



BOROUGH OF NEW HOPE

123 New Street, New Hope, PA 18938 ● Phone 215-862-3347 ● info@NewHopeBorough.org

OWNER OCCUPIED SHORT-TERM RENTAL PERMIT APPLICATION

If the Dwelling has multiple Dwelling Units to be used as Short-Term Rentals, a separate fee will be required for each Dwelling Unit.

Application Date: _____
Property Address: _____
Permit Number: _____

Property Owner

Person In Charge or Alternate Contact if Property Owner is Unavailable

Property Owner Name _____
Property Owner Address _____
City _____ State _____ Zip _____
Phone _____ 24-Hour Phone _____
Email _____

Name Person In Charge _____
Address _____
City _____ State _____ Zip _____
24-Hour Phone _____
Email _____

PROPERTY INFORMATION

Structure Type	_____ Single	Maximum # of guests during any duration	
	_____ Multi-Unit _____ # of Units	# Dwelling Units to be used as a Short Term Rental	
Sewer System	_____ Public _____ Private	If sewer system is private, date of last tank pump:	

Unit #	# of Bedrooms	Maximum Overnight Occupants ** (not to exceed 10)	Maximum Occupancy **	# of parking spots

***Borough to complete shaded areas above*

For Borough Use Only:

Zoning Approval:

Signature _____

Date _____

Code Official Approval:

Signature _____

Date _____

CHECKLIST OF DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

	Diagram or photograph showing location and number of on-site parking spaces
	For PRIVATE SEPTIC – Proof tank was pumped within the past three (3) years for approval by Bucks County Health Dept. Maximum occupancy shall be limited by the capacity of the sewage disposal system. <i>If applicable.</i>
	Copy of property owner’s current Bucks County Lodging Room Rental Tax Certificate of Authorization *If the Short-Term Rental is rented <u>ONLY</u> using a service such as AirBNB or VRBO , sign statement below.
	Copy of property owner’s current Pennsylvania Sales and Use Tax Permit *If the Short-Term Rental is rented <u>ONLY</u> using a service such as AirBNB or VRBO , sign statement below.
	Trespass Waiver signed by property owner
	Copy of current recorded Deed for the subject property
	Certificate of Insurance confirming at least \$500,000 in property and casualty, general liability or like-kind risk insurance per Dwelling Unit to be used as a Short-Term Rental for the full duration of the Short-Term Rental Permit term, including proof that the property owner has notified the insurer of the intended Short Term Rental Use and that the insurance policy includes Short Term Rental or like coverage.
	Written Notice to Homeowners or Condominium Association, if applicable, indicating the intent to submit an application for a Short Term Rental Permit, when required by the Association’s by-laws, rules and/or regulations or like agreement.
	Confirmation the property owner will expressly reference the Short Term Rental Ordinance, Borough Ordinance No. 2022-03 and attach a copy of the short term ordinance, provided with this application, to any lease agreement, lease, contract or other writing, entered into by the property owner and the renter(s) of the Short Term Rental and to provide the renter and all overnight occupants all necessary 24 hour contact information.
	Signed and Dated Property Owner Acknowledgement and Attestation (Last page of this application)

Short Term Rental Fees are payable to New Hope Borough upon the filing of a Short-Term Rental Permit Application and upon renewal of any Short-Term Rental Permit. The amount of the rental fee can be found on the Borough’s Fee Schedule, located on the Borough website. Government > [Fee Schedule](#) > 13. Short Term Rentals

Short Term Rental Permits are valid for a period not to exceed 1 year from the date of issuance and must be renewed annually, including the property owner’s resubmission of all documents identified in the above checklist.

The Applicant must provide verification that all county and state rental, sales and use taxes have been paid before a Short-Term Rental Permit renewal is granted.

*If the property is rented only using a service such as AirBNB or VRBO, sign the statement below:

I, _____, rent the Short-Term Rental identified in this application ONLY using a service such as AirBNB or VRBO that pay all required taxes and do not rent the unit separately apart from these services.

Property Owner Signature

Date

Short Term Rental Permit applications and subsequent renewals shall require inspections of the Dwelling and the Dwelling Unit(s) to be used as a Short-Term Rental, as each of those terms are defined in the Short-Term Rental Ordinance, by the Borough’s Code Enforcement Officer or his/her designee.

**NEW HOPE BOROUGH,
BUCKS COUNTY, PENNSYLVANIA
SHORT TERM RENTAL TRESPASS WAIVER**

To: New Hope Borough, Office of Code Enforcement

The Undersigned is(are) the owner(s) of the parcel of land located at _____, New Hope Borough, Bucks County, Pennsylvania, Tax Map Parcel No. _____ (“land”), which is occupied by a **Dwelling** containing _____ (# of units), of which _____ (# of units*) **Dwelling Unit(s)** are intended for **Short Term Rental Use**, as those terms are expressly defined in the Borough’s Short Term Rental Ordinance (“Ordinance”) and herein referenced below. (**not to include a unit occupied full-time by the property owner*)

The Undersigned authorize(s), allow(s), and grants the right(s) to, any Borough **Code Enforcement Official** (and/or his/her designee(s)) as the term is defined in the Ordinance, to enter upon the land, **Dwelling** and **Dwelling Unit(s)**, to conduct inspections, issue violation notices or summonses, to enforce compliance with the Ordinance and the Zoning Ordinance, to investigate and/or inspect complaints and possible unsafe conditions, and to otherwise implement and carry out the provisions of the Ordinance and the Zoning Ordinance; and for such other reasons as may be allowed by law (“Ordinance Action”).

By signing below, the undersigned agree(s) that no Ordinance Action shall be deemed a trespass upon the land, **Dwelling** or **Dwelling Unit**, and hereby waives any argument, claim, or allegation of trespass.

By signing this Trespass Waiver, the Undersigned re-acknowledges receipt, review and understanding of, and agreement to comply with, the Ordinance, and that any violation thereof may subject the Undersigned and/or the Undersigned’s(s’) short-term renter(s) and/or guest(s) to all penalties set forth in the Ordinance.

The Undersigned(s) has (have) signed this Waiver this _____ day of _____, 20____ intending to be legally bound.

Property Owner Signature

Print Name _____

Address _____

City, State, Zip _____

Telephone (24Hrs) _____

Property Owner Signature

Print Name _____

Address _____

City, State, Zip _____

Telephone 24Hrs _____

Chapter 219

SHORT TERM RENTAL UNITS

§ 219-1.	Title.	§ 219-9.	Enforcement Officer.
§ 219-2.	Scope	§ 219-10.	Inspections required.
§ 219-3.	Interpretation.	§ 219-11.	Marketing.
§ 219-4.	Definitions.	§ 219-12.	Notice of violation.
§ 219-5.	Permit required.	§ 219-13.	Nuisance.
§ 219-6.	Permit application requirements.	§ 219-14.	Violations and penalties.
§ 219-7.	Short term rental standards.	§ 219-15.	Owners severally responsible.
§ 219-8.	Fees, term and renewal.	§ 219-16.	Appeals.

[HISTORY: Adopted by the Borough Council of the Borough of New Hope 8-16-2022 by Ord. No. 2022-03 . Amendments noted where applicable.]

§ 219-1. Title.

This chapter shall be known as and may be cited as "The New Hope Borough Short Term Rental Ordinance."

§ 219-2. Scope

- A. The provisions of this chapter shall apply to all residential dwellings and dwelling units, conversions of nonresidential structures or detached accessory structures to residential dwellings, and all existing premises within the Borough of New Hope ("subject property"). The owner of any such subject property shall be responsible for compliance with the provisions of this chapter and the failure of an owner and/or its agency, managing agency, local contact person, or renting occupants to comply with the provisions of this chapter shall be deemed, and/or imputed as, noncompliance by the owner.
- B. This chapter shall also not apply to an inn, bed and breakfast, accessory boarders or lodgers or group home, as defined within the Zoning Ordinance.

§ 219-3. Interpretation.

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

§ 219-4. Definitions.

For the purposes of this chapter, words and terms used herein shall be defined and interpreted as follows:

BEDROOM — A room or space designed to be used for sleeping purposes with two means of egress (one of which may be a window acceptable under the building code) and in close proximity to a bathroom.

Space used for eating, cooking, bathrooms, toilet rooms, closets, halls, storage or utility rooms and similar uses are not considered bedroom. Space used or intended for general and informal everyday use such as a living room, den, and sitting room or similar is not to be considered a bedroom.

CODE ENFORCEMENT OFFICER — Any person authorized by this chapter to issue permits and licenses, to conduct inspections, to issue violation notices or summonses, to enforce compliance with this chapter and

the Zoning Ordinance, to investigate and/or inspect complaints and possible unsafe conditions, and to otherwise implement and carry out the provisions of this chapter and the Zoning Ordinance. The Code Enforcement Officer, as used herein below, shall include, but shall not be limited to, the Zoning Officer, Fire Marshal, Construction Code Official, any police officer of New Hope Borough, and his/her designees.

DWELLING — A building that contains one or more dwelling units, as defined below, used, intended or designed to be used, rented, leased, let or hired out as a short term rental, as defined below.

DWELLING UNIT — One or more rooms, occupied or intended for occupancy, as separate living quarters by a single family maintaining a household, the members of which have unrestricted access to all other parts thereof, with cooking, sleeping, and sanitary facilities provided therein, for the use of that single family, including guesthouses, consistent with the Zoning Ordinance.

PERSON IN CHARGE — A person, manager, agent or other representative with actual authority to represent and act for the owner of the dwelling for purposes of contact, communication and response regarding the owner's short term rental. A person in charge must reside, or have a staffed office, within 20 linear miles of the short term rental, and be able to respond to and arrive at the short term rental within one hour's telephonic, text, or email notice, and to act as the legal agent for the owner for all matters pertaining to the short term rental. The Borough must be notified, in writing by the owner, not later than 14 days in advance, if there is to be a change in the identity of the person in charge.

SHORT TERM RENTAL — Any dwelling unit utilized as a single-family residence, or subset(s) of room(s) located therein, rented for the purpose of overnight lodging for a period of 30 days or less and which meets the definition of "hotel lodging and room rental," as defined in the Bucks County Tourist Promotion Law 73 P.S. 401, as amended from time to time, for the purpose of imposing an excise tax by the County of Bucks.

SHORT TERM RENTAL PERMIT — Written permission granted by the Borough to the owner to utilize a dwelling unit for short term rental use.

SHORT TERM RENTAL USE — Use of a dwelling unit as a short term rental in accordance with the requirements of this chapter and including all state, local and Borough, statutes, codes and ordinances referenced herein.

§ 219-5. Permit required.

No owner of any subject property in New Hope Borough shall operate a short term rental in the Borough without first obtaining from the Borough Zoning Officer, or from his/her designee, a short term rental permit ("permit") for each dwelling unit to be used as a short term rental. Operation of a short term rental without a properly issued permit constitutes a violation of this chapter.

§ 219-6. Permit application requirements.

- A. Short term rental permit applications, in the form approved by Council, shall contain all of the following information:
- (1) The name, address, telephone numbers and email addresses of the owner. If the owner does not have a person in charge (as defined above and as required by Subsection A(2) below), then the owner shall provide a twenty-four-hour telephone number(s) for direct contact with the owner.
 - (2) If during a short term rental period, the owner will be located over 20 linear miles from the short term rental, the owner must appoint and engage a person in charge to fully act on the owner's behalf for any matters pertaining to the short term rental during that period. The owner must also provide to the Borough the name, address, twenty-four-hour telephone number and email address of the person in charge who will respond to Borough inquiries in the owner's absence.
 - (3) The total number of bedrooms and maximum number of overnight occupants, and guests of any duration, for each dwelling unit to be used as a short term rental.

- (4) If the dwelling is a multiunit structure, the total number of dwelling units in the structure and the number of dwelling units to be used as short term rentals.
 - (5) A diagram or photograph showing the location and number of on-site parking spaces.
 - (6) If not on a public sewer system, a septic system evaluation certifying the existing system is functioning as intended and proof the tank was pumped within the past three years for approval by the Bucks County Health Department. Maximum occupancy shall be limited by the capacity of the sewage disposal system.
 - (7) Copies of current Bucks County Lodging Room Rental Tax Certificate of Authorization and current Pennsylvania Sales and Use Tax Permit.
 - (8) Signatures of both the owner and the person in charge (if applicable).
 - (9) Trespass waiver, in the form approved by the Code Enforcement Officer, signed by the owner allowing access to the subject property for the Code Enforcement Officer, or his/her designee, for the purpose of inspection to verify compliance with this chapter.
 - (10) A copy of the current recorded deed for the subject property establishing ownership.
 - (11) Proof that the owner maintains at least \$500,000 in property and casualty, general liability or like-kind risk insurance on the short term rental for the full duration of their permit term; that owner has notified the insurer of the intended short term rental use of the dwelling; and that the insurance policy as issued includes short term rental or like coverage and does not exclude such coverage. The owner shall affirm that they shall comply with all coverage and notice requirements, terms and/or conditions imposed by the insurer, and as applicable, of the rental, broker, listing and/or management company or related entity with whom the owner contracts for purposes of listing the short term rental for rent; and provide the Borough proofs of such compliance as applicable.
 - (12) Written notice to the homeowners' or condominium association, indicating the intent to submit an application for a short term rental permit, when required by the association's by-laws, rules and/or regulations or like agreement.
 - (13) Confirmation that the owner shall expressly reference this chapter in, and attach a copy of this chapter to, any agreement, lease, contract or other writing, entered into by the owner and the renter(s) for purposes of the short term rental and to provide the renter and all overnight occupants all necessary twenty-four-hour contact information.
 - (14) Signature of the owner acknowledging receipt, review, understanding of, and agreement to comply with this chapter.
- B. A short term rental permit shall be issued only to the owner of the short term rental.
- (1) A separate short term rental permit is required for each dwelling unit;
 - (2) For two-family or multifamily dwellings, a separate permit shall be required for each dwelling unit being rented as a short term rental.
 - (3) A short term rental permit is effective for a period of one year, or until any of the conditions of the short term rental which are governed by this chapter are changed, whichever shall first occur. A short term permit must be renewed annually and also when any of the conditions of the short term rental which are governed by this chapter are changed.
 - (4) The Borough will prescribe forms and procedures for the processing of permit applications under this chapter.

- (5) The dwelling unit shall and must be owner-occupied when not rented as a short term rental. A nonowner-occupied dwelling unit may be rented as a short term rental if it is an individual dwelling unit located within a larger owner-occupied structure, or a separate dwelling unit located on a parcel that is otherwise owner-occupied.
- (6) If the subject property is sold, any and all short term rental permits as issued shall expire upon transfer of the subject property to the new owner. If the new owner wants to establish the subject property as a short term rental, they must apply for a new permit or permits subject to the requirements of this chapter.

§ 219-7. Short term rental standards.

- A. Overnight occupancy of a short term rental, regardless of the number of dwelling units, shall be limited to no more than (I) what is permitted by Chapter 4 of the 2018 International Property Maintenance Code, as amended from time to time, ("IPMC") or (II) a maximum of 10 occupants, whichever is less. Overcrowding shall be prohibited per Chapter 4 of the IPMC.
- B. The maximum number of short term guests allowed at any one time and who shall be precluded from overnight occupancy (hereinafter "guests"), shall be 75% for the maximum overnight occupancy as determined by Subsection A above.
- C. 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 the subject property. Where there is no sewage permit on record, the short term rental shall be limited to three bedrooms unless proof satisfactory to the Code Enforcement Officer, or his/her designee, is provided to the Borough that the septic system is adequate to handle additional flows. Any short term rental advertising more than five bedrooms shall provide proof that the septic system is adequate to handle such flows by having the system approved by the Code Enforcement Officer, or his/her designee, or by providing a septic permit previously issued by a Code Enforcement Officer, or his/her designee confirming the system's adequacy. If a sewage system malfunction occurs, the short term rental shall be discontinued and the permit suspended until the malfunction is corrected in accordance with Borough and Pennsylvania Department of Environmental Protection requirements.
- D. Overnight occupants' and guests' parking shall not obstruct spaces in any public street, curbing, sidewalk, pathway, easement of other right-of-way or be located on any lawns or vegetated areas.
- E. Overnight occupants and guests shall not 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 disturbances, offensive conduct, public indecency, use of obscenities, threatening, quarreling, challenging, or soliciting to fight, or fighting, or creating a dangerous or physically harmful or offensive condition. Such overnight occupants, and guests, shall further and fully comply with the Borough Code and all state and/or local laws, ordinances or regulations regarding their occupancy, as amended from time to time, as applicable to persons within the Borough.
- F. The owner, or the person in charge when applicable, shall use best efforts to ensure that the overnight occupants, and guests, do not engage in conduct of the types described in Subsection E above or otherwise violate provisions of the Borough Code or any state, local or Borough laws, ordinances or regulations, as amended from time to time (collectively, "conduct violations"), including, but not limited to, notifying the overnight occupants, and guests, of the rules regarding short term rentals and responding when notified of conduct violations.
- G. When notified of conduct violations by an overnight occupant, or guest, the owner or the person in charge when applicable, shall promptly use best efforts to prevent a recurrence of such conduct.
- H. Overnight use and occupancy of recreational vehicles, camper trailers, temporary shelters, and tents,

and otherwise, outdoor overnight sleeping, at the subject property where the short term rental is located, are prohibited.

- I. Short term rental shall not have any outside appearance indicating a change of use from the surrounding residential uses. There shall be no exterior signage or exterior visible advertising posted anywhere on the property or building.
- J. Fireworks, open burning and floating lanterns are prohibited.
- K. Subleasing all or a portion of the dwelling unit is prohibited, except as allowed by the zoning ordinance as an accessory use and subject to sublessee's(s') full and complete compliance with the terms of this chapter as applicable.
- L. A copy of this short term rental ordinance must be expressly referenced in and attached to the agreement, lease, contract, or other writing, entered into by the owner and the renter(s) for purposes of the short term rental.
- M. The owner shall have a clearly visible and legible notice posted within the dwelling unit on, adjacent to, or in closest proximity to, the front door, containing the following information:
 - (1) The name of the owner, and if applicable, the person in charge, together with the telephone number(s) at which they can be reached on a twenty-four-hour basis.
 - (2) The E-911 address of the subject property where the dwelling unit being used as a short term rental is located.
 - (3) The maximum number of overnight occupants, and guests, permitted to stay in the dwelling unit at any one time.
 - (4) The maximum number of all vehicles allowed to be on the property and the requirement that all vehicles must be parked in the available parking areas on the property and not in or along any private, community or public street right-of-way or on any lawn or vegetated area on the property.
 - (5) The trash and refuse pick-up day, and notification that trash and refuse shall not be left or stored on the exterior of the property except in appropriate containers until pick-up day.
 - (6) Notification that an overnight occupant, or guest may be cited and fined any violation of this chapter, and are required to make the dwelling unit available for inspection by the Code Enforcement Officer, or his/her designee, upon request.
- N. All short term rentals shall be equipped and/or comply with the following:
 - (1) Smoke detectors in each bedroom;
 - (2) Smoke detectors outside each bedroom in common hallways;
 - (3) Smoke detectors on each floor;
 - (4) GFI outlets for outlets located within six feet of all water sources;
 - (5) Aluminum or metal exhausts from dryers;
 - (6) A carbon monoxide detector if open flame (oil or gas) furnace, gas or wood fireplace, or wood-burning stove, or any fuel fired appliance, is present and operational;
 - (7) A carbon monoxide detector if a garage is attached;

- (8) A fire extinguisher in the kitchen;
 - (9) Stairs (indoor and/or outdoor) in good condition;
 - (10) Swimming pools, hot tubs and spas that meet the barrier requirements as indicated in 2018 International Swimming Pool and Spa Code;
 - (11) Any other occupancy requirements as adopted by the Borough Council from time to time; and
 - (12) The building shall be maintained and occupied in compliance with all provisions of the 2018 International Property Maintenance Code, 2018 International Fire Code, 2018 International Building Code, PA UCC and all sections of this chapter, whichever is more restrictive, and each as amended and from time to time.
- O. Compliance with the requirements of this § 219-7 shall be considered mandatory conditions of a short term rental permit ("permit(s)"), the violation of which may result in a revocation of the permit by the Enforcement Officer. In the event that more than one short term rental is located on a single property and any one short term rental is in violation of any of the requirements of this section, all permits associated with the property may be revoked.
- P. Short term rental of the dwelling unit is limited to the greater of 15 rental periods per calendar year, or 180 nights in the aggregate, with no rental period exceeding 30 days; meaning that, a dwelling unit may not be rented for more than 180 nights in a calendar year ("rental limit").
- Q. In the event that more than one dwelling unit is available for short term rental, the rental limit set forth in Subsection P shall apply to the entire property regardless of the number of dwelling units that exist for which permits have been issued; meaning that, each rental period that any dwelling unit on the subject property is rented shall count as one rental period toward the fifteen-rental period limit, and each night that any dwelling unit on the subject property is rented shall count as one night toward the 180-night aggregate limit, for the whole of the subject property.
- R. The owner shall not enter into a short term rental arrangement with a person who is under the age of 18 years, nor shall an owner allow persons who are under the age of 18 and who are not accompanied by an adult, be to occupy a dwelling unit or the subject property.

§ 219-8. Fees, term and renewal.

- A. Short term rental fees, payable to New Hope Borough upon the filing of a short term rental permit application, shall be in such amount as may be established by resolution duly adopted by Council.
- B. Any short term rental permit is good for a period not to exceed one year from the date of issuance and must be renewed annually. Short term rental permit renewal fees, payable to New Hope Borough upon the filing of a short term rental permit renewal application, shall be in such amount as may be established by resolution duly adopted by Council.
- C. Short term rental permit renewal applications, in the form approved by Council, shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this chapter.
- D. Verification that all applicable county and state rental, sales and use taxes have been paid shall be made before a permit renewal is granted.
- E. Short term rental permit renewal shall require all inspections outlined in § 219-10.

§ 219-9. Enforcement Officer.

The administrator of this chapter shall be the Code Enforcement Officer, or his/her designee, as appointed by the Borough. The Code Enforcement Officer, or their designee, shall have the responsibility and authority to administer and enforce all provisions of this chapter.

§ 219-10. Inspections required.

- A. At the owner's expense, charged by the Borough as part of the annual permit fee, all short term rentals shall be subject to annual inspections by the Code Enforcement Officer, or his/her designee, to verify application information, permit, permit renewal and/or operating requirements. In addition, short term rentals shall be subject to annual fire inspections, the cost of which shall be charged separate from the permit fee.
- B. The issuance of a short term rental permit shall indicate that the dwelling unit was determined to be in compliance with applicable codes and ordinances at the time of the Code Enforcement Officer, or their designee's, inspection. The issuance of a short term rental permit is not a warranty that the premises is lawful, safe, habitable, or in compliance with this chapter.
- C. If there is reason to believe that any provision of this chapter is being violated, the Code Enforcement Officer, or their designee, may access the exterior portions of the property during normal business hours for the purpose of inspection of any and all premises, properties, buildings and/or structures located within the Borough for ascertaining the existence of violations. In those matters where the nature of an alleged violation is such that an inspection of the interior of a building or structure is necessitated, except in the event of an emergency, prior arrangements shall with reason notice be made with the owner or the person in charge to secure access thereof.

§ 219-11. Marketing.

The marketing of a short term rental in which the advertised occupancy exceeds the maximum occupancy requirements permitted by this chapter, or which promotes any other activity which is prohibited by this chapter, shall be a violation of this chapter.

§ 219-12. Notice of violation.

If it appears to a Code Enforcement Officer, or their designee, that a violation of this chapter exists or has occurred, the Code Enforcement Officer, or their designee, shall send a written Notice of Violation to the owner by personal delivery or by both United States first class and certified mail. The Enforcement Notice 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 and any other applicable chapter of the Borough Code of Ordinances, which have been violated, indicate the action required to correct the violation, and provide a time frame (established by the Code Enforcement Officer based upon the nature of the violation) to correct the violation.

§ 219-13. Nuisance.

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

§ 219-14. Violations and penalties.

- A. This chapter shall be enforced by action brought before a magisterial district judge of appropriate jurisdiction in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or

which violates or permits a violation of the provisions of this chapter shall, upon conviction in a summary proceeding, pay a fine of not less than \$100 nor more than \$1,000 per violation, plus all court costs and reasonable attorney's fees incurred by New Hope Borough in the enforcement proceedings, and/or be imprisoned to the extent allowed by law for the punishment of summary offenses. Each day or portion thereof that a violation exists or continues shall constitute a separate violation. Further, the appropriate officers or agents of New Hope Borough are hereby authorized to seek equitable relief, including injunction to enforce compliance with this chapter, which equitable relief may separately include, as determined by the court, the imposition of court costs and reasonable attorney's fees incurred by New Hope Borough in the enforcement proceedings. All fines, penalties, costs and reasonable attorney's fees collected for the violation of this chapter shall be paid to New Hope Borough.

- B. In addition to, but not in limitation of, the provisions of §§ 219-07, 219-13 and 219-14A, the Enforcement Officer shall either revoke, or deny an application to renew, a short term rental permit in the event of three uncured or repeated violations of this chapter in any rolling twelve-calendar-month period. The revocation or denial to renew a short term rental permit shall extend for six months for the first set of three uncured or repeated violations, and shall be extended up to one year for any subsequent sets of violations.

§ 219-15. Owners severally responsible.

If the premises are owned by more than one owner, each owner shall jointly and severally be subject to prosecution for a violation of this chapter.

§ 219-16. Appeals.

- A. Appeals of a determination of the Code Enforcement Officer, Zoning Officer or their designee(s), under this chapter to deny any application for a short term rental permit, or to deny renewal of, or to revoke, such a permit, or appeal a short term rental violation, shall be filed with the Borough within 30 days of the date of the denial of application or revocation of permit or notice of violation. Appeal shall be processed as follows:
- (1) All appeals shall be in writing and signed by the appellant on forms prescribed by the Borough, and shall be accompanied by a fee, the amount of which shall be established by the Borough Council, by resolution from time to time, 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 Borough Council 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 accordance with the following requirements:
- (1) Written notice shall be given to the appellant, the Code 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 Borough Council, 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 Borough Council. The decision or, where no decision is called for, the findings shall be in writing by the Borough Council 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 Borough Solicitor or his designee, 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 Borough Council 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 Borough Council, 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 Borough Council 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.



BOROUGH OF NEW HOPE

123 New Street, New Hope, PA 18938 ● Phone 215-862-3347 ● info@NewHopeBorough.org

Property Owner Acknowledgement and Attestation

By signing this application, the property owner acknowledges receipt, review and understanding of, and agreement to comply with, the Short-Term Rental Ordinance provided in this application and available on the Borough website > Code of Ordinances.

Property owner understands and acknowledges Ordinance §219-6.(B)5: The dwelling unit shall and must be owner-occupied when not rented as a short term rental. A nonowner-occupied dwelling unit may be rented as a short term rental if it is an individual dwelling unit located within a larger owner-occupied structure, or a separate dwelling unit located on a parcel that is otherwise owner-occupied.

Owner understands and acknowledges that any violation thereof may subject the property owner and/or the property owner's short-term renter(s) and/or guest(s) to all penalties set forth in the Short-Term Rental Ordinance.

Property Owner

Person in Charge (if applicable)

Date