

**LEHIGH TOWNSHIP**  
WAYNE COUNTY, PENNSYLVANIA

**ORDINANCE NO. 2022-1**

AN ORDINANCE OF LEHIGH TOWNSHIP, WAYNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE LICENSING AND REGULATION OF SHORT-TERM RENTALS WITHIN THE TOWNSHIP; DEFINING CERTAIN TERMS USED HEREIN; ESTABLISHING APPLICATION AND LICENSE PROCEDURES; ESTABLISHING STANDARDS FOR SHORT-TERM RENTALS; PROVIDING FOR INSPECTIONS; PROVIDING FOR ENFORCEMENT RESPONSIBILITY; ESTABLISHING AND PROVIDING FOR VIOLATIONS AND PENALTIES; DECLARING VIOLATIONS TO BE A PUBLIC NUISANCE; PROVIDING APPEAL PROCEDURES; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, §1506 of the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General Powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, §1517 of the Second Class Township Code, found at 53 P.S. §66517, entitled "Building and Housing Regulations", inter alia, authorizes the Board of Supervisors to enact codes and ordinances to govern and regulate the occupation, maintenance, sanitation, lighting, ventilation, toilet facilities, use and inspection of all buildings and housing used for occupancy; and

WHEREAS, §1527 of the Second Class Township Code, found at 53 P.S. §66527, entitled "Public Safety", inter alia, authorizes the Board of Supervisors to adopt ordinances to secure the safety of persons or property within the Township; and

WHEREAS, §1529 of the Second Class Township Code, found at 53 P.S. §66529, entitled "Nuisances", inter alia, authorizes the Board of Supervisors to, by ordinance, prohibit nuisances.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lehigh Township, Wayne County, Pennsylvania, and it is hereby ordained and enacted pursuant to the above authority, as follows:

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**SECTION 1 - SHORT TITLE**

This ordinance shall be known and may be cited as *THE SHORT-TERM RENTAL ORDINANCE OF LEHIGH TOWNSHIP*.

**SECTION 2 - FINDINGS AND PURPOSE**

The Board of Supervisors of Lehigh Township, Wayne County, Pennsylvania, is charged with the duty to protect and provide for the health, safety, and general welfare of the citizens of Lehigh Township. The Board finds and declares as follows:

- A. Short-term rentals of dwellings have become a significant segment of the local tourism economy.
- B. Short-term rentals provide a community benefit by expanding the number and type of lodging facilities available and assist owners of short-term rentals by providing revenue which may be used for maintenance, upgrades, and deferred costs.
- C. While most of these units operate without a problem, the Township is concerned about the potential for excessive noise, parking, litter, and concerns regarding septic capabilities, security, public safety, and trespass as the number of units increases.
- D. The transitory nature of occupants of short-term rentals makes enforcement against the occupants difficult.
- E. The provisions of this ordinance are necessary to prevent the continued burden on Township and community services and impacts on residential neighborhoods posed by short-term rentals.
- F. Compliance with the provisions of this ordinance will maintain the rural and recreational character of the Township that attracts residents, homeowners, and visitors.

**SECTION 3 - GENERAL PROVISIONS**

- A. Applicability - This ordinance shall apply to all short-term rentals as defined in §5 and all provisions of this ordinance shall apply in addition to all other applicable requirements of Township ordinances.
- B. Responsibility - The owner of the short-term rental shall be responsible for compliance with the provisions of this ordinance and the failure of an agent, managing agency, or local contact to comply with this ordinance, including the monitoring and control of the number of occupants and visitors, shall be deemed noncompliance by the owner.
- C. Zoning Ordinance - This ordinance is not intended to, and does not excuse, any landowner from compliance with the Township Zoning Ordinance, as amended. Whenever possible, this ordinance and the Zoning Ordinance should be construed and interpreted as being consistent and not in conflict.
- D. License not a Warranty - The issuance of a short-term rental license is not a warranty or guarantee that the premises are lawful, safe, habitable, or in compliance with this ordinance

**SECTION 4 - NUISANCE DECLARED**

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

**SECTION 5 – DEFINITIONS**

The words and phrases used in this ordinance shall have the following meanings:

**Bedroom:** A room containing a minimum of 80 square feet that is used as a sleeping room and for no other primary purpose.

**Dwelling:** A structure or portion thereof which is used exclusively for human habitation.

**Dwelling Unit:** One or more rooms in a dwelling structure, including a kitchen, sleeping facilities, bath and toilet, designed as a household unit for extended periods of occupancy for living and sleeping purposes. Any part of a dwelling structure which is not connected to and fully accessible to other parts of the dwelling structure shall be considered a separate dwelling unit.

**Local Contact:** A local property manager, owner, or agent of the owner, who is available to respond to tenant and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this ordinance.

**Owner:** The person or entity that holds legal or equitable title to the short-term rental.

**Rent:** The consideration received by a vendor in money, credits, property, or other consideration valued in money for lodging.

**Short-Term Rental:** Any dwelling unit within a dwelling structure rented for overnight lodging for a period of 30 consecutive calendar days or less.

**SECTION 6 - SHORT-TERM RENTAL LICENSE REQUIREMENTS**

The owner shall be responsible for obtain all licenses and license renewals.

- A. **License Required** - A short-term rental license shall be required when any dwelling unit is advertised for rent or is rented for a period of 30 consecutive calendar days or less.
- B. **License Term and Renewal** - A license shall be valid from the date of issuance to December 31 of the year of issuance and shall be renewed per §9B1.
- C. **Separate Licenses** - A separate license is required for each short-term rental; for two-family or multi-family dwellings, a separate license shall be required for each dwelling unit being rented pursuant to the definition of "short-term rental."
- D. **Issuance to Owner** - The license shall be issued only to the owner of the short-term rental.
- E. **Forms and Procedures** - The Township will prescribe forms and procedures for the processing of licenses under this ordinance.

- F. Inspection Authorization - The owner, by making application for a license and/or accepting issuance of a license grants permission for all inspections authorized by §12.
- G. License Not Transferrable
1. The license issued to an owner pursuant to this ordinance is personal to the owner identified in the application and does not run with the property. If the ownership of the property changes, either directly by sale or deed transfer, or indirectly by death, change in ownership of the entity owning the property, sheriff sale or court order, the new owner must apply for a license under the provisions of this ordinance prior to renting the property, but shall be entitled to get a license provided such new owner complies with the terms of this ordinance.
  2. The owner of the short-term rental unit shall immediately notify the Township of a change in ownership.
  3. If an owner has been convicted of a violation of this ordinance (hereinafter the "violating owner"), or if a violating owner's license has been revoked by the township, then a transfer of the property by the violating owner to one or more family members, or to an entity owned by the violating owner, or such owner's family members, then that new owner shall be subject to the violations and penalties and/or revocation imposed upon the "violating owner."

## SECTION 7 - LOCAL CONTACT

Each owner of a short-term rental shall designate a local person, property manager or agent, as a local contact who has access and authority to assume management of the unit and take remedial measures. An owner of a short-term rental may designate himself as the local contact. The local contact shall respond to the enforcement officer within two hours after being notified by the enforcement officer or other Township official of the existence of a violation of this ordinance or any disturbance requiring immediate remedy or abatement. If the local contact is not the owner, the local contact shall immediately advise the owner of any notification of a violation.

## SECTION 8 - APPLICATION FOR SHORT-TERM RENTAL LICENSE

- A. Application Required; Information - An application for a license shall be filed with the designated township official before use of the property as a short-term rental. The application shall contain the following information:
1. The name, address, telephone number and email address of the owner of the short-term rental for which the license is issued. If the owner does not have a managing agency, agent, or local contact, then owner shall provide a 24-hour telephone number.
  2. The name, address, and 24-hour telephone number of the short-term rental owner's managing agency, agent, or local contact.
  3. A photograph of the short-term rental taken from the access roadside.
  4. The marketing entity identification number for the short-term rental.

5. Floor plans for the short-term rental, including total habitable floor space and total number of bedrooms each containing the required minimum of 80 square feet and the maximum number of overnight occupants permitted in each bedroom.
  6. If the building includes two or more dwelling units, the number of dwelling units and the number of dwelling units being used as a vacation rental.
  7. A site plan of the premises showing and indicating the number and location of designated on-site parking spaces and the maximum number of vehicles allowed for overnight occupants.
  8. The location, approximate age, and capacity (if known) of the sewage disposal system if not connected to a central sewage disposal system. The owner of the property shall supply the Township with an evaluation from a pumper/hauler certifying the sewage disposal system is properly functioning as intended, and proof that the tank was pumped by a pumper/hauler within at least three years prior to the date of the application for a short-term rental license, or a renewal thereof, for review and approval by the Sewage Enforcement Officer.
  9. Acknowledgment that the owner, agent, and/or local contact have read all regulations pertaining to the operation of the short-term rental.
  10. Acknowledgment that the owner, agent, or local contact will post and maintain the short-term rental with the notice required in §10A.9.
  11. Confirmation that the owner has obtained an official address verification letter from the Wayne County Department of Planning/GIS and acknowledgment that the owner, agent, or local contact will post and maintain:
    - a. The 911 emergency address sign in accord with applicable requirements; and,
    - b. The short-term identification window cling provided by the Township. The window cling shall be posted on a window clearly visible from the access roadside of the short-term rental.
  12. A copy of a current Wayne County Hotel Room Excise Tax Certificate and the current Pennsylvania Sales Tax License.
  13. Copy of the current recorded deed of the short-term rental property to establish ownership.
  14. Other information the enforcement officer deems reasonably necessary to administer this ordinance.
- B. Inspection and Fee - If the information supplied by the property owner on the application for a short-term rental license is not consistent with Township records, an inspection can be required prior to or after the issuance of the short-term rental license. An inspection fee established by Resolution of the Board of Supervisors shall be charged for any inspection.

## **SECTION 9 - APPLICATION AND RENEWAL FEES**

- A. Application Fee - An application for a short-term rental license shall be accompanied by an initial fee established by resolution of the Board of Supervisors.

**B. Expiration and Renewal**

1. All short-term rental licenses shall expire on December 31 of each year and shall be renewed annually upon a complete and acceptable application by the owner.
2. An annual renewal fee shall be established by resolution of the Board of Supervisors which license holders shall pay when renewing their license issued pursuant to this ordinance. Failure to pay the renewal fee by February 15<sup>th</sup> of the renewal year will result in the assessment of a fee twice the amount of the normal renewal fee. If the fee is not paid by March 1<sup>st</sup> of the renewal year the license shall be null and void and application for a new license, not a renewal, shall be required.
3. Changes - Short-term rental license renewal applications shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this ordinance.
4. Hotel and Sales Taxes - Verification that all owed hotel and sales taxes have been paid shall be made before a short-term rental license renewal application is granted.

**SECTION 10 - OPERATIONAL STANDARDS AND CONDITIONS****A. Standards - All licenses issued pursuant to this ordinance are subject to the following standards:**

1. Occupancy - The owner shall by written agreement limit overnight occupancy of the short-term rental to the specific number of occupants designated in the license based on the limitation of the sewage disposal system (§10A2) and the following:
  - a. Overnight occupancy of a short-term rental shall be limited to no more than two persons per bedroom.
  - b. The total number of overnight occupants plus the day guests on the short-term rental premises at any one time shall not exceed 12.
  - c. Overnight occupancy of recreational vehicles, camper trailers and tents, and outdoor overnight sleeping of occupants or guests, are not permitted.
2. Sewage Disposal and Number of Bedrooms.
  - a. Sewage disposal meeting the requirements of the Township and PA DEP shall be provided.
  - b. If not connected to a central sewage disposal system the applicant shall provide a certified evaluation of the system including the location, capacity and age of the on-site sewage disposal system and, prior to issuance of a zoning permit, proof that the sewage tank has been pumped.
  - c. An onsite septic system tank must be pumped a minimum of every three years and evidence of the same provided at the time of application or renewal.

- d. 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.
  - e. Where there is no sewage permit on record, the short-term rental shall be limited to three bedrooms unless proof acceptable to the sewage enforcement officer is provided that the septic system is adequate to handle additional flows.
  - f. If a sewage system malfunction occurs, short-term rental of the unit shall be discontinued immediately and shall not resume until the malfunction is corrected in accord with Township and Pennsylvania Department of Environmental Protection requirements.
3. Parking - The owner shall by written agreement, limit the number of all vehicles of overnight occupants and day guests to the number designated in the license with the number of all vehicles not to exceed the number of designated on-site parking spaces.
- a. All parking for overnight guests and day guests shall be designated in the license and the plan required by §8A7 and shall be located on the owner's property and not in any private, community or public right-of-way.
  - b. A minimum of one parking space per bedroom shall be provided. The required number of parking spaces may include spaces in a garage or on a driveway which can accommodate vehicles.
  - c. All parking spaces shall be improved to a mud-free condition with paving, stone or similar material and shall count as part of the maximum lot coverage established by the Township Zoning Ordinance.
  - d. If the short-term rental is accessed directly by a Township or State road, all parking spaces shall be accessed from the driveway serving the short-term rental and not directly from the Township or State road.
4. Conduct
- a. 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.
  - b. The owner 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 violate provisions of this ordinance or any state law pertaining to noise or disorderly conduct by notifying the occupants of the rules regarding short-term rentals and responding when notified that occupants are violating laws regarding their occupancy. It is not intended that the owner, local agent, or contact act as an enforcement officer or place himself or herself in harm's way in lieu of contacting local law enforcement via the 911 reporting system.
  - c. 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 violated provisions of this ordinance 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.

5. Lighting - Exterior lighting shall be directed away from adjoining properties. Lighting shall be pointed/shielded downward to minimize upward glare.
6. Occupancy on Short-Term Rental Premises - Occupancy of recreational vehicles, camper trailers and tents shall not be allowed.
7. Burning and Fires - All burning and fires shall comply with the Lehigh Township Nuisance Ordinance, as amended.
8. Posting License and Conditions - The owner of the short-term rental shall post a copy of the license and a copy of the conditions set forth in this §10 in a conspicuous place within the short-term rental.
9. Posting on Front Door - Each short-term rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:
  - a. The E-911 address of the property.
  - b. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis.
  - c. The maximum number of occupants permitted to stay in the unit and the maximum number of day guests allowed at any time.
  - d. The maximum number of all vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not in any private, community or public right-of-way.
  - e. The number and location of on-site parking spaces and the parking rules for seasonal snow removal and emergency vehicle access (if any).
  - f. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pick-up unless a bear proof container exists for use by the occupants.
  - g. Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of this ordinance.
  - h. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this ordinance subject to a citation and fines.
- B. Uniform Construction Code – The short-term rental unit shall comply with the Uniform Construction Code.
- C. Additional Standards - The Board of Supervisors, at a duly convened meeting, shall have the authority to impose additional standards applicable to short-term rentals as necessary to achieve the objectives of this ordinance.



**SECTION 11 - ENFORCEMENT OFFICER(S)**

- A. Appointment - The Board of Supervisors may appoint one or more enforcement officers, who may be an individual, firm or agency of Lehigh Township to conduct inspections, make reports and administer other parts of this ordinance as determined by the Board of Supervisors.
- B. Duties - The administrative, inspection and enforcement responsibilities established by this ordinance may be delegated to different enforcement officers appointed in accord with §11A.
- C. Consultation - The enforcement officer, with the authorization of the Board of Supervisors, may engage the services of competent engineers or other consultants to determine the nature and extent of any violation.

**SECTION 12 - INSPECTIONS AND ACCESS**

- A. Inspection - All places and premises in Lehigh Township shall be subject to inspection by the enforcement officer to verify application, license, or operating requirements or if there is reason to believe that any provision of this ordinance is being violated.
- B. Inspection for Suspected Violation - If there is reason to believe that any provision of this chapter is being violated, the enforcement officer may enter onto the premises and into the short-term rental for the purpose of inspection to ascertain the existence of violations. Interior inspections of the short-term rental shall occur only with the reasonable prior notice and the consent of the owner or short-term tenant, or with an administrative search warrant.
- C. Interference - Provided the short-term rental is being inspected in accord with this §12, it shall be unlawful for any person to hinder, delay, resist or prevent the enforcement officer from having full access to any place or premises upon which a violation of this ordinance is believed to exist.

**SECTION 13 - MARKETING**

The marketing of a short-term rental which exceeds the maximum occupancy requirements permitted by this ordinance or which promotes any other activity which is prohibited by this ordinance shall be a violation of this ordinance subject to the penalties and costs of §16. The owner or local contact shall provide to the enforcement officer a list of all web sites, newspapers, magazine, and other media in which the short-term rental will be advertised.

**SECTION 14 - ACTION ON COMPLAINTS**

- A. Violation in Progress - Upon receipt of a verbal complaint of a violation in progress and if the complainant's name and address is provided, the enforcement officer shall immediately notify the owner and/or the local contact of the complaint. If the enforcement officer believes a crime to be in progress, the officer shall immediately notify the appropriate police department. The enforcement officer shall have no obligation to respond to any violation in progress at the property in question unless the Township has appointed a police officer or police department to act as the enforcement officer for this ordinance. If the enforcement officer is a police officer, or if a police officer is called to the property to address possible criminal activity, then the Township may proceed with an action on a violation if the police officer in question confirms that a violation of this ordinance has occurred or provides information to the enforcement officer establishing that a violation has occurred.

- B. Violation Preceding Complaint - Upon receipt of a complaint of a violation which occurred prior to the date of the complaint, the enforcement officer shall not be obligated to proceed with any action to determine if a violation of this ordinance exists unless such complaint is made in writing, and it includes the name and address of the person registering the complaint.
- C. Confidentiality - The enforcement officer shall maintain the confidentiality of the name and address of the person registering the complaint unless otherwise required by law to release such information.

#### SECTION 15 - NOTICE TO VIOLATORS

- A. Service of Notice - Whenever the enforcement officer, determines that a violation of this ordinance exists, the enforcement officer shall prepare a written Notice of Violation, to be served on the owner and/or occupant(s) of the premises on which the nuisance is located or originates. The written Notice of Violation shall be served on the owner and local contact within five days of the determination of the violation by one or more of the following methods:
1. Personal delivery.
  2. Fixing a copy to the door of the building on the premises of the violation.
  3. Certified mail to the to the owner/local contact addresses on the license.
  4. Publishing in the Lehigh Township's official newspaper once each week for two consecutive weeks.
- B. Content of Notice
1. The Notice shall enumerate the conditions which constitute the violation and what action is required to abate the violation.
  2. The Notice shall include a time frame for the abatement of the nuisance, with such time frame established by the enforcement officer based upon the nature of the violation and providing a reasonable period for the violator to take the required action but not more than 10 days. In the case of an advertising violation the time period shall not exceed five days. In the case of a public disturbance or in other cases as determined by the enforcement officer immediate action shall be required.

#### SECTION 16 – VIOLATIONS, PENALTIES AND COSTS

- A. Compliance - Failure to comply with any provision of this ordinance, and/or failure to comply with an order to abate an activity, use and/or condition, shall be a violation of this ordinance and subject to criminal prosecution and the revocation of the license.
- B. Fine - Any person who has violated or permitted the violation of any provisions of this ordinance shall upon judgment thereof by any Magisterial District Judge be sentenced to pay a fine of not more than \$1,000.00 per day of violation, together with the costs of suit including, but not limited to, reasonable attorney fees, constable fees and staff time. Each day of violation shall constitute a separate offense, for which a summary conviction may be sought. All judgments, administrative, enforcement, security firm or police response, and other costs, interest and reasonable attorney fees collected for the violation of this ordinance, shall be paid over to the Township.

- C. Other Remedies - The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment. The Township shall also have the right to seek Injunctive Relief for violations of this ordinance.
- D. License Revocation - If an owner commits two violations which result in convictions, then the license shall be revoked by the Township and the short-term rental must be discontinued while the license is revoked. The revocation shall be for one year. The conviction for a third violation shall be cause for permanent revocation of the license. Any violation of the PA Sewage Facilities Act and applicable regulations may result in immediate license revocation until the violation is corrected. (See also §6G for license transfers.)
- E. Reinstatement - The Board of Supervisors may in its sole discretion approve the reinstatement of a license, if satisfied that there has been an appropriate change of ownership and/or that the cause of the violations has been corrected and that all other requirements of this ordinance have been met.

#### SECTION 17 – APPEALS

- A. Appeal Process - Appeals of a determination of the enforcement officer under this ordinance to deny any application for, or to renew, a short-term rental license, or to revoke a short-term rental license, shall be filed with the Board of Supervisors within 30 days of the date of the denial of an application or revocation of a license. Appeals shall be processed as follows:
1. All appeals shall be in writing and signed by the appellant on forms prescribed by the Township, and shall be accompanied by a fee, the amount of which shall be established by resolution of the Township Board of Supervisors, which may include notice and advertising costs, and necessary administrative overhead in relation to the hearing.
  2. Each appeal shall fully set forth the determination appealed from, a detailed reason or basis for the appeal, and the relief sought. Every appeal shall refer to the specific provision of circumstances of the case.
- B. Hearings - The Board of Supervisors shall conduct hearings and make decisions pursuant to the Act of December 2, 1968 (P.L. 1133, No. 353), known as the "Local Agency Law," and in accord with the following requirements:
1. Written notice shall be given to the appellant, the enforcement officer, and to any person who has made timely request for same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board of Supervisors, but not less than 15 days prior to the hearing.
  2. The hearing shall be held within 60 days from the date the appeal is filed unless the appellant has agreed in writing to an extension of time.
  3. The hearings shall be conducted by the Board of Supervisors. The decision or, where no decision is called for, the findings, shall be in writing by the Board of Supervisors within 45 days after the conclusion of the hearing, unless the appellant has agreed in writing to an extension of time, and shall be communicated to the appellant and any other parties who have entered their written appearance and requested a copy of the decisions, at the addresses provided by them either by personal delivery or by United States First Class mail postage prepaid.
  4. The chairman or acting chairman of the Board of Supervisors or the hearing officer presiding shall have

power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by parties.

- 5. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- 6. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- 7. The Board of Supervisors may, but is not required to, make a stenographic record of the proceedings. In the event a stenographic record of the proceedings is not provided by the Board of Supervisors, a stenographic record shall be made and kept at the request of any party agreeing to pay the costs thereof. Any party or other person desiring a copy of the stenographic record shall order the copy directly from the stenographer who prepared the same and shall pay the cost imposed by the stenographer for the copy directly to the stenographer.
- 8. The Board of Supervisors shall not communicate, directly or indirectly, with any party or any party's representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or any party's representative unless all parties are given opportunity to be present.

**SECTION 18 - SEVERABILITY**

Should any section, subsection, clause, provision, or other portion of this ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance; the Board of Supervisors having adopted this ordinance as if such invalid portions had not been included therein.

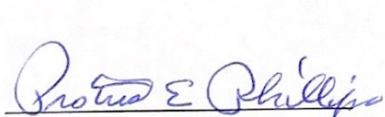
**SECTION 19 - REPEALER**

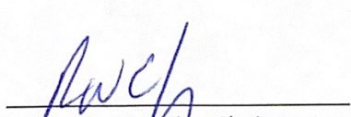
All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

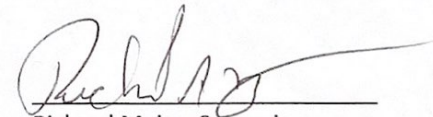
**SECTION 20 - EFFECTIVE DATE**

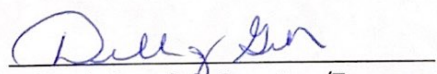
This ordinance shall become effective five days after the adoption. The owner of the short term rental shall have sixty (60) days from the effective date of this ordinance to comply with its provisions.

**ENACTED AND ORDAINED** into law by the Board of Supervisors of Lehigh Township, Wayne County, Pennsylvania, this   1st   day of   March   2022.

  
Protus Phillips, Chairman

  
Robert Carey, Vice-Chairman

  
Richard Major, Supervisor

ATTEST:   
Deborah Gromlich, Secretary/Treasurer