

**TOWNSHIP OF TULPEHOCKEN, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2025 –**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF TULPEHOCKEN, BERKS COUNTY, PENNSYLVANIA,  
PROVIDING REGULATIONS AND ENFORCEMENT MEASURES FOR  
THE LICENSING, INSPECTION, AND MAINTENANCE OF EXISTING  
SHORT-TERM RENTALS WITHIN THE TOWNSHIP OF  
TULPEHOCKEN.**

WHEREAS, pursuant to Section 1506 of the Second Class Township Code, 53 P.S. §66506, the Board of Supervisors of Tulpehocken Township (“Board”) may adopt ordinances for the health and welfare of the Township and its citizens; and

WHEREAS, by Ordinance Number 2025-\_\_\_\_ enacted on October 8, 2025, the Board of Supervisors amended the Tulpehocken Township Zoning Ordinance to provide for regulations for short term rentals in the Township; and

WHEREAS, the Township desires to apply applicable regulations provided for in the Zoning Ordinance amendment to existing Short Term Rentals in the Township; and

WHEREAS, it is the intent of the Board to provide a regulatory framework for the licensing, inspection, and maintenance of properties being utilized as Short-Term Rental units within Tulpehocken Township, and for the enforcement of such regulations, through the enactment of an inspection program ordinance that is intended to include all Short-Term Rental properties; and

WHEREAS, pursuant to this Ordinance within three (3) months of the enactment of this Ordinance, the property owner of each existing Short-Term Rental unit shall apply for a Short-Term Rental license with the Zoning Officer exhibiting compliance with the terms of this Ordinance.

NOW THEREFORE, BE IT ENACTED and ORDAINED by the Board of Supervisors of the Township of Tulpehocken, Berks County, Pennsylvania (“Township”) as follows:

**SECTION 1. Definitions.**

For purposes of this Ordinance, the following terms shall have the meanings set forth herein:

Bed and Breakfast – A premises that provides overnight guest accommodations including daily breakfast as regulated under Section 1033 of the Tulpehocken Township Zoning Ordinance.

Bedroom. A room containing a minimum of seventy square feet (70 sq ft) 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 an occupant as defined herein.

Motel - A building, or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, designed primarily for transient automobile travelers, and provided with accessory off-street parking facilities. The term MOTEL includes buildings designed as tourist courts, motor lodges, auto courts, and other similar appellations, but shall not be construed to include mobile home parks and trailer camps.

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 thirty (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 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.

Township – Tulpehocken Township, Berks County, Pennsylvania.

Zoning Officer – Tulpehocken Township Zoning Officer.

## SECTION 2. Licensing of Short-Term Rental Units.

A. No person hereafter shall occupy, allow to be occupied, or lease to another person for occupancy any Short-Term Rental unit within the Township without having a Zoning Permit and Short-Term Rental license as required by this Ordinance.

B. The owner(s) shall allow the Zoning Officer to inspect the dwelling prior to approval and issuance of the Short-Term Rental License.

C. The Short-Term Rental License shall be good for a period of one year from the date of issuance and shall be renewed annually. The initial and annual renewal fee shall be set by Resolution of the Township Board of Supervisors. Operation of a Short-Term Rental without a current license is considered a violation of this Ordinance.

D. The owner(s) of a Short-Term Rental unit shall make an application for a license to the Zoning Officer on forms furnished by the Township, which shall require such information as the Board of Supervisors, by resolution, shall direct, including but not limited to the following:

1. Zoning Permit or Application for Permit with Applicable Fees
2. Name, address, 24-hour phone number, email address, and signature of the owner.
3. Proof of ownership.
4. 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.
5. Detailed site plan showing the location and number of parking spaces reserved for use by renters.
6. Proof of current Berks County Hotel Tax Identification Certificate and copy of current Pennsylvania Sales and Use Tax Permit.
7. Proof of general liability insurance in the amount of \$500,000.00 on the Short-Term Rental listing Tulpehocken Township as an additional Certificate Holder for the full duration of the initial and any renewed Rental License.
8. A copy of the notification letter to the homeowners' association or equivalent community board, if applicable.
9. If access is not off of a public street, provide proof that parties to the easement or shared driveway have authorized use of the easement or shared driveway for Short-Term Rental use.
10. Signatures of all owners and the local contact person.
11. Explanation of the provisions for trash collection, storage, and disposal.
12. 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.

13. The owner and/or local contact person 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.

14. Language indemnifying, defending and releasing the Township from liability related to the use of a Short-Term Rental.

15. Floor plan showing number of bedrooms.

16. Aerial image showing parking areas.

17. Legal documentation exhibiting operation as a Short Term Rental prior to October 8, 2025.

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

F. The owner(s) of a Short-Term Rental must notify adjacent property owners of the submission of the application for a Short-Term Rental license at the time of submitting the application.

G. The owner(s) of a Short-Term Rental shall obtain a license for each Short-Term Rental.

H. At least one functioning smoke alarm shall be provided on each floor, including any basement, and in each bedroom and outside the bedrooms in the hallway. In dwellings with attached garage, 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 5 lb ABC-classed fire extinguisher shall be provided on each floor of the dwelling. A fire escape ladder shall be provided in each bedroom located on each floor above grade.

I. Emergency lighting such as electric flash lights or lanterns, with rechargeable batteries or extra non rechargeable batteries, shall be provided in each bedroom and kitchen and shall be relocated after use to the place identified on the posted rental license. No open flames shall be permitted nor provided as source of emergency lighting.

J. All windows shall be capable of opening and remaining open with at least one window in each bedroom opening to an area of twenty-nine inches (29”).

K. Within six feet (6’) of a water source a GFI outlet is required.

L. The 911 street address of the property shall be clearly marked and visible from the street with four inches (4") high printed numbers in contrasting color. The standard green reflective markers are preferred.

M. No campers or trailers are permitted on site where Short-Term Rental is located.

N. Include Short-Term Rental Permit Number on any advertised listing of Short-Term Rental with property description.

O. 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 Tulpehocken Township Ordinances 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.

P. 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 Tulpehocken 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.

Q. 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 local contact.
3. Maximum occupancy.
4. Plan or location of emergency fire escape ladder and fire extinguishers.
5. Location of emergency lighting.
6. Maximum number of vehicles permitted and allowable parking locations.
7. Trash storage and disposal instructions and pick-up day information.
8. Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Tulpehocken Township Code or State Law.
9. Notification that Short-Term Rental occupants and guests are required to make the dwelling unit available for inspection by the Enforcement Officer upon request.

10. Checklist of Short-Term Rental requirements.

11. Copy of Short-Term Rental License.

R. Upon request of Zoning Officer, at time of renewal of permit the owner shall allow the Zoning Officer to conduct an inspection.

S. The owner of the Short-Term Rental may not transfer or sell the permit.

### SECTION 3. Timing of Initial Application.

A. *Existing Short-Term Rental Units.* Within three (3) months of the enactment of this Ordinance, the property owner of each existing Short-Term Rental unit shall apply for a Short-Term Rental license with the Zoning Officer which shall be valid for one (1) year. Such application shall be accompanied by a Short-Term Rental license fee, which fee shall be set by resolution of the Township Board of Supervisors from time to time.

B. *New Short-Term Rental Units.* Any Property Owner which seeks to operate a Short-Term Rental unit beginning after the effective date of this Ordinance shall comply with the Tulpehocken Township Zoning Ordinance as amended by Ordinance No. \_\_\_\_ and any subsequent amendments.

### SECTION 4. Inspection.

The Township reserves the right to inspect any Short-Term Rental unit to ensure compliance with the provisions of this Ordinance and any other regulations of the Township or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a Short-Term Rental is located at any time, upon reasonable notice to the owner, to ensure such compliance.

### SECTION 5. Violations.

The Zoning Officer shall enforce these provisions. Violation may result in revocation of the Short-Term Rental license. Other legal remedies and enforcement actions allowed by law including but not limited to those provided for in the Zoning Ordinance of Tulpehocken Township, including civil and equitable actions.

### SECTION 6. Minimum standards.

The regulations contained herein are the minimum standards established for short term rental units. Deed restrictions and covenants, and/or Homeowners 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 7. REPEALER.

Any ordinance or part of an ordinance conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

SECTION 8. SEVERABILITY.

In the event that any provision, section, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Township of Penn that such remainder shall be and remain in force and effect.

SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective within five (5) days from the date of enactment.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

BOARD OF SUPERVISORS OF TULPEHOCKEN  
TOWNSHIP, BERKS COUNTY,  
PENNSYLVANIA

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST: \_\_\_\_\_  
Secretary

CERTIFICATE OF ENACTMENT

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_ of Tulpehocken Township, Berks County, Pennsylvania, which was adopted by the Board of Supervisors of said Township at a regular meeting held pursuant to notice as required by law on \_\_\_\_\_, 2025.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Secretary, Tulpehocken Township