

**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 578

AN ORDINANCE OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 159 RELATED TO RENTAL PROPERTIES, OF THE EAST NORRITON TOWNSHIP CODE, TO ADD PROVISIONS REGULATING RESIDENTIAL RENTAL LICENSING AND REGISTRATION; REPEALING PRIOR INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors is vested with the authority to enact Ordinances for the maintenance of peace, good government, health and welfare of the Township and its citizens, trade, commerce and manufacturers, as set forth under Section 1506 of the Second Class Township Code, as amended, and found at 53 P.S. § 66506; and

WHEREAS, Section 1517 of the Second Class Township Code, as amended, and found at 53 P.S. § 66517, entitled “Building and Housing Regulations”, authorizes the Township Board of Supervisors to regulate the construction, alteration, repair, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use and inspection of all buildings and housing constructed, erected, altered, designed or used for any use or occupancy and the sanitation and inspection of land; and

WHEREAS, the Board of Supervisors desires to amend The Code of Ordinances of East Norriton Township (the “Code”) by amending Chapter 159 Rental Property, Registration of, to add provisions regulating residential rental licensing and registration; and

WHEREAS, the Board of Supervisors has determined that the health, safety, and general welfare of the residents of East Norriton Township will be served by enacting provisions related thereto.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors that Chapter 159 Rental Property, Registration of, shall be amended as follows:

I. AMENDMENT OF CODE

Chapter 159. Rental Property, Registration of, is hereby deleted in its entirety, and amended as follows:

Chapter 159: Residential Rental Property Licensing and Registration

§ 159-1. Title.

This Chapter shall be known as “Residential Rental Property Licensing and Registration.”

§ 159-2. Purpose.

The purpose of this Chapter is to regulate the licensing and registration of residential rental units in East Norriton Township.

§ 159-3. Definitions.

APARTMENT. A permanent dwelling unit within a building containing three or more dwelling units (also known as “apartment house”), each for a single family living independent of one another, and being vertically arranged, sharing outside access, and having one or more walls as well as a ceiling or floor in common with another dwelling unit.

DWELLING. A building designed for and occupied exclusively for residential purposes, excluding hotels, rooming houses, tourist homes, motels and the like, but including the following:

SINGLE-FAMILY DWELLING. A building designed for and occupied exclusively as a dwelling for one family, including a mobile home.

TWO-FAMILY DWELLING. A building designed for, and occupied exclusively as a dwelling for two families (also known as a “duplex”).

MULTI-FAMILY DWELLING. A building designed for, and occupied exclusively for dwelling purposes, by three (3) or more families living independently of one another; not a townhouse, but customarily called an “apartment house.”

DWELLING UNIT. A building or portion thereof, providing complete housekeeping facilities for one family, including living, sleeping, cooking, eating, and sanitary facilities.

PERSON(S). A natural person, heir, executor, administrator or assign, and includes a firm, partnership or corporation, or limited liability corporation, its successors or assigns, or the agent of any of the aforesaid.

PROPERTY MANAGER. A natural person, partnership, corporation, unincorporated association, limited partnership, or any other entity, appointed by a landlord or property owner, to maintain a residential rental unit or units, and whose duty it is to ensure that a residential unit or units, complies with all statutes and ordinances of the Commonwealth of Pennsylvania, and East Norriton Township.

PROPERTY OWNER. Any person who, either alone, or jointly or severally with others, has legal title to any residential rental unit, with or without accompanying actual possession thereof, or who has charge, care, or control of any residential rental unit as an owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the property owner. Any such person thus representing the actual property owner, shall be bound to comply with the provisions of this Chapter, and to the rules and regulations adopted pursuant thereto, to the same extent as if he/she were the property owner.

RESIDENTIAL RENTAL UNIT. A room or group of rooms for one or more persons with independent living facilities, providing for living, sleeping, cooking and sanitary facilities, that are not occupied by the property owner, including but not limited to single-family dwellings, two-family dwellings, multi-family dwellings, apartments, boardinghouses, and tourist homes.

TOWNSHIP. East Norriton Township, Pennsylvania.

§ 159-4. Residential Rental Licensing.

- A. Licensing Required. No person shall occupy, allow to be occupied, or lease to another person for occupancy, any residential rental unit, within the Township, unless that person holds a current operating license, issued by the Township, for the specific rental unit.

- B. Licensing Effective. An operating license for a residential rental unit shall be valid for the calendar year of issuance or the remainder thereof, unless revoked, and such license shall be renewable for successive calendar years. Licenses shall not be transferable.
- C. Notice Required. Every person holding such operating license shall give notice in writing to the Township's Code Enforcement Department within seven (7) days after having sold, transferred, given away, or otherwise disposed of ownership, or interest in, or control of, any residential rental unit. This section does not relieve owners from their responsibilities to comply with the notice requirements of Chapter 190.
- D. Annual License Fee. Each applicant for a license to operate a residential rental unit, shall at the time of application and each year thereafter, pay an annual fee of \$50 per unit, except that a fee will not be paid for an owner-occupied dwelling. Any owner of a residential rental unit, who fails to pay the required license fee within thirty (30) days from the date of application, will be charged an additional \$10 per unit per month, as a penalty. The Board of Supervisors may adjust these fees from time to time.
- E. License Revocation. The Township may withhold, revoke, suspend or fail to renew a rental license if an owner is convicted by a court of competent jurisdiction of violations of the Township's Code of Ordinances, or if authorized by laws of the Commonwealth.

§ 159-5. Residential Rental Unit Registration.

- A. Registration Required. Every property owner shall, on or before October 1 of each year, register all residential rental units, on forms provided by the Township's Code Enforcement Department.
- B. Emergency Contact Information and Response. Every property owner shall provide such contact information to the Township, that will allow the Township, in the event of an emergency, to contact the property owner or a designated property manager, 24 hours per day, 7 days per week, 365 days per year. It shall be the property owner or designated property manager's absolute duty to update the contact information, to reflect any changes. In the event the Township or a representative of the Township alerts the property owner or property manager of an emergency, the property owner or property manager shall be present at the residential rental unit in question, to address the emergency.
- C. Certificates of use and occupancy shall be required for all residential rental units, upon their advertisement or offering for rent, in accordance with the provisions of Chapter 190.
- D. List of Occupants. Upon registering a residential rental unit on or before October 1st of each year, it shall be the duty of the property owner, to submit to the Township Manager, a list of occupants, consisting of the names of all persons 18 years of age and older, residing in said residential rental unit. Said list shall be submitted within sixty (60) days of the effective date of this Chapter, and shall be updated each year upon registration, or upon a change in tenants. All applicants for rental licenses shall comply with the general laws of East Norriton Township, and the International Property Maintenance Code, as amended.

§ 159-6. Violations and Penalties.

Any property owner who fails to comply with the provisions of this Chapter, shall upon summary conviction therefor before a District Justice within the magisterial district within which the Township is located, be fined not more than \$1,000 plus costs of prosecution and reasonable attorney's fees, after a summary

proceeding brought in the name of the Township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

§ 159-7. Compliance with Other Chapters.

Every owner of a residential rental unit, shall also comply with the relevant provisions contained in Chapter 152, Chapter 190, and all other relevant Chapters of the Code of East Norriton Township.

II. REPEALER

Any and all terms, conditions, and provisions of any Ordinance or Resolution of East Norriton Township in conflict with the terms, conditions and provisions of this Ordinance, are hereby repealed to the extent of such conflict.

III. SEVERABILITY

It is hereby declared to be the legislative intent, that if a court of competent jurisdiction declares any provision of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Chapter shall continue to be separately and fully effective.

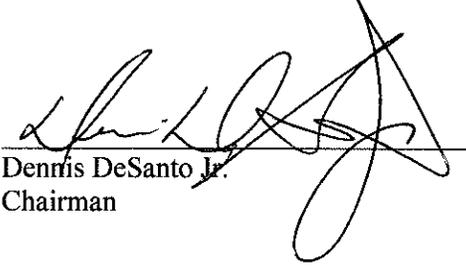
IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon adoption by the Board of Supervisors of East Norriton Township.

ORDAINED AND ENACTED, by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 27th day of March, 2018.



EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS


Dennis DeSanto, Jr.
Chairman

ATTEST:


Robert R. Hart, Esq.
Secretary