



INDIAN ROCKS PROPERTY OWNERS ASSOCIATION, INC.

Of Ledgedale

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**Indian Rocks Rental Policy
02-2021-01**

Effective January 1, 2021 the Board of Directors put a restriction on the amount of properties that can be rented within the community. All property owners may only own two properties for the purpose of renting.

The Board finds that transient lodging adversely impacts the single family residential character of the community by increasing commercial and residential vehicle traffic, parking demand, noise, nuisance and generally affects the welfare of the residents of the community by increasing demand for community services including, but not limited to, public safety and community watch programs. Limiting transient lodging is necessary to maintain the single family residential character of the community and to provide a sense of safety and security in an otherwise stable community of owner occupied residences.

Short Term Rentals

Property owners, who rent their house(s) out for short term rentals as defined below, are required to pay a non-refundable rental fee of \$1,000.00 per year plus a \$25.00 fee for each short term rental application submitted. Indian Rocks Short Term Rental Policy / Agreement forms must be submitted for each rental. The owners are required to make the tenant aware and provide them with copies of all the rules and regulations of Indian Rocks. Guest passes for all renter vehicles must be obtained through the office after proper vehicle information is provided. You may not use your homeowner vehicle tags for your renters or your guests.

If the property owner is currently leasing a boat slip from Indian Rocks, their renters may use the slip for a fee of \$25.00 per day, payable to Indian Rocks P.O.A. The renters must provide the Indian Rocks office with their current boat registration and insurance and submit the daily rental fee before their boat is permitted in the slip.

Whereas, pursuant to the By-Laws of Indian Rocks Property Owners Association Inc., of Ledgedale of 2020, Article IX, The Board of Directors shall have power to adopt and publish rules and regulations as governing the use of the property and facilities and the personal conduct of the members and guests;

Whereas, the Indian Rocks Property Owners Association Inc., of Ledgedale currently has a rule and regulation for renters whereby property owners who rent their house(s) out for any period of time (week, weekends, weekly, monthly or yearly) are required to make the tenant aware of and provide them with copies of all rules and regulations of

Indian Rocks. Anyone renting their homes needs to abide by the current year's rental policy which is available at the association office, as well as on the official website (www.indianrocks.com). Car stickers or guest passes are required to be displayed on all vehicles.

Whereas, The Board of Directors of the Indian Rocks Property Owners Association Inc., of Ledge Dale is desirous of amending the current rule on renters to reflect certain rules regulating preexisting short term rentals and prohibiting future short term rentals within the community.

Now therefore, the Board of Directors of Indian Rocks Property Owners Association Inc., of Ledge Dale hereby enacts the following rule:

Section 1. Purpose – The purpose of this rule is to regulate the use of preexisting short term rentals and limit the use of future short term rentals for purposes of providing and maintaining the rural and residential character of the association, and for preserving the value of and promoting the health, safety and welfare of the residents of the association.

Section 2. Owner Responsibility – The owner of the subject property shall be responsible for compliance with the provisions of this rule and the failure of any owner, agency, managing agency, local contact person or renting occupants to comply with the provisions of this rule shall be deemed noncompliance by the owner.

Section 3: Definitions

- a. Short Term Rental – Any dwelling unit within a residential dwelling structure rented for overnight lodging for a period of not less than 3 nights and not more than 30 nights
- b. Bedroom – A bedroom shall have at least one outside window for egress to follow state guidelines. If the room does not have a window, it cannot be considered for use as a bedroom.
- c. Dwelling unit – One or more rooms in a residential dwelling structure, including a kitchen, sleeping facilities, bath and toilet, designed as a household unit for long term residency by not more than 1 single family at a time.

Section 4: Standards

- A. The owner shall, by signing the application, limit overnight occupancy of the short term rental to the specific number of occupants designated in the application, with the number of overnight occupants not to exceed two persons per bedroom plus four additional persons per residence.
- B. The maximum number of day guests allowed at any one time, in addition to the overnight occupants, shall be 50% of the maximum overnight occupancy of the short term rental.
- 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 such property. Where there is no sewage permit on record, the short-term

rental shall be limited to three bedrooms unless proof is provided to the association that the septic system is adequate to handle additional flows. If sewage system malfunction occurs, short term rental of the dwelling unit shall be discontinued until the malfunction is corrected in accordance with the Township and the Pennsylvania Department of Environmental Protection requirements.

- D. Outdoor parking for overnight and day guests shall be limited to available parking for the short term rental property. In no event shall parking for the short term rental guests include any association street or other common area.
- E. Neither short term rental occupants nor guests shall engage in creating a nuisance or in disorderly conduct or disturb the peace and quiet enjoyment of any nearby resident or person by loud, unusual or excessive noise or by tumultuous or offensive conduct , public indecency, threatening, quarrelling, challenging to fight, or fighting or creating a dangerous or physically offensive condition.
- F. The owner shall notify the occupants and guests of the rule regarding short term rentals and shall respond when notified that occupants or guests are in violation of the association's rules and regulations or protective covenants.
- G. The owner shall, upon notification that the occupants or guests of the short-term rental have violated the rules or protective covenants, prevent future occupancy of the short-term rental by those occupants or guests.
- H. Overnight occupancy of recreational vehicles, campers, trailers and tents at the property where the short-term rental is located shall not be permitted. Outdoor overnight sleeping of occupants or guests of the short-term rental is prohibited.
- I. All short term rental properties shall have a clearly visible and legible posting on the property adjacent to the front door containing the following information :
 - a. The name of the owner of the property or the management agency, agent, property manager or local contact authorized in writing to accept service for the owner of the property and a telephone number where the party can be reached on a 24 hour basis.
 - b. The 911 address of the property.
 - c. The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
 - d. The number of all vehicles allowed to be parked on the property and the requirement that all guest parking must be on the property and not in or along the association streets or other common areas.
 - e. The trash pickup and notification that trash shall not be left or stored on the exterior of the property except in containers.
 - f. A notification that an occupant or guest may be fined for creating a disturbance or otherwise violating the community rules, regulations or protective covenants including parking and occupancy limits.
 - g. Notification that the short-term rental occupants and guests are required to make the property available for inspection by the association upon request.
- J. All short-term rentals shall be equipped with the following:
 - i. Working smoke detectors in each bedroom.

- ii. Working smoke detectors outside each bedroom and common hallways
 - iii. Working smoke detectors on each floor
 - iv. GFI outlets for outlets located within 6 feet of water source, unfinished basements and garages
 - v. Aluminum or metal exhaust from dryer
 - vi. Carbon monoxide detector if open flame (oil or gas) furnace, gas or wood fireplace or wood burning stove
 - vii. Carbon monoxide detector if garage is attached
 - viii. Fire extinguisher in kitchen
 - ix. All stairs and handrails in good condition
 - x. Fire separation between an attached garage and dwelling
- K. Each owner of a short-term rental shall designate a local person, property manager or agent as a local contact person who has access and authority to assume management of the unit and take remedial measures. An owner of a short-term rental who resides within 30 miles of the short term rental may designate himself as the local contact person. The local contact person shall respond to the association's community manager within one hour after being notified of the existence of a violation of this rule or association protective covenants or any disturbance requiring immediate remedy or abatement. If local contact person is not the owner, the local contact person shall immediately advise the owner of any notification of a violation.

Section 5. Application Requirements

All short-term rental applications shall contain the following:

- a. The name, address, telephone number and email address of the owner. If the owner does not have a managing agency, agent or local contact person, then the owner shall provide a 24-hour telephone number. If the owner uses a management agency, agent or local contact person, that management agency, agent or local contact person shall have written authorization to accept service for the owner.
- b. The name, address and 24 hour telephone number of the management agency, agent or local contact person.
- c. Signatures of the owner and the local management agent or local contact person.
- d. Waiver signed by the owner allowing access to the property to the association for purposes of compliance with the association's rules and protective covenants.
- e. A copy of a current Wayne County Hotel Room Excise Tax Certificate and current Pennsylvania Sales Tax License.
- f. The name of the refuse hauler.

Section 6. License

Following approval and payment of the fee, a short-term rental license shall be issued only to the owner of the short-term rental property.

- a. A short-term rental license inspection is required for each dwelling unit or period. The license fee is \$100 and includes the inspection. If failed inspection, a \$50 inspection fee will be charged for each additional inspection needed until compliance.
- b. License is effective for a period of one year, or until any conditions of the short-term rental are changed, whichever occurs first.

Section 7. Fees

Short term rental license fees payable to the association upon the filing of the short term rental license application shall be in such amount as may be established from time to time by motion adopted by the Association Board of Directors.

Section 8. Effective Date

This rule shall be effective immediately. Following the enactment of said rule, the association shall register all preexisting short-term rentals which shall continue to be permitted pursuant to these rules. In the event the short-term rental is not used or renewed for a period in excess of one year, the preexisting status shall terminate and not pass with the sale or other transfer of the property.

Section 9. Short Term Rental Home Limit

The community will only allow 5% of the total homes in the community to be used as short-term rental homes. If an owner would like to rent their home and the community is at their maximum, they can add their name to the waiting list and will be notified when there is an opening for a rental home to be added.

Long Term Rentals

Property owners who rent their house(s) out for long term rentals as defined below are required to pay a non-refundable rental application fee of \$500.00 per rental. The completed Renters Policy & Agreement form, along with the \$500.00 application fee must be submitted prior to the start of the rental period. The owners are required to make the tenant aware and provide them with copies of all the rules and regulations of Indian Rocks.

1. **Violations/Fines** - a fine of \$500.00 (first offense), a fine of \$1,000.00 (second offense) will be attached to the property owners' account for failure to submit all required information as per this policy. If there is a third offense the rental privilege will be revoked in the following calendar year.

2. **Lease Rental** is defined as the occupancy of a home in Indian Rocks by a person or persons other than the registered property owner(s) and their immediate family.
3. **Short Term Lease** is defined as not less than 3 nights and not more than thirty nights. A lease agreement is not required; however, a short term rental policy/agreement form must be completed in full and submitted to the office 48 hours prior to the rental period. (The property owner is the responsible person).
4. **Long Term Lease** is defined as over a month. The tenant may not assign or sublet the lease without the consent of the landlord, which shall not be unreasonably withheld, and without full compliance with said rules and regulations through the association.

Anyone renting their property must provide the renters with car stickers and/or guest passes which are required to be displayed on all vehicles. The property owner must complete the required paperwork for the association two days prior to the rental start date. All trash is to be removed by the renter or is to be secured in a proper trash container and then must be removed by the property owner.