

**BOARD OF SUPERVISORS OF
THE TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 246

**AN ORDINANCE AMENDING CHAPTER 150, SHORT-TERM RENTALS,
OF THE CODE OF ORDINANCES OF MIDDLE SMITHFIELD
TOWNSHIP BY AMENDING THE REQUIREMENTS FOR SHORT-TERM
RENTALS AND ADDING PROVISIONS REGARDING THE
INSTALLATION AND USE OF A NOISE MONITOR ON THE
PROPERTY.**

WHEREAS, Middle Smithfield Township has previously enacted an ordinance governing short-term rentals within the Township at Chapter 150 of the Middle Smithfield Township Code of Ordinances; and

WHEREAS, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township and the residents of the Township to amend Chapter 150, Short-Term Rentals, of the Middle Smithfield Township Code of Ordinances by encouraging the installation and use of a noise monitor on all short-term rental properties and requiring the installation and use of a Township approved noise monitor at those short-term rental properties that have received two (2) or more noise complaints associated with the short-term rental use and deemed credible by the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, that Chapter 150 of the Middle Smithfield Township Code of Ordinances is hereby amended as follows:

ARTICLE I.

Chapter 150, Short-Term Rentals, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new definition for Noise Monitor in Section 150-4, Definitions, to read as follows:

NOISE MONITOR – A sound level meter meeting the standards of the American National Standards Specifications for Sound Level Meters or another acoustical or decibel measurement device with similar capabilities and features that does not have a camera, record conversations, or store any personal data.

ARTICLE II.

Chapter 150, Short-Term Rentals, of the Middle Smithfield Township Code of Ordinances is hereby amended by amending Section 150-7.G to read as follows:

§150-7.G. The owner shall use best efforts to assure that the occupants or guests of the short-term rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of the Middle Smithfield 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 short-term rentals and responding when notified that occupants are violating laws, ordinances or regulations regarding their occupancy. In the event that the owner of a short-term rental has installed a Noise Monitor as referenced in Subsection 150-7.K(12) below, the owner shall ensure that such Noise Monitor provides the owner and/or person in charge an alert when the noise levels at the short-term rental property exceed those permitted by applicable Township ordinances, including but not limited to the Middle Smithfield Township Zoning Ordinance.

ARTICLE III.

Chapter 150, Short-Term Rentals, Section 150-7.K. of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 150-7.K.(12) to read as follows:

§150-7.K(12) Following the receipt of two (2) noise complaints associated with the short-term rental use and deemed credible by the Township, the Short-Term Rental owner shall install a Noise Monitor on the exterior of the Short-Term Rental to ensure compliance with the noise restrictions and regulations of Middle Smithfield Township, including but not limited to the noise restrictions provided within Chapter 200, Zoning, of the Code of Ordinances of Middle Smithfield Township. The Noise Monitor shall be capable of providing the owner and/or person in charge an alert when the noise levels at the short-term rental property exceed the permissible limits.

ARTICLE IV.

Chapter 150, Short-Term Rentals, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 150-7.L. to read as follows:

§150-7.L. The owner of a Short-Term Rental is encouraged to install a Noise Monitor on the exterior of the Short-Term Rental to ensure compliance with the noise restrictions and regulations of Middle Smithfield Township, including but not limited to the noise restrictions provided within Chapter 200, Zoning, of the Code of Ordinances of Middle Smithfield Township. Such a Noise Monitor should be capable of providing the owner and/or person in charge an alert when the noise levels at the short-term rental property exceed the permissible limits.

ARTICLE V.

SEVERABILITY.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

ARTICLE VI. REPEALER.

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

ARTICLE VII. EFFECTIVE DATE.

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

DULY ENACTED AND ORDAINED this 7 day of November 2024, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, in lawful session duly assembled.

Board of Supervisors of Middle Smithfield Township

By: Annette Atkinson
Annette Atkinson, Chair

By: Mark Onay
Mark Onay, Vice-Chair

By: Michael J. Dwyer
Michael J. Dwyer, Supervisor

ATTEST: Michele Y. Howell
Township Secretary

[TOWNSHIP SEAL]