

**ORDINANCE NO. 2020- \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF TOBYHANNA, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF TOBYHANNA, PART II CHAPTER 155, ZONING, ARTICLE IV, DEFINITIONS, SECTION 155-5 DEFINITIONS AND WORD USAGE, ARTICLE VII, RESIDENTIAL DISTRICTS, SECTION 155-12 RR RURAL RESIDENTIAL DISTRICT, AND SECTION 155-15 OS OPEN SPACE/RESOURCE CONSERVATION DISTRICT.**

**Section 1**

Part II, Chapter 155, Zoning, Article IV, Definitions, Section 155-5 Definitions and Word Usage, of the Code of the Township of Tobyhanna is hereby amended with the addition of the following definition.

**SHORT-TERM RENTAL** - Any Dwelling Unit utilized as a single-family residence rented for the purpose of overnight lodging for a period of thirty (30) days or less, and which meets the definition of “Hotel” for the purpose of imposing an excise tax by the County of Monroe as defined in the County of Monroe Ordinance No. 2004-03, as amended.

**Section 2**

Part II, Chapter 155, Zoning, Article VII, Residential Districts, Section 155-12 RR Rural Residential District, Subsection 155-12.B. Permitted uses, of the Code of the Township of Tobyhanna is hereby amended to include the following subsection 155-12.B(10):

**(10)** Short-Term Rentals which shall conform to the requirements set forth in Chapter 114, Short-Term Rentals.

**Section 3**

Part II, Chapter 155, Zoning, Article VII, Residential Districts, Section 155-15 OS Open Space/Resource Conservation District, Subsection 155-15.B. Permitted uses, of the Code of the Township of Tobyhanna is hereby amended to include the following subsection 155-15.B(4):

**(4)** Short-Term Rentals which shall conform to the requirements set forth in Chapter 114, Short-Term Rentals.

**Section 4**

If any section, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and

intent of this Ordinance, and the effective administration thereof.

**Section 5**

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

**Section 6**

This Ordinance shall become effective within five (5) days after enactment.

***ENACTED AND ORDAINED*** this \_\_\_\_ day of \_\_\_\_\_, A.D., 2020.

TOBYHANNA TOWNSHIP  
BOARD OF SUPERVISORS

ATTEST:

\_\_\_\_\_  
John E. Kerrick

\_\_\_\_\_  
Crystal Butler, Township Secretary

\_\_\_\_\_  
David Carbone

\_\_\_\_\_  
Brendon J. E. Carroll

\_\_\_\_\_  
John J. Holahan, III

\_\_\_\_\_  
Lloyd Vought