

TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2025- 01

AN ORDINANCE OF THE TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA, AMENDING THE BETHEL TOWNSHIP ZONING ORDINANCE OF 2021 TO ALLOW FOR AND PROVIDE REGULATIONS FOR SHORT TERM RENTALS

WHEREAS, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources; and

WHEREAS, the Bethel Township Board of Supervisors enacted, amended and readopted the Bethel Township Zoning Ordinance, by Ordinance Number 2021-01 enacted on January 18, 2021; and

WHEREAS, the Bethel Township Board of Supervisors has subsequently amended the Bethel Township Zoning Ordinance; and

WHEREAS, the Township seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Bethel Township Zoning Ordinance to provide for and regulate Short Term Rentals in the Township.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Bethel, Berks County, Pennsylvania, pursuant to the authority conferred by the Municipalities Planning Code, that the following be and is hereby enacted:

SECTION 1. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 300 entitled “Definitions”, Section 308 entitled “Definition of Terms”, is hereby amended to alphabetically add the following terms:

Bed & Breakfast – an owner-occupied, single family detached dwelling that includes room rentals for overnight sleeping accommodations and bathroom access but does not provide any cooking facilities or provisions of meals for guests other than breakfast.

Bedroom – a room containing a minimum of 70 square feet designed and used for sleeping purposes, with two means of egress (one of which may be an approved escape window under the building code), a closet 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 bedrooms. Spaces used or intended for general and informal everyday use such as a living room, den, sitting room or similar room is not to be considered a bedroom.

Guest – A visitor to the Short-Term Rental Unit who is not a Short-Term Rental Occupant

as defined herein.

Local Contact Person – a person or agent to represent the owner regarding tenant management and supervision of the Short-Term Rental property for purposes of contact and communication with Township Officials and/or First Responders. Local Contact Person must reside within fifteen (15) miles of the Short-Term Rental dwelling and be able to act as the legal agent for the Owner.

Owner - Any person, agent, operator, housing authority or fiduciary having legal, equitable or other interest in any real property; as recorded in the official records of the state, county or municipality as holding title to the real property; or otherwise having control of the real property, including the guardian of the estate of such person and the executor or administrator of such person's estate. When used in this article in a clause proscribing any activity or imposing a penalty, the term, as applied to partnerships and associations, shall mean each general partner; as applied to corporations, the officers thereof; and as applied to limited liability companies, the members and any managers thereof.

Short-Term Rental - the use of a single family detached dwelling in a manner which does not meet the definition of residential occupancy, i.e. the occupancy of the entire dwelling by one family for a period of less than 30 continuous days. The use of a dwelling as an approved bed and breakfast establishment as an accessory use shall not be considered a short-term rental.

Short-Term Rental License – legal notice issued by the Township Zoning Officer to be posted within the dwelling.

Short-Term Rental Occupant – a person staying at the Short-Term Rental Unit overnight but not necessarily listed on the signed agreement with the owner.

Short-Term Rental Tenant – the primary individual(s) listed on the signed agreement with the owner for temporary occupancy of the Short-Term Rental for thirty (30) consecutive calendar days or less.

SECTION 2. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 500 entitled “V-Village District”, Section 520 entitled “Uses Permitted by Right”, is hereby amended to add new Section 520.17 which shall read in its entirety as follows:

520.17 Short Term Rental in accordance with Section 1060.

SECTION 3. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 500A entitled “C-Commercial District”, Section 520A entitled “Uses Permitted by Right”, is hereby amended to add new Section 520A.32 which shall read in its entirety as follows:

520A.32 Short Term Rental in accordance with Section 1060.

SECTION 4. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 600 entitled “AP-Agricultural Preservation District”, Section 620 entitled “Uses Permitted by Right”, is hereby amended to add new Section 620.17 which shall read in its entirety as follows:

620.17 Short Term Rental in accordance with Section 1060.

SECTION 5. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 600A entitled “R-Residential District”, Section 620A entitled “Uses Permitted by Right”, is hereby amended to add new Section 620A.16 which shall read in its entirety as follows:

620A.16 Short Term Rental in accordance with Section 1060.

SECTION 6. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 700 entitled “IC- Industrial Commercial District”, Section 720 entitled “Uses Permitted by Right”, is hereby amended to add new Section 720.37 which shall read in its entirety as follows:

720.37 Short Term Rental in accordance with Section 1060.

SECTION 7. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 800 entitled “EP-Environmental Protection District”, Section 820 entitled “Uses Permitted by Right”, is hereby amended to add new Section 820.15 which shall read in its entirety as follows:

820.15 Short Term Rental in accordance with Section 1060.

SECTION 8. The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18, 2021, as amended, Section 1000 entitled “Supplementary Regulations”, Section 1010 entitled “General Regulations Applying to all Districts and Uses” is hereby amended to add new Section 1060 to be entitled “Short Term Rentals” which shall read in its entirety as follows:

1060 Short Term Rentals

Short Term Rental Units are subject to the following regulations:

1. Zoning Permit Required.

- A. A single-family detached dwelling shall require a zoning permit and inspection by the Zoning Officer in order to obtain a Short-Term Rental License in districts where such use is permitted prior to placing it in operation. The permit and inspection fee shall be set by Resolution of the Township Board of Supervisors.

- B. The Short-Term Rental License shall be good for a period of one year from the date of issuance and shall be renewed and inspected annually. The annual renewal and inspection fee shall be set by Resolution of the Township Board of Supervisors.
- C. Operation of a Short-Term Rental without a license is considered a violation of the Zoning Ordinance.
- D. Application for a permit shall be on a form provided by the Township and include:
- (1) Name, address, 24-hour phone number, email address, and signature of the owner.
 - (2) Proof of ownership.
 - (3) Name, address, 24-hour phone number, email address, and signature of the local contact person who will be responsible for handling any problems that arise with the property.
 - (4) Detailed site plan showing the location and number of approved parking spaces reserved for use by renters.
 - (5) Proof of current Berks County Hotel Tax Identification Number and copy of current Pennsylvania Sales and Use Tax Permit.
 - (6) Proof of general liability insurance on the Short-Term Rental listing Bethel Township as an additional Certificate Holder for the full duration of the Rental License.
 - (7) A copy of the homeowners' association or equivalent community board approval letter, if applicable.
 - (8) Explanation of the provisions for trash collection, storage, disposal.
 - (9) If the premises is not served by Public Sewer, documentation that the on-lot septic system has been inspected and is in working condition, and the tank was pumped within the last three (3) years. The Owner shall maintain the septic system on a pumping schedule of not more than every three (3) years, and provide the Township written proof of compliance upon request, or upon renewal of the Short-Term Rental License.
 - (10) The owner shall notify the Township of any change of contact information or contact person including but not limited to 24-hour phone number, address and email, within seven (7) days of change.

E. The Short-Term Rental Unit shall be inspected on an annual basis during the renewal of the Short-Term Rental License.

F. The permit is nontransferable. Upon change of ownership in any manner, the permit issued to the original owner shall become null and void. The new owner shall be required to submit an application for a permit in their name in accordance with this Ordinance.

2. Short Term Rental Standards.

A. A Short-Term Rental shall be permitted only in a single family detached dwelling. Individual room rentals shall not be permitted as Short-Term Rentals. Rooming houses and boarding houses shall not be permitted as Short-Term Rentals. Short Term Rentals shall not be permitted as a home occupation or home premise business.

B. Short-Term Rentals shall not have any outside appearance indicating a change of use from the surrounding residential uses.

C. Overnight occupancy for a short-term rental shall not exceed 2 persons per bedroom, plus 2 additional persons per property, up to a maximum of 12 persons, excluding children under 3 years of age. Space used or intended for general and informal everyday use such as a living room, den, and sitting room or similar shall not be considered a bedroom.

D. A Single-Family detached dwelling with the ability to accommodate more than the maximum of 12 overnight people, excluding children under 3 years of age, are permitted only by Special Exception, which may be granted by the Zoning Hearing Board and subject to any conditions imposed by the Zoning Hearing Board.

E. The maximum number of day guests allowed at any one time shall be 100% of the overnight occupancy, in addition to the overnight occupants.

F. One off street parking space shall be provided for every bedroom. There shall be no on-street parking allowed along Township or State Roads. All parking must be in approved, all-weather spaces.

G. At least one functioning smoke alarm shall be provided in each bedroom, outside the bedrooms in the hallway, on the main floor and in the basement. In dwellings with fossil burning appliances and/or heating systems, a carbon monoxide detector shall be located near the heating equipment and on the main floor. At least one functioning ABC-classed fire extinguisher shall be provided on each floor of the dwelling.

H. The 911 street address of the property shall be clearly marked and visible at the street with 4" high printed numbers in contrasting color. The standard green reflective markers are preferred.

I. The owner(s) shall use best efforts to ensure that the occupants or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of the Bethel Township Code or any state law pertaining to noise or disorderly conduct including, but not limited to, notifying the occupants of the rules regarding Short Term Rentals.

J. Upon notification by a Township Official that a tenant, occupant(s) or guest(s) of the Short-Term Rental has / have created unreasonable noise or disturbances, engaged in disorderly conduct or otherwise violated provisions of the Bethel Township Code or state law pertaining to noise or disorderly conduct, the owner(s) or local contact shall, immediately terminate the lease agreement and prohibit future occupancy of the Short-Term Rental by that same tenant.

K. All Short-Term Rental Licenses shall be posted within the dwelling unit on or adjacent to the front door containing:

- (1) Unit address.
- (2) Name and 24-hour phone number of the owner(s) and / or local contact person, if applicable.
- (3) Maximum occupancy.
- (4) Maximum number of vehicles permitted.
- (5) Trash storage and disposal instructions and pick-up day information.
- (6) Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Bethel Township Code or State Law.
- (7) Notification that Short-Term Rental tenants, occupants and guests are required to make the dwelling unit available for inspection by the Zoning Officer upon request.

3. Violations. The Zoning Officer shall enforce these provisions. Violations may result in revocation of the Short-Term Rental License.

4. Minimum standards. The regulations contained herein are the minimum standards established for short term rental units. Deed restrictions and covenants, and/or Home Owner Association (HOA) rules and regulations may also apply. In the case of a discrepancy or conflict between these zoning district regulations and deed restrictions and covenants or HOA rules and regulations, the most restrictive regulations shall apply.

SECTION 9. Zoning Ordinance.

The Bethel Township Zoning Ordinance of 2021, Ordinance Number 2021-01, enacted January 18,

2021, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of the Zoning Ordinance upon enactment.

SECTION 10. Repeal of Ordinances.

Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provision.

SECTION 11. Severability.

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Board of Supervisors of the Township of Bethel, Pennsylvania, hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SECTION 12. Effective Date.


This Ordinance shall become effective at the earliest date permitted by law.

ENACTED AND ORDAINED as an Ordinance of Bethel Township, Berks County, Pennsylvania, this 04th day of May, 2025.

BOARD OF SUPERVISORS OF
BETHEL TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA

By: 
Chair


Vice Chair


Member

Attest: 
Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2025 - 01 enacted by the Board of Supervisors of Bethel Township, Berks County, Pennsylvania at a public meeting held on May 8, 2025, pursuant to notice as required by law.

Dated: 05/08/25

Robbi Westfall
Township Secretary