



PAUPACK TOWNSHIP SUPERVISORS

WAYNE COUNTY
25 DANIELS ROAD
LAKEVILLE, PA 18438

AMENDMENT NUMBER 2023-53.4

Proposed Zoning Amendments for Approval for The Paupack Township Zoning Ordinance

The following three (3) Zoning Ordinance Amendments are specifically designed to bring the current Paupack Township Zoning Ordinance into mutual compliance with the proposed Paupack Township Short-Term Rental Ordinance.

1. **Definitions:** The following definitions shall be added to, or replace existing definitions of the same term: *(to be added to Article II – Definitions)*

Approved: Officially permitted by the Short-Term Rental Compliance Officer, Zoning Officer, Code Enforcement Officer, or other designated Township representative.

Bathroom: a room containing a toilet and sink and typically also a bathtub or shower. Any room designed with the intent of providing cleaning facilities for bathing or showering.

Bedroom: Any room where the primary use is for sleeping. Rooms that shall not be included as being primarily used for sleeping include:

1. Living Room
2. Kitchen
3. Dining Room
4. Bathroom
5. Hallway
6. And any other room in a dwelling not primarily designed for sleeping.

By-Laws: A written rule by which a corporation, association, or similar entity that governs internal control of its members. The term By-Laws shall include By-Laws, restrictive covenants, and/or rules, and regulations, as well as any other similar terms created to describe the same purpose.

Community Association: A nongovernmental association of homeowners that has the authority to enforce the by-laws, restrictive covenants, rules, and regulations for a defined community. Community Associations shall include HOA, POA, and other similar organizations created for the same purpose.

Community Disturbance: The creation of any unreasonable noise, smell, unsafe environment, trespass, or engaging in disorderly conduct or violate provisions of this Ordinance or any state law pertaining to noise or disorderly conduct.

Compliance Officer: The official who is charged with the administrative enforcement of this Code, or any duly authorized representative established by the Board of Supervisors.



PAUPACK TOWNSHIP SUPERVISORS

WAYNE COUNTY
25 DANIELS ROAD
LAKEVILLE, PA 18438

Driveway: A privately owned, constructed, and maintained vehicular access from a street or access drive to a dwelling unit.

Dwelling, Single-Family: A *dwelling unit* accommodating a single family and having two (2) side yards.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Dwelling Unit, Seasonal: Any dwelling unit which may lack a frost-free foundation, frost-free water supply system, or frost-free septic waste pipes leading from the dwelling, and for that reason can only be occupied on a seasonal basis.

Habitable Space: Area in a structure capable of providing space for living, sleeping, eating, or cooking, and bathroom facilities. Any space less than fifty (50) square feet, including closets, halls, storage, or utility spaces and similar areas are not considered habitable spaces.

Let for Occupancy or Let: To permit, provide or offer possession or occupancy for a consideration, of a dwelling, dwelling unit, building, premise or structure, or portion of a premise or structure, by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement, or license or pursuant to a recorded or unrecorded agreement of contract for the use of land.

Local Contact Person: A local property manager, owner, or agent of the owner, who is at least eighteen (18) years of age, resides within 60 minutes of the rental unit, is available to respond to the short-term rental site, respond to tenant and neighborhood questions or concerns. The Local Contact Person shall be authorized by the owner to take remedial action and respond to any violation of this ordinance.

Nuisance: See Community Disturbance.

Occupancy: The purpose for which a building or portion thereof is utilized or inhabited.

Occupant: Any individual over age two (2) using, living, or sleeping in a building, or having possession of a space within a building.

Owner: Any person, firm or corporation having a legal or equitable interest in the property; or recorded in official government records as holding title to the property; or otherwise having legal control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person.

Person: As used in this ordinance, the term person shall include individual(s), families, LLCs, corporations, or similar entities.

Premises: A lot, plot or parcel of land including any structures thereon.

Recreational Cabin: A *structure* that is utilized for recreational activity as outlined in the UCC *Recreational Cabin Affidavit*. Any new *recreational cabins*, as well as any *recreational cabins*



PAUPACK TOWNSHIP SUPERVISORS

WAYNE COUNTY
25 DANIELS ROAD
LAKEVILLE, PA 18438

that are transferred from one owner to another owner, shall indicate in the deed that the structure is a *recreational cabin*. A travel/camper trailer shall also be considered a *Recreational Cabin* for the purposes of this Ordinance.

Recreational Cabin Affidavit: A form provided by the Pennsylvania Department of Labor & Industry; Bureau of Occupational & Industrial Safety that must be signed, notarized, and recorded pursuant to the PA Uniform Construction Code (UCC). Said form relieves the applicant from the construction requirements of the UCC, but restricts the use of the structure according to all of the following:

1. Will be utilized for recreational activities only.
2. Will not be utilized as a domicile or residence by the owner or any other person for any period of time.
3. Will not be used for any commercial purposes.
4. Will not exceed two stories in height (excluding the basement, if any).
5. Will not be used as a place of employment.
6. Will not be a mailing address for bills or correspondence.
7. Will not be listed as any individual's place of residence on a tax return, driver's license, vehicle registration or voter registration.

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

Short Term Rental (STR): Any single family dwelling owned or managed by a person, firm or corporation which is rented or leased for a period of less than 30 consecutive calendar days. This shall also encompass the term "Vacation Home Rentals" and shall also be considered a *Transient Use*. Double and Multifamily dwellings are NOT permitted to be used as a STR.

Note: Dwellings constructed as Recreational Cabins under the "UCC Recreational Cabin Affidavit" outlined in the Pennsylvania Uniform Construction Code (PUCC), may not be used for any commercial purpose, including STRs.

Structure: Any man-made object having an ascertainable stationary location including, but not limited to buildings.

Tenant: A person, corporation, partnership, or group acting as a unit, that occupies a building or portion thereof with the consent of the owner whereby an exchange of value as compensation as defined in this ordinance as rent.

Transient Use: The contractual use, by any person, of residential property for temporary or short-term lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than 30 consecutive calendar days, per contract or lease.



PAUPACK TOWNSHIP SUPERVISORS

WAYNE COUNTY
25 DANIELS ROAD
LAKEVILLE, PA 18438

2. **Schedule of District Regulations:** *(To be added to Article III – Basic Zoning Regulations)*

- a. Short-Term Rentals shall be considered and added as a Principal Permitted use in the following Districts:
 - R-R Rural Residential
 - C-1 General Commercial
 - C-2 Resort Commercial
- b. Short-Term Rentals shall be considered and added as a Conditional Use in the following Districts:
 - R-1 Low Density Residential
 - S-1 Conservation District
- c. Short-Term Rentals shall not be permitted in the following Districts:
 - L-1 Lake District

3. **Short Term Rentals:** *(To be added to Article IV – Supplementary Regulations)*

Paupack Township shall have the authority to regulate and impose standards on all Short Term Rentals within the Township as stated within the Paupack Township Short Term Rental Ordinance. Paupack Township hereby incorporates by reference all provisions of the Paupack Township Short-Term Rental Ordinance, including amendments, as though more fully set forth therein.



PAUPACK TOWNSHIP SUPERVISORS

WAYNE COUNTY
25 DANIELS ROAD
LAKEVILLE, PA 18438

Enactment

Ordained and enacted on this 9th day of November, 2023 by a vote of three(3) yes and (0) no, this Amendment modifies the Paupack Township Zoning Ordinance 2012-53. This Amendment shall take effect on the 9th day of November, 2023.

11/09/2023

Date

Maureen Camasta, Secretary

Bruce Chandler, Chairman

James Martin, Vice-Chairperson

Robert Boogertman, Supervisor





[Faint handwritten signature]

11/01/2022

11/2

[Faint handwritten signature]