



TO: MGCA Members
FROM: Ted Martin
President, MGCA Board of Managers
DATE: March 15, 2019
SUBJECT: Rental Rules Roadmap

The following message is sent to Members on behalf of the Mt. Gretna Campmeeting Association Board of Managers . . .

As the Board of Managers continues to develop meaningful guidelines that set parameters on the balance of year-round cottage owners and owners who rent their cottages, please be aware that we are taking every step to be transparent and to include all Members in the process. We thank everyone who has taken time to review board meeting minutes, attend board meetings, volunteer for committees and to write/voice your questions and concerns. We hear you and we are working to not simply write rules, but to come up with a plan that aligns the Campmeeting's mission and vision with the future.

With that said, we would like to provide you with some details. Please be aware that this "roadmap" is subject to change, but it is our best attempt at helping you to plan for our future meetings and comment periods:

If you have additional questions, please contact office@mtgretnacampmeeting.org.

Thank you.

March 19, 2019

- Board of Managers Meeting at the Mt. Gretna United Methodist Church – Fellowship Hall (6:30 p.m.)
- Proposed motion to "read" the newly drafted Rental Rule, allowing for a 2-week Member comment period and subsequent executive session to review comments and amend the Rule—as deemed appropriate—with a second reading at the next scheduled MGCA Board of Managers meeting
- Member comments related to the Draft Rental Rule must be submitted in writing to office@mtgretnacampmeeting.org or Mt. Gretna Campmeeting Association, P.O. Box 428, Mt. Gretna, PA 17064

March 20, 2019

- MGCA Draft Rental Rule posted to MGCA website by 5 p.m.
- MGCA Membership email notification when Rule is posted

April 3, 2019

Deadline for written comments—emailed by 11:59 p.m. on April 3rd or postmarked April 3rd

April 16, 2019

- Board of Managers Meeting at the Mt. Gretna United Methodist Church – Fellowship (6:30 p.m.)
- Second reading of the Rental Rule and proposed motion to adopt the Rule

AMENDMENTS TO RULES AND REGULATIONS

A NEW RULE AND REGULATIONS TO AMEND THE RULES AND REGULATIONS OF THE MOUNT GRETNA CAMPMEETING ASSOCIATION BY ADDING A NEW PARAGRAPH 20 TO ESTABLISH AND REGULATE ALL RESIDENTIAL RENTALS WITHIN THE CAMPMEETING GROUNDS.

The Board of Managers deems it to be in the best interest to further provide for maintaining a proper, desirable and permanent residential community pursuant to Statements within the Charter and By-Laws of the Association for structures within the Campmeeting Grounds, to preserve the residential setting unique to The Campmeeting and to preserve the peacefulness and quiet beauty of The Campmeeting; to provide owners who rent their residential units with a defined rental process including definitions, application process, guidelines for renting, and associated penalties for failure to comply with said Rules;

WHEREAS, the Board of Managers has determined to prepare Rules and Regulations to regulate residential rental dwelling units in such a way as to preserve the unique character of The Campmeeting.

RULES AND REGULATIONS

SECTION I - The following are definitions to apply to this section of the Rules and Regulations:

CAMPMEETING ASSOCIATION AUTHORIZED REPRESENTATIVE - A sworn or non-sworn person and any assistant or deputy thereof authorized by the Board of Managers with duties to issue, deny and revoke residential rental permits; issue placards; and serve notice of a violation of any provision of the Campmeeting Association Rules & Regulations.

RESPONSIBLE AGENT OR CONTACT PERSON - A person retained by an owner to be responsible for a residential rental dwelling unit within the TheCampmeeting and who is authorized by the owner as the agent of the owner for performing the duties and obligations of the owner.

OWNER - The person or entity who holds record title and/or equitable owner under an agreement of sale of a property in The Campmeeting upon which a residential rental dwelling unit is erected or maintained. The term is also applied to partnerships and associations and shall mean each general partner and as it is applied to corporations, the officers thereof, and as applied to limited liability companies, the members and any responsible agents or contact persons thereof.

RESIDENTIAL RENTAL PERMIT - A document issued by the Campmeeting Association Authorized Representative to the owner of a residential rental unit certifying the unit as permitted for being rented. Such permit is required for lawful rental and occupancy of residential rental units.

SHORT TERM RENTALS - Any residential dwelling unit owned or managed by a person, firm or corporation, which is rented or leased for periods of 30 consecutive days or less. The definition applies whether the owner lives there most of the calendar year but rents out the

residential dwelling unit for the rest of the year as defined herein, whether the owner does not live there but rents it out, or whether the owner rents out 1 or more rooms on a short term basis. This does not include any residential dwelling unit owned or managed by a person, firm or corporation which is made available for occupancy for any period of time for which no rental income is collected.

LONG TERM RENTALS - Any residential dwelling unit owned or managed by a person, firm or corporation, in which the owner rents the residential dwelling unit for periods of 31 consecutive days a year or more to the same individuals.

RENTAL CAP: The allowed number of rentals in a community, development, condo, co-op, apartment building. In The Campmeeting, the rental cap is the allowed number of residential rental permits (as determined by the Board of Managers) that may exist in The Campmeeting. The rental cap limits the number of short term rentals that may be issued a residential rental permit.

SECTION II - All owners of residential dwelling units in The Campmeeting are required to submit annually a statement of the owners' use of the property as a Short Term Rental, Long Term Rental or Primary Residence on forms to be provided by the Board of Managers. No person shall lease to another for occupancy any residential dwelling unit unless said person shall first apply for and obtain annually a residential rental permit issued by the Board of Managers, and it shall be unlawful for any person to conduct or operate or cause to be rented, either as owner, responsible agent or contact person, any residential dwelling unit within The Campmeeting without having a residential rental permit.

SECTION III - All owners seeking to rent out their residential dwelling units on a short term or long term basis shall obtain a residential rental permit from the Campmeeting Association at a cost to be determined by the Board of Managers. As of the passage of these Rules and Regulations, the cost for obtaining a permit is \$75. The Board of Managers will annually review the amount of the fee for obtaining a residential rental permit and may adjust the fee schedule accordingly by resolution adopted by the Board of Managers.

DUTIES OF OWNERS, RESPONSIBLE AGENTS or CONTACT PERSONS - It shall be the duty of all owners seeking to rent out their residential dwelling units to:

1. Annually designate a responsible agent or contact person and to provide the name, mailing address and telephone number of the owner as well as the designated responsible agent or contact person for the purpose of contact by the Campmeeting Association.
2. Obtain and maintain a valid and current residential rental permit for each residential dwelling unit.
3. Correct any violations relating to the use and occupancy of a residential rental dwelling unit within the time frame cited by the Board of Managers.
4. Notify the Campmeeting Association annually of changes in all uses of the residential dwelling unit.

5. Instruct tenants of the method of trash and recyclable collection, and ensure trash and recyclable collection and disposal receptacles are provided for.
6. Provide each tenant with a copy of the Guidelines for Renters.
7. Annually apply and pay for a residential rental permit. Failure to do so by the application deadline will result in the denial of the residential rental permit to rent the residential dwelling unit. Residential rental permits will not be granted to owners of residential dwelling units who apply if those owners have unpaid and/or delinquent fines and/or assessment fees.

DESIGNATION OF RESPONSIBLE AGENT OR CONTACT PERSON -

On the residential rental permit application, owners shall identify an individual who can respond by telephone or arrive at the residential dwelling unit in a timely manner in the event of notice from the Board of Managers of an identified problem.

SECTION I - The responsible agent or contact person shall be the agent of the owner for service for performing obligations of the owner under the Campmeeting Association Rules and Regulations.

SECTION II - The failure to designate a responsible agent or contact person shall result in the revocation or denial of a residential rental permit.

DUTIES OF OCCUPANTS:

Each occupant of a residential rental unit shall have the following duties:

1. Comply with all obligations under the Campmeeting Association Rules and Regulations and all applicable codes and West Cornwall Township ordinances.
2. Conduct themselves in a manner that will not disturb the peaceful enjoyment of the premises by others and will not disturb the peaceable enjoyment of adjacent or nearby dwellings by people occupying the same.
1. Not engage in nor tolerate nor permit others on the premises of a residential rental unit to engage in any conduct declared illegal under the Pennsylvania Crimes Code.

SALE OR TRANSFER OF UNITS:

1. A residential rental permit shall not be transferable. Upon the sale or transfer of a residential rental dwelling unit, the new owner shall apply for a new residential rental permit for each residential rental dwelling unit.
2. All owners of any real estate containing any residential rental dwelling unit or units which are in non-compliance with the provisions of these rules and regulations and who desires to sell the parcel or transfer the parcel of real estate shall notify the purchasers in

writing, prior to the sale of said parcel, that the parcel of real estate is in non-compliance with the terms and conditions of the Campmeeting Association Rules and Regulations.

APPEALS:

1. Any property owner who receives a Notice of Violation relating to conduct occurring at the said residential rental dwelling unit or receives a notice of denial or revocation of residential rental permit or any person aggrieved by any decision of the Board of Managers relating to the issuance of a Notice of Violation and/or notice of the issuance of denial or revocation of a residential rental permit may appeal to the Campmeeting Association Board of Managers.
2. Any person aggrieved by a Notice of Violation or notice of denial or revocation of a residential rental permit may make an appeal to the Board of Managers. All appeals shall be made in writing stating the grounds upon which the appeal is based and shall be transmitted to the Campmeeting Association office. An appeal must be made within 15 days of the receipt of the written notice of any Notice of Violation or notice of denial or revocation of a residential rental permit.

VIOLATION AND PENALTIES:

1. Any owner of a residential rental dwelling unit who violates any of the provisions of the Campmeeting Association Rules and Regulations shall be subject to fines as established in the Rules and Regulations. An owner of a residential rental dwelling unit who violates a provision of the Campmeeting Association Rules and Regulations shall be required to pay a fine of \$100 for the first offense, \$250 for the second offense or other additional offenses after the first plus costs of prosecution. If the owner of a residential rental dwelling unit violates the provisions of these Rules and Regulations for a third time, in addition to the penalties which shall be assessed, the owner's right to rent out the subject premises and the residential rental permit shall be revoked.

NUMBER OF RENTAL PERMITS PERMITTED IN THE CAMPMEETING:

1. Any property owner who is intending to rent or is already renting at the time these rules take effect, who complies with the requirements of the application for a residential rental permit, and who applies for a residential rental permit in the first year after the effective date of this rule by the Board of Managers shall receive a residential rental permit. Residential rental permits shall be renewed automatically as long as the owner of the residential rental dwelling unit annually applies and pays for a residential rental permit.
2. The number of short-term residential rental permits approved upon passage of this rule will establish a baseline for determining a future rental cap (as defined previously).
3. The Board of Managers must annually review the number of residential rental permits issued and use that number to determine what action if any should be taken to re-establish a cap on short-term rentals.

4. In the event an owner is unable to rent a residential dwelling unit related to the number of residential rental permits permitted in The Campmeeting, said owner shall be able to appeal the violation of the Rules and Regulations on the basis that the inability to rent the residential dwelling unit will work an extreme hardship upon the owner. Upon a hearing on the matter, the Board of Managers shall take into consideration the nature and cause of the hardship. If the owner provides adequate proof explaining the financial hardship, with the Board of Managers' approval, the residential dwelling unit shall be permitted to be rented out by the owner for a period of one year from the date of the hearing if a residential rental permit is applied and paid for. In the event that the hardship continues beyond one year, the owner is eligible to apply for a residential rental permit for a subsequent year.

FEES TO ADMINISTER THESE RULES AND REGULATIONS:

Fees for the administration of these amended rules and regulations shall be charged in accordance with the fee schedule adopted by the resolution of the Board of Managers.

PLACARDS:

The Campmeeting Association shall issue placards to owners of residential dwelling units who apply for and receive a residential rental permit. Each rental residential dwelling unit shall conspicuously post the placard on the outside structure of the residential dwelling unit. Placards shall contain the address of the property, the name of the owner of the residential dwelling unit, responsible agent, or contact person and a telephone number where such party may be reached on a 24-hour basis.

CONFLICT WITH OTHER RULES AND REGULATIONS;

The provisions in these Rules and Regulations shall supersede any other of the rules and regulations of the Campmeeting Association which are inconsistent herewith.

SEVERABILITY

If any section or part of these rules and regulations is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or part of these rules and regulations. It is hereby declared as the intent of the Board of Managers, that these Rules and Regulations would have been adopted at such unconstitutional, legal or invalid sentence, clause, section or part thereof, not been included herein

EFFECTIVE DATE:

These amended Rules and Regulations shall become effective five days following the adoption of the same by the Board of Managers.

ATTEST: Secretary

President

Proposed 1st Reading