

BOROUGH OF MIFFLINBURG
UNION COUNTY, PENNSYLVANIA

ORDINANCE NO: 2026-08

AN ORDINANCE OF THE BOROUGH OF MIFFLINBURG, COUNTY OF UNION, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES OF MIFFLINBURG BOROUGH HOUSING; PART 1 RESIDENTIAL RENTAL UNITS, AND ADOPTING CHAPTER 13 OF THE CODE OF ORDINANCES OF MIFFLINBURG BOROUGH HOUSING; PART 2, SHORT TERM RENTALS.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Mifflinburg, Union County, Pennsylvania, as follows:

WHEREAS, pursuant to 8 Pa.C.S. § 3301.1, the Borough of Mifflinburg, Union County, Pennsylvania (the “Borough”), is authorized to adopt ordinances and is further authorized to amend existing ordinances by the enactment of subsequent ordinances; and,

WHEREAS, pursuant to 8 Pa.C.S. § 3301.1(c), the Borough is authorized to adopt resolutions for any purpose, including for setting forth certain rules, regulations, and standards pertaining to Borough ordinances; and,

WHEREAS, the Borough has determined it to be best in the interest of the Borough to amend certain ordinances in order to promote the general welfare of the public and to facilitate the orderly administration of the Borough; and,

WHEREAS, it is the purpose and intent of the members of Council of the Borough of Mifflinburg by the enactment of this Ordinance to amend Chapter 13 Sections 13-102, and 13-103 and to adopt Chapter 13, Part 2, Sections 13-201, 13-202, 13-203, 13-204, 13-205, and 13-206 in order to promote the general welfare of the public and to facilitate the orderly administration of the Borough.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Mifflinburg, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

ADOPTION OF ORDINANCE:

SECTION 1: Chapter 13, Part 2, Sections 13-102, and 13-103 of the Code of Ordinances of Mifflinburg Borough shall be amended, as follows:

§13-102. Purpose; Findings.

[Purpose statement 1 and 2 above remain unchanged]

3. Short-term rentals have become a widely accepted and popular choice among travelers and tourists, and provide supplemental income to property owners; however, the commercial nature of the use has the potential to create detrimental impacts on neighborhoods, including traffic, noise and other nuisances, as well as negatively affecting the availability and affordability of long-term residential rental property. The intent of this ordinance is to provide:

- (1) Sufficient regulations addressing a) the residential character of the neighborhoods in which they are located; b) the interests of adjoining property owners; and c) minimum measures for keeping transient visitors and the residents of Mifflinburg Borough safe.

§ 13-103. Definitions.

As used in Part 1 and Part 2 of this Section, the following terms shall have the meanings indicated:

[All other definitions remain unchanged. The following definitions are hereby inserted in alphabetical order between “Structure” and “Tenant”]

Short-Term Rental: The provision of a dwelling, room, or space that is suitable and intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a payment or a charge for the occupancy.

Short-Term Rental Operator: The proprietor of any dwelling, lodging, or sleeping accommodations offered as a Short-Term Rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, management agent, or any other possessory capacity.

Short-Term Rental, Hosted (Tourist Home): An owner-occupied dwelling (legally occupied by the property owner as a primary residence), where a portion is used for sleeping or lodging for transient renters, which is rented to the same entity for less than thirty (30) consecutive days in exchange for a payment or charge. The Operator must stay overnight on the premises during all rental periods for a Short-Term Rental to be defined as hosted.

Short-Term Rental, Unhosted (Transient Rental): A dwelling where a portion of or the entire dwelling is used for sleeping or lodging for transient renters, which is rented to the same entity for less than thirty (30) consecutive days in exchange for a payment or charge.

Section 2: Adopting Chapter 13, Part 2, Sections 13-201, 13-202, 13-203, 13-204, 13-205, and 13-206 as follows:

§ 13-201. Short-Term Rental General Regulations.

- (1) All Short-Term Rentals, unless exempted under state code, shall maintain a license, including applicable fees and inspections, through the Residential Rental Unit Ordinance located within the Borough's Housing Ordinance.
- (2) All Short-Term Rentals shall register with the Union County Treasurer's Office and pay the Union County Hotel Tax.
- (3) All Short-Term Rentals shall have one off-street parking space for each unit.
- (4) All Short-Term Rental operators shall maintain a registry showing names and addresses of all transient visitors and all the dates rented. Said registry shall be retained for two (2) years and must be made available, upon reasonable advance notice, to the Borough or Borough's representative.
- (5) All Short-Term Rental Operators shall post in a prominent place within the rental unit the certificate from the Union County Treasurer's Office; a summary of applicable Borough ordinances, rules and regulations; a copy of the parking plan, trash and waste pickup schedules, if any; emergency telephone numbers and any additional rules for Short-Term Rental tenants.
- (6) The Short-Term Rental Operator, his or her employee, or an authorized independent contractor shall be able to respond, by phone or in person, to any law enforcement or local government official or guest within twenty-five (25) miles in order to address any issues.

§ 13-202. Short Term Rental Occupancy Regulations.

- (1) Short-Term Rental occupancy for overnight guests shall be limited to a maximum of two (2) persons per bedroom, excluding their minor children.
- (2) The maximum number of people permitted to be on any Short-Term Rental site at one time, including overnight guests and invited visitors, shall be determined by the occupancy limit established by the Code Official.
- (3) Length of stay of any occupants shall be limited to less than thirty (30) consecutive days, non-renewable. Successive rentals of the same Short-Term Rental to the same entity shall be deemed a single continuous stay unless at least seven (7) days elapse between them, and no entity shall occupy the same Short-Term Rental for more than sixty (60) days in the

aggregate during any twelve (12) month period. Occupancy of thirty (30) or more consecutive days is not a Short-Term Rental and shall be subject to Part 1 of this Chapter.

§ 13-203. Short Term Rental Minimum Safety Regulations.

- (1) The Short-Term Rental Operator is primarily responsible for visitors' safety under this ordinance and may have additional safety requirements under state and federal law.
- (2) The number and locations of smoke detectors and carbon monoxide (CO) detectors shall be installed and maintained in conformance with the provisions of the Uniform Construction Code. Smoke detectors shall be inspected and tested at least annually to ensure they are in good working order. Smoke alarms shall be replaced where any of the following apply; (1) The smoke alarm fails to respond to operability tests, (2) Where the smoke alarm exceeds 10 years from the date of manufacture marked on the unit, unless an earlier replacement is specified in the manufacturer's instructions, (3) The smoke alarm end-of-life signal is sounded, (4) The smoke alarm date of manufacturer cannot be determined. When any smoke alarm is replaced such smoke alarms must then be hardwired or replaced with a 10-year sealed, tamper-resistant unit.
- (3) The number and locations of working fire extinguishers shall be provided and maintained in conformance with the provisions of the Uniform Construction Code. A fire extinguisher shall be located in or near the kitchen or any other area equipped for heating or cooking of food, and any other area which has any flame (including any wood-burning fireplace). The fire extinguisher type shall match the type of flammable class(es) in the surrounding area and be appropriately sized for the area based on the current NFPA Standards for Portable Fire Extinguishers. Fire extinguishers shall be UL or NFPA rated. At least annually, the Short-Term Rental Operator, an employee thereof, or an authorized independent contractor shall inspect all fire extinguishers to ensure they are in good working order.

§ 13-204. Prohibited Activities at Short Term Rentals.

- (1) No commercial uses. Commercial uses are strictly prohibited.
- (2) No nuisances. No Short-Term Rental Operator or other person shall cause or allow a disturbance or nuisance that significantly affects the surrounding neighborhood.

- (3) No disruptive parties or events. No Short-Term Rental Operator or other person shall allow, cause, or participate in any disruptive party or any other disruptive event at any Short-Term Rental or any property adjacent thereto.
- (4) No inconsistent noise or activity. The noise and activity at a Short-Term Rental shall be consistent with the typical level of noise and activity of the neighborhood in its vicinity and conform to Chapter 6 Sections 6-1 (Disorderly Conduct) and 6-2 (Disturbance of the Peace) of the Borough of Mifflinburg's Code of Ordinances.
- (5) Portable or temporary shelters. No tents, travel trailers, recreational vehicles, or similar portable or temporary shelters, including trailered boats, may be used as a Short-Term Rental.
- (6) No "open invite" parties or events. No parties or events without a set list of guests are permitted. No parties or events advertised, on social media or otherwise, to the public or large groups of people are permitted.

§ 13-205. Enforcement.

- (1) The Borough's Code Official is charged with enforcement of this Ordinance.
- (2) A Short-Term Rental Operator shall be prohibited from offering any property for Short-Term Rental in the borough upon violations on three (3) or more occasions within a twenty-four (24) month period of applicable state and local laws, ordinances, and regulations, as they relate to that same Short-Term Rental.

§ 13-206. Effective Date.

The effective date of this Ordinance shall be November 1, 2026.

SECTION 3: Except as set forth hereafter, all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4: The Ordinance shall be effective on May 1, 2026, and all calendar years thereafter unless repealed or modified by Ordinance of the Borough of Mifflinburg.

SECTION 5: In all other respects, Chapter 13 Housing of the Code of the Borough of Mifflinburg shall remain unchanged.

This Ordinance to amend Chapter 13 Sections 13-102, and 13-103 and to adopt Chapter 13, Part 2, Sections 13-201, 13-202, 13-203, 13-204, 13-205, and 13-206 of the Borough of Mifflinburg Code of Ordinances shall affect only those aforementioned Sections. The remainder of Chapter 13 shall remain in full force and effect.

This Ordinance shall become effective November 1, 2026.

ORDAINED and **ENACTED** this 20th day of October, 2026, at a duly assembled public meeting by the Borough Council of the Borough of Mifflinburg.

ATTEST:

BOROUGH OF MIFFLINBURG

Margaret A. Metzger, Secretary

By: _____
Beverly L. Hackenberg, President

Approved this ____ day of _____, 2026

David M. Cooney, Mayor