of \$100 per day shall be assessed.

§382-6.-License Requirements.

- A. Short-term rental license application shall contain all of the following information:
 - 1. The name, address, telephone number and email address of the property owner. If the property owner uses a managing agency their name, address, telephone number and email address shall also be provided.
 - 2. Floor plans for the short-term rental unit, including total habitable floor area, total number of bedrooms and total number of occupants permitted. The floor plan shall also

contain an emergency evacuation plan and the locations of all smoke detectors, carbon monoxide detectors and fire extinguishers.

3. A site plan showing the property lines, house and other structures locations, setbacks, impervious surfaces and number of off-street parking spaces.
4. Proof of adequate sewage disposal system for the maximum number of people allowed on the STR property approved by the Sewage Enforcement Officer (SEO) or proof of public sewage connection. For a Residential Camping unit, a compost toilet or other temporary sewage disposal system is acceptable.
5. Well or Public Water.
6. Copy of the current Pennsylvania sales tax license and York County Hotel Excise Tax Certificate.
7. Signatures of both the property owner and the local managing agent or local contact person.
8. Trespass waiver, signed by the owner, allowing access to the property for the Enforcement Officers for the purpose of inspection to verify compliance with this chapter.
9. A copy of the current deed to the subject property.
10. Declaration page of a paid up, current insurance policy in effect with respect to the subject property evidencing at least \$500,000 in liability insurance covering short term rentals for the full duration of their license term.
11. The Township Zoning Officer shall create a set of Hellam Township Short Term Rental Rules and shall provide this document to the STR Owner or the Property Manager. The document shall be posted next to the STR License. The Hellam Township Short Term Rental Rules document shall contain:
 - Quiet hours (in accordance with the requirements of this ordinance)
 - No trespassing of neighboring properties
 - No fireworks, sparklers or air or water floating lanterns
 - No parties or gatherings between 10pm and 8am
 - Police phone number
 - Fire Company(s) phone number
 - EMS/911 center
 - Hospital(s) phone number and addresses
 - Emergency Care facilities phone number and addresses
 - Trash pickup week day (put trash out night before, location and to return it to its original location)
12. STR owner or property manager shall create Weather Alert document that informs tenant of historic known weather events that could cause personal safety issues, the type of hazard, potential impact and steps to follow for such an event. The Weather Alert document shall be placed near the STR License.

13. An Automated Heating System (if present) shall be inspected each year by a PA licensed company.
 1. The current inspection report shall be submitted with the License application and License Renewal Application.
 2. Fireplaces and Stoves are not considered an Automated Heating System.
 14. Fireplaces, Stoves and Chimneys shall be inspected and cleaned each year by a professional company.
 1. The current bill/receipt shall be submitted with the License application and License Renewal Application.
 15. The STR shall have a refuse removal service with a contracted hauler approved by the Township.
- B. The STR owner, owner employee (responsible for the property) or the property manager shall located no more than 15 miles from the STR and shall be capable of arriving at the STR location within 1 hour from incident/issue notification.
- C. Initial licensing and the license renewal will require an inspection for compliance of on-site requirements by the Township's Zoning Officer.

§382-7. Zone Location- Additional Requirements for a STR License

- A. A short-term rental in Mixed-use 1, Mixed-use 2, Quarry, Commercial/Industrial, Kreutz Creek Interchange and Interchange Zones have no additional licensing requirements to meet for a STR License and do not require a STR License Application Hearing.
- B. A short-term rental in the Rural Agricultural Zone requires a STR License Application Hearing and shall meet the following additional licensing requirements for a STR License.
 1. 150 foot distance from nearest STR dwelling structure wall to nearest dwelling structure wall.
 2. 2 Acre minimum lot size.
 3. No Shared Driveway or waiver allowing a driveway nearer than the required setback requirement.
 4. 6 foot high fence or 4 foot high (starting height) for trees/shrubs on property sides and rear.
 5. Single Family house or a Duplex (one owner owns entire duplex and lives in 1 (one) of the 2 (two) units.
 6. A sign stating that the property is being considered for initial STR License approval by the Board of Supervisors shall be placed in a visible spot near the public road on the property for 30 days.
 7. The initial STR License application shall be approved at a STR License Application Hearing in a public meeting by the Board of Supervisors.
- C. A short-term rental in the Residential Zone requires a STR License Application Hearing and shall meet the following additional licensing requirements for a STR License.
 1. Public Water.
 2. Public Sewer.
 3. No Waivers on any Zoning Setbacks.

4. No Shared Driveways.
 5. 6 foot high fence or 4 foot high (starting height) trees/shrubs on property sides and rear.
 6. Single Family house or a Duplex (one owner owns entire duplex and live in 1 (one) of the 2 (two) units).
 7. A sign stating that the property is being considered for initial STR License approval by the Board of Supervisors shall be placed in a visible spot near the public road on the property for 30 days.
 8. The initial STR License application shall be approved at a STR License Application Hearing in a public meeting by the Board of Supervisors.
- D. Use of an accessory dwelling unit as a short-term rental in all Zones shall meet the following licensing requirements for a STR License.
1. A sign stating that the property is being considered for initial STR License approval by the Board of Supervisors shall be placed in a visible spot near the public road on the property for 30 days.
 2. The initial STR License application shall be approved at a STR License Application Hearing in a public meeting by the Board of Supervisors.

§382-8. Short-term Rental Standards.

- A. Only 1 (one) single structure on a parcel may be licensed and used as a Short-Term Rental.
- B. Individual rooms in a structure shall not be offered for rent as a short-term rental to different tenants unless the STR parcel is owner occupied, owner employee occupied, or property manager occupied. The individual room rental occupancy is limited to the number of guests per bedroom as listed on the license.
- C. The number of parking spaces required is calculated as 1 (one) space for each bedroom plus 1 (one) additional space if an Other Designated Sleeping Area is utilized (1 (one) allowed). No yard parking is permitted at any time. Each short-term rental may include 1 (one) street parking space (where available and allowed). All other parking spaces shall be off-street parking on a gravel or paved surface. No Tenant or Guest RV/travel Trailers/Trailers shall be parked on the street.
- D. The property owner is responsible for any trash or noise disturbance that is created or caused by any tenant or guest. Failure to have adequate trash storage and weekly collection service or to stop a noise disturbance caused by a tenant shall be deemed a violation of this chapter.
- E. If a complaint is communicated (via phone or text) to the property owner, responsible owner employee or the property manager, that person shall respond on site within 1 (one) hour. Any failure to respond to the complaint within 1 (one) hour shall be deemed a violation of this chapter.
 1. When a complaint is received and verified as a violation, the Township Zoning Officer shall review the violation and determine whether or not to do a physical inspection of the property. If the physical property inspection is determined necessary, the Township Zoning Officer shall notify the STR owner, responsible owner employee or the property manager that the Township is invoking its right to inspect the property with 1 (one) hour notice.

- F. Quiet hours are from 10:00 PM to 8:00 AM. During this time, the tenant shall not allow noise or light to disturb neighboring properties.
- G. The owner shall limit overnight occupancy of the short-term rental to the specific number of tenants and guests designated in their short-term license.
 - a. Overnight occupancy of a short-term rental dwelling unit shall be limited to no more than 2 (two) persons per bedroom plus 2 (two) additional persons per dwelling unit. If owner occupied and rooms are rented, rentals are limited to number of guests per bedroom as listed on the license.
 - b. The maximum number of unregistered guests allowed at any one time, in addition to the over-night tenants, shall not exceed 50% of the maximum overnight occupancy of the short-term rental. No unregistered guests are permitted between the hours of 10:00 pm. and 8:00 am. The applicant may not advertise an occupancy greater than that designated on their short-term rental license.
 - c. Any temporary tent setup outside shall not be used as an overnight sleeping area.
 - d. Trailers/travel trailers/RVs are allowed, but shall not be used as an overnight sleeping area.
- H. No signs advertising the short-term rental are permitted anywhere on the property.
- I. Any modifications to the external appearance of a building (except fire escapes) shall complement its residential character.
- J. The short-term rental license shall be displayed in a conspicuous location within the licensed premises, along with a depiction of an emergency evacuation route, at all times.
- K. All occupied rooms offered for rent shall have 1 (one) working smoke detector and 1 (one) working carbon monoxide detector. All hallways leading to bedrooms or Other Designated Sleeping Area shall have 1 (one) working smoke detector and 1 (one) working carbon monoxide detector.
 - 1. All detectors shall be either hard wired (with battery backup) or battery operated.
 - 2. All detectors shall be inspected yearly by the Township Zoning Officer.
- L. Each short-term rental shall have a working and regularly maintained fire extinguisher on each floor. The location of the fire extinguishers shall be shown on the emergency evacuation route.
 - 1. All fire extinguishers shall be inspected yearly by the Township Zoning Officer.
- M. Each short-term rental shall be inspected when a health or safety complaint is filed with the Township. Each inspection resulting in a violation shall be charged an inspection fee as established in the Township's fee schedule. Any inspection that fails shall require a follow-up inspection until it passes. It shall be the responsibility of the applicant to pay the inspection fee.

- N. Any approved accessory dwelling unit shall not be licensed as a short-term rental. Use of an accessory dwelling unit as a short-term rental shall not be allowed until after 3 (three) years of the date that the ADU conditional use was approved.
- O. A Public Sewer connection is permitted. A Cesspool is permitted with yearly acceptable inspection and yearly pumping. A Septic System is permitted with an acceptable inspection every 2 (two) years and pumping every 2 (two) years.
1. All inspections will be done by the Township's SEO at the STR Owner's expense.
 2. The latest approved inspection report must be submitted with the License application or the license renewal application.
 3. If any inspection fails, the SEO shall immediately notify the Township Zoning Officer of the failed inspection and forward a copy of the failed inspection report.
 4. The Township Zoning Officer shall review the failed inspection report submitted by the SEO and shall immediately verbally (and followup with a written letter) notify the STR owner, responsible owner employee or the property manager of the inspection failure and that the STR License is being immediately suspended until such time as an acceptable inspection report is received from the SEO; and that the STR can not be rented until an acceptable Inspection Report is received from the SEO and the STR License Re-instated by the Township Zoning Officer.
 5. Upon receipt of acceptable inspection report from the SEO, the Township Zoning Officer shall notify (verbally and in writing) the STR owner, responsible owner employee or property manager that the License is reinstated (unless the License has expired and a License Renewal Application is required).
- P. No unlicensed/unregistered vehicle (such as a ATV, UTV) is allowed to be used by the tenant or guests.
- Q. All outside stairs must be lit and lighting shall be in accordance with township ordinance.
- R. No Shooting of any kind is allowed by the tenant or guests.
- S. Clothes Dryer exhaust duct must be a metal duct.
- T. GFI outlets are required for any outlet within 6 (six) feet of a water source and for all outside outlets.

§382-9. Fees, Term and Renewal.

- A. A short-term rental license is valid for a period not to exceed 1 (one) year from the date of issuance and must be renewed annually by 12/31 of each calendar year following issuance. Initial short-term rental license fees and short-term rental license renewal fees, payable to Hellam Township upon the filing of a short-term rental license application or renewal application, shall be in such amount as may be established from time to time by resolution duly adopted by the Board of Supervisors. All initial short-term rental license fees shall be prorated on an annual basis from the date of submission of the application through 12/31 of the current year.

1. The STR can't operate nor accept rentals until the license renewal application is approved.
- 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 chapter. If the renewal application is not received by 12/31, there will be a late fee assessed. The late fee will be established by resolution and duly adopted by the Board of Supervisors.
- C. Verification that all owed sales and hotel taxes have been paid shall be made before a short-term rental license renewal application is granted.

§382-10. Enforcement Officer.

The Enforcement Officer(s) shall be the Zoning Officer, Building Code Officer and Sewage Enforcement Officer appointed by the Board of Supervisors. The Enforcement Officer(s) shall have the responsibility and authority to administer and enforce all provisions of this chapter.

§382-11. License Revocation

A STR license can be revoked for violations of laws and ordinances. There are 2 (two) types of violations, major and minor violations. All reported complaints must be investigated and confirmed by the Township Police department. All verified complaint reports from the Township Police Department will be submitted to the Township Zoning Officer for review, determination that the verified complaint is a violation of the ordinance and for appropriate action.

A. Major Violations- Examples of major violations are, but are not limited to:

- Trespassing
- Fighting
- Threats of violence
- Drug use/alcohol intoxication

B. Minor Violations- Examples of minor violations are, but are not limited to:

- Loud Noises
- Violation of quiet hours
- Lighting violations
- Parking Violations
- Trash Issues (such as overflowing, odor)
- Failure to submit violation response or correct violation by the established due date
- Any discrepancy between the License information and advertising information

C. License Revocation

1. 2 (two) major violations in a rolling year will result in revocation of the STR License.
2. 3 (three) minor violations in a rolling year will result in revocation of the STR License.
3. A combination of 1 (one) major and 2 (two) minor violations in a rolling year will result in revocation of the STR License.

D. License Reapplication Time (the waiting time period starts on the date on the Letter of License Revocation)

1. First Time Violation- 1 (one) Year
2. Second Time Violation- 2 (two) years
3. Third Time Violation- Permanent Revocation of License
4. License Re-application Fee- Double the fee of the initial fee as listed on the Township Fee Schedule.

- E. The Board of Supervisors can hear STR License issues at a PUBLIC MEETING and can affirm or reverse revocation decisions.

§382-12. Issuance of Notice of Violation.

The Township Zoning Officer for all violations shall send a written notice of violation to the STR owner or the Property Manager by United States certified mail within 10 days. The notice of violation shall identify the premises, which is the subject of the violation, enumerate the conditions which constitute the violation, cite the specific sections of this chapter which are violated, indicate the action required to correct the violation and establish a due date for the response and violation corrective action date. Failure to respond by any and all established due dates will be considered an additional minor violation.

§382-13. Issuance of Notice of License Revocation.

The Township Zoning Officer for all license revocations shall send a written notice of License Revocation to the STR owner or the Property Manager by United States certified mail within 5 days. The notice shall contain the details of the revocation and actions open to the STR owner or Property Manager. The Township Zoning Officer shall also post the Notice of License Revocation of the STR Parcel within 5 days. The Notice shall be posted for 30 days.

§382-14. Nuisance.

In the interest of promoting the public health, safety and welfare, and minimizing the burden on the Township and community services and impacts on residential neighborhoods posed by short-term rentals, a violation of any of the provisions of this chapter is declared to be a public nuisance.

Neither Short-Term Rental tenants nor guests shall engage in disorderly conduct, 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.

§382-15 Violations and Penalties.

- A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a civil penalty of not more than \$1,000.00. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there has been a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- B. The Township may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.

§382-16 Appeals.

Any person affected by any notice or decision which has been issued in connection with the enforcement of any provision of this chapter may request and shall be granted a hearing on the matter before the Hellam Township Board of Supervisors.

- A. Such person shall file, in writing, with the Secretary of the Board of Supervisors, a written petition requesting a hearing and setting forth a brief statement of the grounds for appeal. Such appeal shall be filed with the Board of Supervisors within 30 days of the date of the denial of application, revocation of permit or notice of violation.
- B. The filing of request for a hearing shall operate as a stay of the notice and suspension, of further action except in a case where immediate action is necessary to protect the public's health.
- C. Upon receipt of a petition, the Board of Supervisors shall set a time and place for a hearing and shall give the petitioner written notice thereof. The hearing shall take place at a regular scheduled Board of Supervisors meeting (which is a public meeting).
- D. After such hearing the Board of Supervisors shall make findings as to compliance with the provisions of this chapter and shall issue an order in writing granting the appeal or affirming the notice or decision appealed.

SECTION 2. In the event any deletions, additions or changes are made to this ordinance, the new changes will be implemented upon license renewal the year following the change.

SECTION 3. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board that the remainder of the Ordinance shall be and shall remain in full force and effect.

Enacted and Ordained by the Board of Supervisors of Hellam Township, York County, Pennsylvania, in lawful session assembled, this _____ day of _____, 2025.

Attest:

TOWNSHIP OF HELLAM

Secretary

Chairman, Board of Supervisors