**Talking Points**

**Sharing Economy**

* Short-term rentals, home sharing, vacation rentals, Airbnb: regardless of why you call the concept, it is clear that the sharing economy has worked its way into virtually every residential area in the country.
* Short-term rentals are defined as the rental of all or part of a residential dwelling unit for a duration of occupancy of less than 30 days.
* Short-term rentals, especially Airbnb, have revolutionized the lodging market. Some of these online home-sharing companies offer more listings than the top five major hotel brands have, combined.
* Commercial activity in the sharing economy has challenged existing traditional regulations and pose risks to competition and consumers.
* Failure to apply regulations to sharing economy hosts creates an unfair competitive advantage for licensed lodging accommodations and creates potential safety issues for guests and neighbors.

**Market Reality**

* Pennsylvania has more than 600 registered B&Bs in the commonwealth (of which 60% are five rooms or less) that have complied with local and state regulations and secured the proper licenses to operate a legitimate small business.
* Pennsylvania can control its own destiny related to expanding short-term rental websites, but we must be guided by sound policies, not greed for dollars.
* There is a growing disconnect between political agendas and financial shortfalls which lead to agreements that may have unintended consequences.
* Too many elected officials are uninformed about the downside of such agreements and the negative impact they have on B&B businesses that have been following the rules (for years) from the inception of their small business.
* State-by-state legislation is being proposed to exempt non-regulated short-term rentals. This includes food safety licensing, fire inspections, building safety inspections, collection of state and local lodging taxes and proper insurance.
* Over 90% of Pennsylvania’s 2,562 municipalities have elected to administer and enforce the Uniform Construction Code (Statute 35 P.S. 7210.101 to 7210.1103 (Act 45 of 1999, as amended by Act 43 of 2001 and Acts 13, 92, 230 of 2004 and Act 95 of 2005)) to provide for the protection of life, health, property and the environment and for the safety and welfare of the consumer, general public and the owners and occupants of buildings and structures.
* Pennsylvania townships, municipalities and boroughs have adopted comprehensive plans for their communities that includes zoning to regulate the use, form, design and compatibility of development.
* The PA Department of Revenue is responsible for the collection of Pennsylvania’s Hotel Occupancy Tax, imposed at the same rate as sales tax (6%), which applies to room rental charges for periods of less than 30 days by the same person.
* All PA Counties (Perry and Fulton) impose a hotel excise tax at the local level that is collected by the Country Treasurer’s Office and utilized by the local tourism promotion agency to increase their tourism economy.

**Outreach & Education**

Short-Term

* Propose action by Township/Borough/City officials to assure a level playing field with the development and passage of a short-term rental ordinance. Ensure that existing short-term rental ordinances provided safe and comfortable lodging and fair business operating requirements (licensing, insurance, occupancy limits, etc.).
* Address lack of knowledge on the part of homeowners who may be unaware of state and local laws regarding short-term rentals and their responsibility to meet all regulatory and tax requirements.

Long Term

* Ensure appropriate reporting information of short-term rentals.
* Development of an enforcement plan.
* Establish violations and penalties.

**Other Resources Available for Local Officials**

Monroe County developed a model short-term rental ordinance for their Townships and Boroughs. The model ordinance can be viewed at:

<http://www.monroecountypa.gov/Dept/Planning/Documents/ShortTermRentalModelOrdinance.pdf>

The Lancaster County Planning Commission developed a short-term rental regulation document for their Townships/Boroughs/City. The document can be viewed at:

<https://lancastercountyplanning.org/DocumentCenter/View/1075/Short-Term-Rentals?bidId>=

**Background: Why Communities have Zoning**

The kinds of zoning districts (agricultural, residential, business and industrial) needed depend on the complexity of the township or county’s development.

Zoning decisions are not made in a vacuum. Politics can influence the decisions, in the sense that elected officials may be afraid to go against popular demand. Sometimes the zoning ordinance itself isn’t very well crafted, or that conditions in society have changed and the ordinance didn’t change with the times. Then zoning can have unintended consequences and actually prevent economic development, flexible provisions for affordable housing, and other things that are good for your community.

Communities have adopted zoning to:

* Assist economic growth by helping reserve adequate and desirable sites for industrial and commercial users.
* Protect property from inconsistent or harmful use.
* Protect individual property owners from harmful or undesirable uses of adjacent property.
* Protect a community’s historic and architectural heritage.
* Provide orderly and systematic transition in land use that benefit all land uses through public hearings and local decisions.