

FAQ: Recovery / Sober Housing in Plymouth Township

Q: Why is a recovery or sober living home allowed in a residential neighborhood?

A: Under federal law, people in recovery from substance use disorders are considered persons with disabilities. The Fair Housing Act protects individuals with disabilities from discrimination in housing. That means recovery residences are allowed in neighborhoods where other group living arrangements are allowed, and municipalities cannot regulate them differently simply because the residents are in recovery. The Plymouth Township Zoning Code permits sober living homes in all areas within the Township zoned “Residential”, provided they can meet parking requirements.

All municipalities must treat sober living homes the same as any other groups of unrelated people living together. Municipalities are also required under the Fair Housing Act to provide reasonable accommodations (exceptions) to existing code provisions that restrict housing opportunities for persons with disabilities, including those residing in sober living homes. In other words, even where a certain residential district does not permit a sober living home by right, one may be permitted as a reasonable accommodation. Municipalities approach these legal obligations in different ways. When updating the code a few years ago, with resident input and after careful consideration, Council decided to permit sober homes in all residential districts provided that the properties have sufficient parking. Some other municipalities have allowed this use in only certain residential districts.

Q: What parking requirements are needed for communal living facilities and sober homes?

A: Per the Plymouth Township Zoning Code, the following requirements apply to communal living facilities and sober homes:

- a. One (1) space for each nonresident staff working at the facility at the same time;
- b. Two (2) spaces for use by visitors and/or state or local inspectors; and
- c. One (1) space for every resident up to five (5) residents, and one (1) space for every two (2) residents over the initial five (5) residents, unless satisfactory proof is submitted to the Township that such individuals are incapable or not permitted to operate a motor vehicle during the period of residency at the facility.

Q: Does the Township approve or license sober living homes?

A: No. The Township’s role is to make sure the property follows the same zoning, fire, building, and safety codes that apply to all residences. Licensing, when required, happens at the state level. The Township does require a rental license for operators of rental housing, but this is not specific to sober living homes.

Q: Are sober living homes required to be certified (National Alliance for Recovery Residences, Pennsylvania Alliance of Recovery Residences, etc.)?

A: Certification programs exist, but in most cases they are voluntary. Local governments generally cannot require certification unless specifically authorized by state law. However, many operators choose to follow recognized standards and “good neighbor” practices. The state requires recovery houses to be licensed by the Department of Drug and Alcohol Programs if the site receives referrals from state agencies or receives public funding to deliver recovery services.

Q: Is the Township doing anything to ensure safety?

A: Yes. The Township ensures that:

- building and fire codes are met
- property maintenance standards are enforced
- nuisance and noise complaints can be addressed

These rules apply equally to all residents.

Q: Are communal living facilities and sober homes inspected by the Township?

A: All properties used as rental housing are subject to the Township’s rental inspection program. Inspections are conducted annually in accordance with the Township’s adopted codes and ordinances to ensure compliance with applicable health and safety standards.

Q: Do sober homes cause increased traffic or parking issues?

A: All Township residents are required to follow parking and traffic regulations. If issues arise, the Township can address them through its normal enforcement procedures. In addition, all properties are subject to the parking requirements set forth in Section 1700 of the Township’s Zoning Ordinance. The Police Department will continue to enforce traffic safety and parking regulations throughout the Township. Please note that any legally registered and inspected vehicle may park on a public street, provided parking is not otherwise restricted or prohibited.

Q: Who do I contact if I have concerns about a sober living facility?

A: As with resident concerns about any local property, residents may contact the Township with concerns related to:

- property maintenance
- noise
- safety code compliance
- parking

Questions about clinical services or licensing should be directed to state regulatory agencies.

Q: What information can the Township provide to residents about specific sober living facilities?

A: The Township obtains only the information necessary to ensure compliance with safety, zoning, and property maintenance ordinances. Some operators are willing to share additional information about their programs.

Q: Has the Township been asked to provide reasonable accommodation to permit sober living homes?

A: No. Per the Township's Zoning Code, sober living homes are a permitted use in all "Residential" zones.

Q: Are owners of sober living facilities required to apply for a business license with the Township? Will they pay "business taxes"?

A: Yes. Owners of sober living facilities that operate for gain or profit, as with any residential rental property, are considered to be engaging in business under Plymouth Township's Business Privilege Tax (BPT) regulations. This means:

- **Business License:** They are required to obtain an annual business license from the Township. The current fee is \$25.
- **Business Privilege Tax:** They must file a BPT return with the Township's Tax Department and pay the applicable tax, which is 1.5 mills (\$1.50 per \$1,000 of gross receipts) based on the facility's income.

Q: What are the specifics of the Township's noise ordinance?

A: As it pertains to residential neighborhoods:

Sec. 14-1. Loud, unnecessary and unusual noises-Prohibited.

[Ord. No. 702, § 1, 5-29-1974]

It shall be unlawful for any person within a residential zone, or within a radius of 500 feet therefrom:

- (1) Construction. To operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other construction-type device except to perform emergency work between the hours of 8:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.
- (2) Motor repairs. To repair, rebuild or test any motor vehicle between the hours of 8:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in that area is caused discomfort or annoyance.
- (3) Unusual noises. To willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Sec. 14-2. Same-Standards for determining.

[Ord. No. 702, § 2, 5-29-1974]

The standards which shall be considered in determining whether a violation of the provisions of Section 14-1 exists shall include, but not be limited to, the following:

- (1) The volume of the noise;
- (2) The intensity of the noise;
- (3) Whether the nature of the noise is unusual or usual;
- (4) Whether the origin of the noise is natural or unnatural;

- (5) The volume and intensity of the background noise, if any;
- (6) The proximity of the noise to residential sleeping facilities;
- (7) The nature and zoning of the area within which the noise emanates;
- (8) The density of inhabitation of the area within which the noise emanates;
- (9) The time of the day or night the noise occurs;
- (10) The duration of the noise;
- (11) Whether the noise is recurrent, intermittent or constant;
- (12) Whether the noise is produced by commercial or non-commercial activity.

[Ord. No. 169, § 1, 10-1-1951]

Disorderly practices within the limits of the Township shall be and are hereby defined as any act, word or conduct causing or tending to cause a disturbance of the peace or good order of the Township, or causing or tending to cause any danger, or annoyance to the inhabitants of the Township or users of highways and public places in the Township, and shall include loafing, fighting, drunkenness, vagrancy, begging, the making of unusual and unnecessary noises, profanity or indecent language, and any other conduct of a similar nature whereby the public peace is broken or disturbed.

Q: Do sober living homes need to meet NFPA 13R?

A: No.

Q: Do sober living homes need to meet any fire related occupancy limits?

A: Yes, as with all rental properties, occupancy limits for sober living facilities are based on the square footage of the bedrooms and living areas per the International Property Maintenance Code (IPMC).

Q: Will sober living homes need to be inspected for safety more than once a year considering the residents living there will be changing frequently?

A: Sober living facilities are subject to the same inspection requirements as other rental properties.

Q: What if a sober living facility is in a residence that is classified as historic?

A: A historic designation would not affect the permitted uses of the property.

Q: What is the typical length of stay for a resident of a sober living facility?

A: The Township does not collect this type of information.

Sober living homes are privately operated residences.

The Township's role is limited to enforcing applicable zoning, building, property maintenance, and public safety regulations. It does not regulate treatment outcomes or internal operations of sober living homes.

Q: How many Sober Living Facilities are allowed in Plymouth Township?

A: The Township does not have a limit on the number of group homes or sober living residences that may operate in the community.

Under federal and state fair housing laws, municipalities are generally not permitted to place numerical caps or spacing limits on housing for individuals in recovery.

Any sober living home must comply with all applicable Township requirements, including zoning standards, parking regulations, building and fire codes, and property maintenance rules.

Q: The Township received a number of questions regarding the internal rules, policies, and staffing and leasing practices of sober living facilities: Does the Township monitor the staff, residents, or internal policies of sober living facilities?

A: No. The Township's role is limited to enforcing applicable zoning, building, property maintenance, and public safety regulations. Questions about the specific operations of a particular sober home may be directed to the operator of that home.

Q: Does the Township receive any tax incentives for allowing sober living homes?

A: No.

Q: How many group homes are in Plymouth?

A: Currently, there are seven active group homes in the Township.

Q: Will Code Enforcement ensure that parking requirements, sprinkler requirements, and other rental property requirements are met for sober living homes?

A: Yes, Township staff will complete a formal review of all submitted permits, plans, and inspections.

Q: Do sober living homes require an operating license?

A: The Township does not issue or require an operating license for sober living homes. The Township requires a rental license for all rental properties, including sober living homes. The state of Pennsylvania requires licenses for some, but not all, sober living homes.

Q: Does the Township provide trash pickup for sober living homes?

A: Yes. Sober living homes are classified as residential uses under the Township's Zoning Code, and the Township provides regular trash and recycling collection for these properties.

Q: How many residents are allowed in a sober living facility?

A: The number of occupants allowed is based on the square footage of the bedrooms and living spaces per the International Property Maintenance Code (IPMC).

Q: Can those who share a property line with a sober living home meet with the owner?

A: Yes. Neighbors may contact the property owner directly to discuss property-related matters. The Township does not coordinate these meetings and does not regulate private interactions between neighbors and property owners.

Q: Is on-street parking allowed?

A: Any vehicle that is legally registered and inspected may park on a public street, provided there are no posted restrictions or other parking prohibitions.

Q. Does the Township communicate with operators proposing to use a residence as a sober living home?

A. Yes. The Township receives information about the proposed use through the Use and Occupancy process, rental licensing and inspections, and any related permit applications.

Q. Do Sober Living environments require authorization as a special exception under Residential B zoning?

A. No. Under the Plymouth Township Zoning Code, sober living homes are permitted by right in all zoning districts classified as Residential, including the Residential B District, provided applicable parking requirements are met.

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