



Legislation Details (With Text)

File #: 2022-0270 **Version:** 4

Type: Ordinance **Status:** Held in Standing Committee

File created: 4/18/2022 **In control:** Committee on Land Use and Economic Development

On agenda: 4/5/2023 **Final action:**

Enactment date: **Enactment #:**

Effective date:

Title: Ordinance supplementing the Pittsburgh Code of Ordinances, Title 7: Business Licensing, Article X: Rental of Residential Housing, by creating a new Chapter 783: Short Term Rental Permit Program. (Public Hearing held 5/19/22)

Sponsors: Theresa Kail-Smith, Bobby Wilson, Deborah L. Gross, Reverend Ricky V. Burgess, R. Daniel Lavelle, Corey O'Connor, Erika Strassburger

Indexes: PGH. CODE ORDINANCES TITLE 07 - BUSINESS LICENSING

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/8/2023	4	Standing Committee	AMENDED BY SUBSTITUTE	Pass
3/8/2023	4	Standing Committee	Held in Committee	Pass
3/1/2023	3	Standing Committee	Held in Committee	Pass
12/14/2022	3	Standing Committee	Held in Committee	Pass
11/30/2022	3	Standing Committee	Held in Committee	Pass
11/2/2022	3	Standing Committee	Held in Committee	Pass
10/19/2022	3	Standing Committee	Held in Committee	Pass
8/24/2022	3	Standing Committee	Held in Committee	Pass
7/13/2022	3	Standing Committee	Held in Committee	Pass
6/22/2022	3	Standing Committee	Held in Committee	Pass
6/15/2022	3	Standing Committee	AMENDED	Pass
6/15/2022	3	Standing Committee	Held in Committee	Pass
5/19/2022	2	Committee on Hearings	Public Hearing Held	
4/27/2022	2	Standing Committee	Held for Cablecast Public Hearing	Pass
4/27/2022	2	Standing Committee	Reconsidered	Pass
4/20/2022	3	Standing Committee	AMENDED	Pass
4/20/2022	3	Standing Committee	Held in Committee	Pass
4/19/2022	1	City Council	Waived under Rule 8	Pass
4/19/2022	1	City Council	Read and referred	
4/19/2022	1	City Council	added to the Agenda	Pass

Ordinance supplementing the Pittsburgh Code of Ordinances, Title 7: Business Licensing, Article X: Rental of Residential Housing, by creating a new Chapter 783: Short Term Rental Permit Program.
(Public Hearing held 5/19/22)

WHEREAS, short-term residential rentals must be regulated to preserve the residential quality of our neighborhoods, particularly by limiting problem properties such as party houses or houses with complaints; and,

WHEREAS, the emergence and presence of unchecked numbers of short-term residential rentals can displace long-time residents of Pittsburgh neighborhoods and severely impact the quality of life of adjacent neighbors; and,

WHEREAS, short-term residential rentals require notice and coordination with emergency responders and law enforcement when neighbors are unaware of said operations; and,

WHEREAS, short-term residential rentals can impact on-street parking and traffic patterns in our neighborhoods; and

WHEREAS, regulating short-term residential rentals can enhance tourism, stimulate economic growth in targeted Pittsburgh neighborhoods, and provide residents a way to build wealth.

NOW, THEREFORE, the Council of the City of Pittsburgh ordains as follows:

CHAPTER 783: SHORT TERM RENTAL PERMIT PROGRAM

§ 783.00 PURPOSE AND INTENT.

The City of Pittsburgh recognizes the need for a registration program for short term residential rental units located within the City in order to ensure rental units meet all applicable building, existing structures, fire, health, safety, and zoning codes, to provide an efficient system to correct violations and maintain, in proper condition, short term rental property within the City, and ensure that public safety agencies are aware of short term rental locations.

§ 783.01 DEFINITIONS.

As used in this Chapter, the following terms and words shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

- a) **CITY** means the City of Pittsburgh. To the extent that this Article requires filings or submissions, City shall refer to the Department of Permits, Licenses, and Inspections, Department of Finance, City Planning, or other entity that the City has legally designated to perform a function on its behalf.
- b) **DWELLING UNIT** means a building, or portion thereof, designed for occupancy for residential purposes and having cooking facilities and sanitary facilities.
- c) **LANDLORD** means any person who owns or controls a dwelling, dwelling unit, or rental unit

and rents such unit, either personally or through a designated agent, to any person.

- d) **LICENSE OFFICER** means the City of Pittsburgh Department of Permits, Licenses, and Inspections.
- e) **OWNER** means the legal title holder of a rental unit or the premises within which the rental unit is situated.
- f) **OWNER-OCCUPIED RENTAL UNIT** means a rental unit that is a one- or two-family building occupied in whole or in part by an individual whose name specifically appears on the deed for the property where the rental unit is located.
- g) **PREMISES** means a lot, plot, or parcel of land, including the buildings or structures thereon, which also includes dwelling units and dwellings.
- h) **SHORT TERM RENTAL UNIT** means any dwelling unit or residential structure containing sleeping units, which is leased or rented from the owner or other person in control of such units, to any tenant, for a term less than fifteen (15) consecutive days within a thirty-day. Hotels, motels, bed and breakfast establishments, public housing units, dormitories, certified rehabilitation facilities, long-term medical care facilities, and owner-occupied rental units shall be exempt from this Chapter.
- i) **RESPONSIBLE LOCAL AGENT** means a natural person having his or her place of residence in Allegheny County and/or a professional, licensed real estate management firm with an office located in Allegheny County, or an entity which is excluded from licensure by the Pennsylvania Real Estate Licensure Act, with an office in Allegheny County which has been granted legal authority by the property owner in accordance with the laws of the Commonwealth as the agent responsible for operating such property in compliance with the ordinances adopted by the City.
- j) **TENANT** means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

§ 783.02 PERMIT REQUIREMENT.

No person shall lease, rent, or otherwise allow a short term rental unit within the City to be occupied without first obtaining a rental permit from the License Officer and designating a responsible local agent.

§ 783.03 PERMIT REGISTRATION.

- a) *Registration forms.* Short term rental permit registration shall be made upon forms furnished by the City and shall require all of the following information:
 - (1) The street address and block and lot number of the short term rental unit(s);
 - (2) The number and types of rental units within the short term rental property;
 - (3) Name, residence address, telephone number, and where applicable an E-mail address, and mobile telephone number of all property owners of the rental unit(s);
 - (4) Name, residence address, telephone number, and where applicable an E-mail address, and mobile telephone number of the responsible local agent designated by the owner, if applicable;

- (5) The name, address and telephone number of any lien-holder(s) on the short-term rental unit or the real property on which the rental unit is located at time of annual registration.
 - (6) A copy of a current valid occupancy permit for the property shall be provided at the initial application.
- b) *Accurate and complete information.* All information provided on the registration form shall be accurate and complete. No person shall provide inaccurate information for the registration of a short term rental unit, or fail to provide the information required for such registration. The registration form shall be signed by the property owner(s) or the designated responsible local agent, where applicable. When the owner is not a natural person, the owner information shall be that of the president, general manager, or other chief executive of the organization. When more than one (1) person has an ownership interest, the required information shall be provided for each owner.
- c) *Change in registration information or transfer of property.*
- (1) Except for a change in the registered local agent, the property owner of a short term rental unit registered with the City shall re-register within sixty (60) calendar days after any change occurs in the registration information.
 - (2) If the property is transferred to a new owner, the new property owner of a registered rental unit shall re-register the rental unit within sixty (60) calendar days following the transfer of the property.
 - (3) Property owners shall notify the Department of Permits, Licenses, and Inspections of any change in the designation of the registered local agent, including a change in name, address, E-mail address, telephone number, and mobile telephone number of the designated registered local agent within five (5) business days of the change.
- d) *Registration term and renewals.* Registration of a short term rental unit shall be effective for one (1) year from the date of issuance. The property owner shall re-register each short term rental unit with the City, thirty (30) calendar days prior to the expiration of the registration of the rental unit.
- e) *Responsibilities of owner and/or responsible local agent.* The owner and/or responsible local agent shall be responsible for all the following:
- (1) Operating the registered short term rental unit in compliance with all applicable City ordinances; and
 - (2) Providing access to the short term rental unit in compliance with all applicable City ordinances; and
 - (3) The owner may designate a responsible local agent for the acceptance of all legal notices or services of process with respect to the rental units. If not a resident of Allegheny County, and if no responsible local agent is designated, the owner and landlord, by virtue of execution and acknowledgement of the registration form, will accept service of original process for matters related only to the rental units by accepting service of process in accordance with the Pennsylvania Rules of Civil Procedure 403 service by certified mail at the owner's address as set forth in the registration form. This service of process by mail will constitute original service of process as directed in the Pennsylvania Rules of Civil Procedure 403.

§ 783.04 INSPECTIONS.

The Department of Permits, Licenses, and Inspections is hereby authorized and directed to inspect each registered short term rental unit at least once every three (3) years.

§ 783.05 FEES.

In accordance with Chapter 170 of the City Code, the City Council shall establish an appropriate fee for rental permit registration and may review and increase such fees on an annual basis.

§ 783.06 IMPLEMENTATION AND ENFORCEMENT.

- a) The Department of Permits, Licenses, and Inspections shall coordinate the implementation and enforcement of this ordinance and shall promulgate appropriate regulations for such purposes.
- b) This ordinance shall take effect on the one hundred eightieth (180th) calendar day following the posting of the regulations by the Department of Permits, Licenses, and Inspections.
- c) It is the intent of Council that the appropriate expenditures are made and the staff to implement the program is hired on or before the initial implementation date.

§ 783.07 NOTICE.

- a) When the Department of Permits, Licenses, and Inspections determines that there has been a violation of any provision of this Chapter, the License Officer or their designee shall send the owner or responsible local agent a Thirty (30) Day Notice of Violation, warning of the failure to comply with the Chapter. Such written notice shall provide with specificity any violation, any corrective actions required, and the right to appeal in accordance with this Chapter.
- b) Notice shall be served by the method of service of process set forth in Section 781.03(e)(3).

§ 783.08 APPEALS.

Any person aggrieved by any action of the License Officer shall have the right to appeal such action in accordance with Section 701.15 of this Title.

§ 783.09 PENALTY.

Violation of this Chapter shall be a summary offense. The fine for each separate violation shall not exceed five hundred dollars (\$500.00) per each unit per each month that a rental unit is not registered as required by this Chapter.

§ 783.10 SEVERABILITY.

This Chapter and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Chapter shall not be

affected thereby.