

LEHIGH TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021- 2

**AN ORDINANCE ENACTED BY THE BOARD OF SUPERVISORS  
OF LEHIGH TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA,  
AMENDING THE LEHIGH TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 2002-  
1, AS CODIFIED AT CHAPTER 180 AND AS AMENDED FROM TIME TO TIME, BY  
AMENDING THE DEFINITION OF BED AND BREAKFAST AND AMENDING THE  
SPECIFIC CRITERIA FOR A BED AND BREAKFAST PROVIDING REGULATIONS  
FOR THE SAME.**

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF  
THE TOWNSHIP OF LEHIGH, NORTHAMPTON COUNTY, PENNSYLVANIA, THAT THE  
LEHIGH TOWNSHIP ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:

**SECTION I:** Section 180-15 entitled “Word Usage and Definitions” shall be amended as follows:

Bed and Breakfast – A single-family detached dwelling where one or more, but not more than five (5) rentable bedrooms are rented to overnight guests on a daily basis for periods not to exceed two weeks and which includes the owner residing on the premises. Breakfast shall only be offered to registered overnight guests.

**SECTION II:** Section 180-62 shall be amended as follows and shall provide the following requirements for a Bed and Breakfast as new Section 180-62:

- A. Application requirements. Bed and Breakfast License applications shall contain all of the following information:
1. 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.
  2. The name, address, and 24-hour telephone number of the managing agency, agent or local contact person.
  3. Floor plans for the Bed and Breakfast, including habitable floor space and total number of bedrooms.
  4. If the building is a multi-unit structure, the number of dwelling units and the number of dwelling units being used as a Bed and Breakfast.
  5. A site plan showing the location and number of on-site parking spaces shall be provided.

6. If not on a central sewer system, the location, approximate age and capacity of the sewage disposal system.

7. Copies of current Northampton County Hotel Room Exercise Certificate and current Pennsylvania Sales Tax License.

8. Signatures of both the owner and the local managing agent or local contact person.

9. Copy of the current recorded Deed for the Property establishing ownership.

B. Licenses:

1. A Bed and Breakfast Rental License shall be issued only to the owner of the Bed and Breakfast.

2. A separate Bed and Breakfast Rental License is required for each single family detached Dwelling.

3. The owner, by making application for a Bed and Breakfast Rental License and/or accepting issuance of a Bed and Breakfast Rental License, grants permission for any and all inspections authorized by Section 180-96.1N of this Chapter.

4. The Township will prescribe forms and procedures for the processing of License applications under this Ordinance.

C. Fees, term, inspections, renewal of license and revocation.

1. Bed and Breakfast Rental license fees, payable to the Township upon the filing of a Bed and Breakfast Rental License application, shall be in such amount as may be established by resolution duly adopted by the Board of Supervisors.

2. Any Bed and Breakfast Rental License is good for a period not to exceed one (1) year from the date of issuance and must be renewed annually, and also when any conditions of the Bed and Breakfast which are governed by this Chapter are changed. Bed and Breakfast License renewal fees, payable to the Township upon the filing of a Bed and Breakfast License renewal application, shall be in such amount as maybe established by resolution duly adopted by the Board of Supervisors.

3. Bed and Breakfast License renewal shall require inspections outlined in Section 21 below.

4. Bed and Breakfast License Renewal applications shall contain information regarding any changes from the immediately preceding application with respect to matters governed by this Ordinance.

5. Inspections required.

a. All Bed and Breakfast Rentals shall be subject to inspection by the Zoning Officer and the Building Code Officer to verify application information, License, License renewal and/or operating requirements.

b. If there is reason to believe that any provision of this Chapter is being violated the Zoning Officer, upon one-half (1/2) hour prior notice to Owner, may enter onto the premises for the purpose of inspection of any and all premises, properties, buildings and/or structures located at the premises in order to ascertain the existence of a violation(s). Said notice may be given by telephone call, voice message or email to Owner.

c. In the event that a Bed and Breakfast owner receives two (2) violation notices (relating to the specific criteria or regulations of this ordinance, the Zoning Officer may terminate and revoke an existing license or deny a new license in accordance with the terms of this Chapter (unless the Owner appeals the violation and is found not guilty).

**SECTION III.** Section 180-62” shall be amended by adding the following standards for “Bed and Breakfast” as Section 180-62(D):

D. Bed and Breakfast standards.

1. Bed and Breakfasts shall only be permitted within single-family detached dwellings that existed in the RC or NC Zoning Districts on the effective date of this chapter.

2. Any modifications to the external appearance of the building (except fire escapes) shall complement its residential character;

3. All floors above grade or below grade shall have a permanently affixed direct means of escape to ground level;

4. A bed and breakfast may erect one sign no larger than 12 squares feet in size which must be set back 10 feet from all lot lines;

5. Breakfast shall be offered only to registered overnight guests;

6. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used; and

7. The applicant shall provide screening in accordance with applicable Zoning criteria.

8. Overnight occupancy of a Bed and Breakfast shall be limited to no more than two (2) persons per bedroom plus two (2) additional persons per dwelling unit up to a maximum of ten (10) total persons. The owner of the premises shall reside within the dwelling “at all times”.

9. The maximum number of day guests allowed at any one (1) time, in addition to the overnight occupants, shall be seventy-five percent (75%) of the maximum overnight occupancy of the Bed and Breakfast.

10. The maximum number of rental bedrooms permitted for a Bed and Breakfast is five (5).

11. Outdoor parking for overnight and day guests shall be limited to available parking areas on the Bed and Breakfast property. In no event shall parking for Bed and Breakfast Rental guests include spaces in any private, community or public Street Right-of-Way.

12. All parking areas shall be set back a minimum of 25 feet from all property lines and shall be screened from adjoining lots and streets;

13. Parking spaces shall be a minimum of nine (9) feet in width by eighteen (18) feet in length with adequate aisle space to facilitate access and use.

14. Any expansion of parking areas for a Bed and Breakfast requires prior Township approval. Parking areas shall be maintained in a mud-free condition with paving, stone or similar material and shall count as part of the maximum lot coverage limits as set forth in the Lehigh Township Code of Ordinances. Any new parking area should provide plant screening from residential neighbors and should not be in the front yard if an alternative parking location is available.

15. A Bed and Breakfast shall provide two (2) parking spaces for the dwelling and one (1) parking space per rentable bedroom.

16. The owner shall use best efforts to assure that the occupants or guests of the Bed and Breakfast do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of the Lehigh Township Code of Ordinances or any state law pertaining to noise or disorderly conduct including, but not limited, to notifying the occupants of the rules regarding Bed and Breakfast Rentals and responding when notified that occupants are violating laws, ordinances or regulations regarding their occupancy. Upon notification that a violation has occurred owner shall promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.

17. Overnight occupancy of recreational vehicles, camper trailers and tents at the property where the Bed and Breakfast Rental is located is prohibited. Outdoor overnight sleeping of occupants or guests of the Bed and Breakfast Rental is prohibited.

18. All Bed and Breakfast Rentals shall have a clearly visible and legible notice posted within the dwelling unit or on adjacent to the front door containing the following information:

a. The name of the owner of the unit and a telephone number at which owner 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 (1) time.

d. The maximum 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 any private, community or public Street Right-of-Way.

e. All setbacks shall comply with the set back requirements for the applicable Zoning district.

f. Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Lehigh Township Code of Ordinances, including, parking and occupancy limits.

g. Notification that Bed and Breakfast Rental occupants and guests are required to make the dwelling unit available for inspection by the Zoning Officer upon request.

19. All Bed and Breakfast Rentals shall be equipped with the following:

a. Smoke detectors in each bedroom;

b. Smoke detectors outside each bedroom in common hallways;

c. Smoke detectors on each floor;

d. All smoke detectors must be hard wired.

e. GFI outlets for outlets located within six (6) feet of water source.

f. Aluminum or metal exhaust from dryer.

g. Carbon monoxide detector, if open flame (oil or gas), furnace, gas or wood fireplace, or wood-burning stove;

h. Carbon monoxide detector if garage is attached;

i. Fire extinguisher in kitchen and one (1) fire extinguisher on each floor and one in each bedroom.

j. Stairs (indoor and outdoor) in good condition;

k. Covers on all outlets.

l. All bedrooms shall have a direct means of ingress and egress; and

m. Any and occupancy requirements which may be added by Ordinance.

20. If the dwelling is not connected to public sewage, all Bed and Breakfast Rentals shall have a fully functional septic system which shall be "pumped out" once per year. Written verification to be provided each year to the zoning officer.

21. There shall be no visible signage in any public or private Right-of-Way.

**SECTION IV.** Bed and Breakfast shall be permitted only in the Neighborhood Commercial (NC) Zoning District, and the Resort Commercial (RC) Zoning District by special exception and in accordance with the requirements set forth in Section 180-96.1. As such, Section 180-19C (NC) and Section 180-18C (RC) shall be amended to include the use of a Bed and Breakfast as a special exception use.

**SECTION V.** Severability.

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 VI.** Repealer.

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

**SECTION VII.** Effective date.

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

**ENACTED AND ORDAINED** this 11<sup>th</sup> day of May, 2021.

ATTEST:

LEHIGH TOWNSHIP

  
Secretary

  
Chairman, Board of Supervisors