

CITY COUNCIL OF ERIE

INTRODUCED BY: \_\_\_\_\_

COUNCIL FILE NO. \_\_\_\_\_ OFFICIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

Amending Articles 2, 3, and 6 of the City of Erie Zoning Ordinance to incorporate language for Short Term Rentals

WHEREAS, the City of Erie has had multiple requests from property owners to operate short-term rentals;

WHEREAS, the City has received multiple comments regarding the operation of such business type uses, particularly as it affects residential neighborhoods;

WHEREAS, property owners and residents have requested clarification regarding the zoning of Short-Term Rentals in the City;

WHEREAS, the City does not specifically regulate such uses in its Zoning Ordinance;

WHEREAS, the City desires to specifically define and regulate such uses for the benefit and protection of both the property owner and the residents and visitors in the neighborhood.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA:

**Section 1.**

(a) That Article 6 – Definitions be amended as follows:

Change the following definition:

DWELLING – Any building or portion thereof which is designed for or used for residential purposes. The word “Dwelling” shall include Short Term Rentals but shall not include hotels, motels, or other structures used for transient residence.

Add the following definitions:

OWNER OCCUPIED – A dwelling that is listed as the property owner’s primary residence.

SHORT TERM RENTAL – Any dwelling unit or room(s) within a dwelling unit owned or managed by a person, firm or corporation which is rented for a period of less than thirty (30) consecutive days, during which the owner or manager may or may not be present on a full-time basis. The unit designated for STR use must be licensed following the procedures outlined in the City of Erie Codified Ordinance, Article 330: Landlord and Rental.

(b) That Article 2 be amended to add Short Term Rentals as Permitted uses in the following Zoning Districts:

204.12 R-2 Medium Density Residential Districts

204.13 R-3 High Density Residential Districts

204.14 RLB Residential Limited Business District

204.15 C-1 Local Commercial District

204.16 C-2 General Commercial District

204.17 C-3 Central Commercial District

204.18 C-4 Traditional Neighborhood Commercial

- (c) That Article 2 be amended to add Short Term Rentals as Conditional uses in the following Zoning Districts:

204.21 W-C Waterfront Commercial District

204.21.1 W-C2 Waterfront Commercial District

204.21.2 W-C3 Waterfront Commercial District

204.23 W-R Waterfront Residential District

- (d) That Article 2 be amended to add Short Term Rentals as Special Exceptions in the following Zoning Districts:

204.10 R-1 Low Density Residential District

204.11 R-1A Traditional Single Family Residential

- (e) That Article 3, Section 305.57 be added to read as follows:

Section 305.57 Short Term Rentals: The intent of this provision is to regulate such uses for the benefit and protection of both the property owner, residents, and visitors.

- A. All Short-Term Rental owners/providers must provide or meet the following minimum regulations:

1. A short-term rental license shall be required prior to renting out a dwelling as a short-term, rental. Operating a short-term rental without a short-term rental license is a violation of this Ordinance and shall subject the owner to the enforcement proceedings and penalties set forth herein.
2. The Short-Term rental license is not transferrable 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, sheriff sale or court order, the new owner must apply for a license under the provisions of this Ordinance prior to continuing to use the property as a short-term rental.
3. STR accommodations shall not exceed the number of occupants allowed within the applicable zoning district.
4. Overnight occupancy of recreational vehicles, camper trailers and tents is prohibited.
5. Neither occupants nor guests are to engage in disorderly conduct or disturb the peace and quiet. Upon notification of such disturbances, the property owner is responsible for preventing a reoccurrence of such conduct.
6. A business contact person must be appointed, who can be the owner, property manager or agent of the owner who is available to respond to tenant and neighborhood questions, complaints, or concerns. The contact person shall have the actual authority to represent the owner of the property for emergency and non-emergency contact purposes. This person must provide a 24-hour contact number and must be able to respond to any contact from a tenant with one (1) hour following the notification. The City must be notified in writing fourteen days (14) if there is a change in the identity of the contact person.

7. No unreasonable noise or sound that is plainly audible to an unaided human ear shall be permitted outside of the hours listed below:

Sunday	From 10:00 PM	To Monday 8:00 AM
Monday	From 10:00 PM	To Tuesday 8:00 AM
Tuesday	From 10:00 PM	To Wednesday 8:00 AM
Wednesday	From 10:00 PM	To Thursday 8:00 AM
Thursday	From 10:00 PM	To Friday 8:00 AM
Friday	From 11:59 PM	To Saturday 8:00 AM
Saturday	From 11:59 PM	To Sunday 8:00 AM

8. All operators must maintain a guest log book to include names of guests and dates of stay. The log must be available for inspection by city staff upon request.
9. All advertisements for an approved STR must clearly display the license number issued for that unit. Failure to do so is grounds for cancellation of license.
10. The owner of the short-term rental shall post a copy of their STR license, and a copy of the conditions set forth in a conspicuous space within the property.
11. Each short-term rental must have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:
- Name of contact person and telephone number at which they may be reached on a 24-hour basis.
  - The maximum number of occupants permitted to stay in the short-term rental at one time.
  - The maximum number of vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not on a private, community, or public right-of-way
  - Proper directions for the disposal of waste.
  - Notice that the occupant(s) may be cited and fined for creating a disturbance or violating any other provisions within this Ordinance.
  - Notice that the failure to follow the occupancy and parking requirements will result in citations or fines.

B. Short Term Rentals shall be allowed in the R-1 and R-1A Districts as Special Exceptions in accordance with these additional regulations. In reviewing an application, the Zoning Hearing Board shall consider the following:

- Adequate off-street parking and access must be provided.
- A screen planting strip shall be provided adjacent to properties in "R" Districts.
- Any outdoor lighting shall be designed to prevent glare to surrounding properties.
- No outdoor loudspeakers or sound systems shall be allowed.
- The Board may attach any reasonable conditions necessary to address public health, safety and welfare concerns.

**Section 2.** That all ordinances and parts thereof in conflict herewith are hereby repealed.

**Section 3.** That this ordinance shall become effective sixty (60) days after final passage and approval by the Mayor of the City of Erie, Pennsylvania.

We do hereby certify that the within Ordinance was finally passed by the Erie City Council on \_\_\_\_\_, 2023.

Attest: \_\_\_\_\_  
*City Clerk*

\_\_\_\_\_  
*President of Council*

THIS ORDINANCE APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
*Mayor, City of Erie*

DRAFT