

ORDINANCE NO. 2010- 41
RADNOR TOWNSHIP

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 226, RENTAL PROPERTIES, ARTICLE I, RENTAL UNIT REGULATIONS, TO PROVIDE FOR THE LICENSING AND INSPECTION OF ALL RENTAL UNITS IN RADNOR TOWNSHIP, INCLUDING STUDENT HOUSING, MULTIPLE FAMILY DWELLING UNITS, APARTMENT HOUSES, DORMITORIES, AND OTHER UNIVERSITY OR EDUCATIONAL CAMPUS RENTAL UNITS

WHEREAS, Chapter 226 of the Radnor Township Code of Ordinances regulates rental properties within Radnor Township; and

WHEREAS, the purpose of Chapter 226 is to insure the obligations of both owners and tenants of rental units within the township to improve the maintenance and quality in compliance with all applicable codes and ordinances; and

WHEREAS, there is a greater incidence of maintenance and upkeep problems and disturbances adversely affecting the peace and quiet of the area at rental residential properties than at owner-occupied residential properties; and

WHEREAS, a systematic inspection process of rental units can avoid life threatening problems such as a lack of fire and/or smoke detectors; and

WHEREAS, Radnor Township desires to amend Chapter 226 to include college, university and educational housing within the requirements of Chapter 226.

NOW, THEREFORE, be it *ORDAINED* and *ENACTED* by the Radnor Township Board of Commissioners, as follows:

SECTION 1.

Section 226-2, Definitions, is hereby amended by adding new definitions for Dormitory and On-Campus Housing, and revising the definition for Rental Unit, as follows:

DORMITORY

A college, university, or other educational building containing living and/or sleeping accommodations for students.

ON-CAMPUS HOUSING

A college, university, or other educational building containing a rental unit for living and/or sleeping accommodations for students, faculty or guests.

RENTAL UNIT

A dwelling unit occupied under a rental agreement and containing living and/or sleeping accommodations with or without cooking and/or individual sanitary facilities including dormitory rooms.

SECTION 2.

Section 226-2, Definitions, is hereby amended by revising the definitions for Code to delete “BOCA National Building Code and BOCA National Fire Protection Code” and replace it with “Uniform Construction Code and National Fire Protection Code”.

SECTION 3.

Section 226-7, License and inspection of rental units, Subsections E. G., and H., are hereby amended to read as follows:

§226-7 License and inspection of rental units.

- E. Upon the effective date of this Article, no license or renewal of a license shall be granted, nor shall any change in occupancy within a rental unit be permitted, if such license, renewal of license, or change in occupancy shall cause the number of student tenants residing within a one thousand foot radius of another student tenant rental unit to exceed two students; provided, however, that where such rental unit exists as legal nonconforming use, the owner of that property shall be entitled to apply for renewal of a license until such time as the property is not occupied by student tenants for a period in excess of one year. The provisions of this Subsection shall not apply to rental units located within a multi-family dwelling, apartment house, dormitory, or on-campus housing.
- G. License fees shall be charged in accordance with the Fee Schedule as set forth in Chapter 152, Fees, of the Code of the Township of Radnor, or by separate resolution of the Board of Commissioners. Fees shall be paid upon the filing of an application and shall expire as of June 30, at or prior to which time a fee shall be paid for an additional 12 months.
- H. All rental unit licenses shall have an annual term and each rental unit shall be subject to a minimum of at least one inspection every three years based upon a schedule established by the department or when an application is submitted for a license. The department shall establish geographic areas and require that rental units in each of these geographic areas be made available for inspection in the designated year.

SECTION 4.

Section 226-8, Grounds for formal warning, loss of privilege to rent to college students, nonrenewal or suspension of license, Subsection A. is hereby amended as follows:

§226-8 Grounds for formal warning, loss of privilege to rent to college students, nonrenewal or suspension of license

- A. Disciplinary action may be initiated against an owner which may result in a formal warning, loss of privilege to rent to student tenants, nonrenewal or suspension of the owner's license, or the filing of an ordinance citation for the violation of any provision that imposes a duty upon the owner, including failing to regulate the breach of duties by tenants, as defined in this Ordinance. In all disciplinary actions, the existence of housing, rental or dormitory rules and regulations, and the effectiveness of their enforcement shall be considered.

SECTION 5.

Section 226-11, Miscellaneous provisions, is hereby amended by adding a new Subsection D. to read as follows:

§226-11 Miscellaneous provisions.

- D. All applications and/or licensing fees shall be set by separate resolution on an annual basis by the Board of Commissioners.

SECTION 6.

Repealer. All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 7.


Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

SECTION 8.

Effective Date. This Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter.

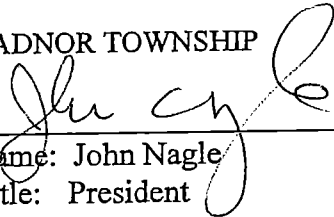
ENACTED and ORDAINED this 13th day of December, A.D., 2010.

ATTEST:


Matthew Baumann, Township Secretary

By:

RADNOR TOWNSHIP


Name: John Nagle
Title: President