

**SUMMIT TOWNSHIP
ERIE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022-_____

AN ORDINANCE OF SUMMIT TOWNSHIP, AMENDING TOWNSHIP ORDINANCE NO. 2021-02, GENERALLY KNOWN AS THE “ZONING ORDINANCE, TO AMEND THE DEFINITION OF SHORT-TERM RENTAL; TO LIMIT THE PERMITTED USE OF SHORT-TERM RENTALS TO THE CL (COMMERCIAL-LOCAL), CC (COMMERCIAL CORRIDOR) AND MIXED USE ZONING DISTRICTS; AND PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on June 21, 2021, the Board of Supervisors of Summit Township (the “Township”) adopted Ordinance No. 2021-02, colloquially known as the Summit Township Zoning Ordinance (the “Zoning Ordinance”); and

WHEREAS, the Township has the power and duty to enact ordinances that promote the health, safety, and general welfare of its residents and visitors, including zoning ordinances; and

WHEREAS, Summit Township recognized the emergence of short term rentals of residential dwellings, including but not limited to those accessed through booking websites such as AirBnB and VRBO as a new accommodation option for travelers, tourists, and short term transient tenants; and

WHEREAS, the Board of Supervisors finds that one of the many benefits of living in the Township's Residential Zoning Districts is the development of a sense of community and a shared commitment to the common good of the Township among residents; and

WHEREAS, it is undeniable that inherent in the concept of family and the concept of residential dwellings is a certain expectation of relative stability and permanence in the composition of the familial unit; and

WHEREAS, the for-profit use of property as a short term rental to transient lodgers is not consistent with stable familial living arrangements desired for the Township's Residential Zoning Districts; and

WHEREAS, the Board of Supervisors has determined that the health, safety, and welfare of the residents of Summit Township will be improved by amending the township Zoning Ordinance to ensure that residents of the townships residential zoning districts are protected from the deleterious impact of commercial uses of residential properties as short term rentals and

WHEREAS, in furtherance of the desired goals for the Township's Residential Zoning Districts, the Board of Supervisors of the Township of Summit desires to redefine "Short-Term Rental" and to restrict Short-Term Rentals from locating in Residential Districts;

WHEREAS, the Board of Supervisors believes that these amendments are in the best interest of the citizens and residents of the Township.

NOW THEREFORE, this _____ day of _____, 2022, be it enacted and ordained by the Board of Supervisors of Summit Township, Erie County, Pennsylvania, as follows:

1. Recitals. The recitals set forth above are incorporated as if more fully set forth herein.
2. Amendment of Section 202. That Section 202 of the Zoning Ordinance, entitled "Specific Terms," be amended through the inclusion of the underlined terms and the deletion of the terms struck out as follows:

SHORT-TERM RENTAL: An establishment in which the owner rents any area of the establishment to one, or more, individuals for compensation or fee, including offer of exchange in kind, of any type, whether or not involving overnight

accommodations or separate sleeping quarters, for a period of time which is primarily less than thirty (30) consecutive days. The term shall not include ~~The use of a single-family dwelling unit rented for the purpose of overnight lodging by non-related individuals for a period of time and which does not meet the definition of a bed-and-breakfast use.~~

3. Amendment of Section 311. That section 311 of the Zoning Ordinance be amended through removal of Short-Term Rentals as a Permitted Principal Use from Table 311.01 – RR Resources – Rural, Table 311.02 - RN Resources – Natural, Table 311.03 – RLD Residential – Low Density, Table 311.04 – RMD Residential – Medium Density, and Table 311.05 – RMF Residential Multi-Family.

4. Severability. If any sentence, clause, section or amendment of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity, shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or amendments of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or amendment thereof not been included herein.

5. Repealer. All other Ordinances or parts of Ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

6. Effective Date. This Ordinance shall take effect five (5) days after its enactment and adoption by the Board of Supervisors.

DULY ENACTED AND ORDAINED on the day and year first above written by the Board of Supervisors of Summit Township, Erie County, Pennsylvania.

ATTEST:

SUMMIT TOWNSHIP

Lisa Vallimont, Secretary

BY: _____
Jack Lee Jr. Supervisor

BY: _____
Mark Welka, Supervisor

BY: _____
Anthony Davis, Supervisor

SECRETARY CERTIFICATE

I hereby certify a true copy of Summit Township, Erie County, Pennsylvania, Ordinance No. _____, as adopted by the Board of Supervisors on _____, 2022 and advertised in the Erie Times-News on _____, 2022.

Lisa Vallimont, Secretary