

UWCHLAN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004 - 05

AN ORDINANCE OF THE TOWNSHIP OF UWCHLAN, CHESTER COUNTY, PENNSYLVANIA, REQUIRING THE INSPECTION OF RESIDENTIAL RENTAL PROPERTIES AND THE ISSUANCE OF A RE-OCCUPANCY PERMIT PRIOR TO THE OCCUPATION BY A NEW TENANT; REQUIRING INSPECTION OF COMMON AREAS OF RENTAL PROPERTIES EVERY YEAR, AND ISSUANCE OF A CERTIFICATE OF COMPLIANCE; AND PROVIDING MINIMUM STANDARDS TO INSURE THAT RESIDENTIAL RENTAL PROPERTIES ARE SAFE AND SANITARY FOR OCCUPANCY.

AND NOW this 12th day of April, 2004, the Board of Supervisors of Uwchlan Township hereby enacts and ordains as follows:

Section 1. Definitions. Unless otherwise expressly provided, the following words shall, for the purposes of this Ordinance, have the following meanings:

Code Official - The officer or other designated authority charged with the administration and enforcement of the township codes and this Ordinance, or a duly authorized representative.

Dwelling Unit - a building or portion thereof providing one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, and having no cooking or sanitary facilities in common with any other dwelling unit.

Owner - An individual, corporation, partnership or other entity having a legal ownership interest in a residential property.

Rental Property - Any occupied residential property or dwelling unit that is non-owner occupied; a residential property or dwelling unit where individuals other than the owner reside on the property.

Tenant - An individual or entity who occupies a rental property.

Township - The Township of Uwchlan.

Township Codes - The Uwchlan Township Building, Plumbing, Electrical, and Fire Codes, as amended from time to time.

Section 2. Applicability. This Ordinance shall apply to all rental properties within the Township.

Section 3. Certificates Required.

1. Initial and Five-Year Inspection.

a. Within one (1) year of the effective date of this Ordinance, all dwelling units in every rental property shall be inspected and shall require a certificate of compliance in accordance with the requirements of this Ordinance.

b. After the initial inspection, every dwelling unit in every rental property shall be inspected every five (5) years and shall require a certificate of compliance in accordance with the requirements of this Ordinance.

c. Notwithstanding Section 1.a. and 1.b. above, dwelling units in rental properties that have been newly constructed and issued an initial use and occupancy permit within two (2) years prior to the effective date of this Ordinance and new dwelling units constructed after the effective date of this Ordinance shall be inspected and shall require a certificate of compliance in accordance with the requirements of this Ordinance within five (5) years of the initial occupancy date.

2. New Tenant. After the effective date of this Ordinance, a dwelling unit in a rental property shall not be occupied by a new tenant until an inspection has been performed and a certificate of re-occupancy has been issued by the code official in accordance with the requirements of this Ordinance.

3. Common Area. Within one (1) year of the effective date of this Ordinance and on a yearly basis thereafter, all common areas of rental properties shall be subject to inspection and shall require a certificate of compliance in accordance with the requirements of this Ordinance.

Section 4. Permit Application Procedure

1. All dwelling units in rental properties shall be inspected and a certificate of compliance will be issued valid for five (5) years. The fee for this inspection shall be \$50.00 for each dwelling unit in a rental property to be paid prior to the inspection. All such inspections shall be arranged by the code official. The code official shall mail the owner written notice of the date and time of the inspection at least ten (10) days prior to said date and time.

2. An application for a certificate of re-occupancy shall be filed with the code official by the owner 10 days prior to re-occupancy of a dwelling unit in a rental property. The application shall contain such information as the Township may require on a Township form. A fee in the amount of fifty dollars (\$50.00) for each dwelling unit in a rental property to be inspected shall accompany the application.

3. All common areas of rental properties shall be inspected on a yearly basis and a certificate of compliance will be issued valid for twelve (12) months. The fee for this inspection shall be \$25.00 per building to be paid prior to the inspection. All such inspections shall be arranged by the code official. The code official shall mail the owner written notice of the date and time of the inspection at least ten (10) days prior to said date and time.

Section 5. Inspection Requirements. Unless an exception is permitted by the code official pursuant to Section 8 of this Ordinance, the following requirements shall be met prior to the issuance of a certificate of re-occupancy or a certificate of compliance. The code official shall conduct an inspection to determine compliance with the following requirements:

1. **Street Numbers:** Each house, building or structure shall have the assigned address number displayed in a position easily observable and readable from the public or private street or right-of-way. All numbers shall be in Arabic figures at least 3 inches high and reflective.

2. **Sidewalks:** Sidewalks shall be in good repair and in a safe condition. Sidewalks with a horizontal crack or a difference in elevation of more than 1/2 inch vertical or one inch horizontal shall be deemed not in a safe condition and shall be replaced.

3. **Exterior Walls, Roofs, Doors & Windows:** Every exterior wall, roof, door and window shall be free of holes or breaks. The roof shall be weather tight.

4. **Handrails:** Every flight of stairs which is more than three risers high shall have a handrail and guard, and every open portion of a stair, landing, or balcony, which is more than 30 inches above floor or grade, shall have guardrail installed in accordance with the Building Code. All decks, more than 30" above finished grade, shall have a guardrail installed in accordance with the Building Code.
5. **Electrical Service & Receptacles:** Every habitable room in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every bathroom shall contain at least one G.F.C.I. receptacle.
6. **Smoke Detectors:** Every residential dwelling unit shall have a minimum of one, 110 Volt AC powered with battery back-up, smoke detector near the sleeping area.
7. **Plumbing:** Floor drains shall not be permitted. Sump pumps are not permitted to be connected to the sanitary sewer. All illegal connections shall be removed and discharged to an approved location. All plumbing fixtures shall be clean, operating properly and in a sanitary condition. All traps and fixtures shall be operational at all times.
8. **Exit signs and emergency lighting** must be present and operational as required.
9. Any other item that violates the Township codes and is a condition that endangers the health or safety of the tenant or the general public.

Section 6. Issuance of Certificate. After inspection of the residential property, a certificate of re-occupancy or certificate of compliance shall be issued if the property complies with the minimum requirements set forth in Section 5 above.

Section 7. Re-inspections. If the code official determines after the initial inspection that a property does not meet the minimum requirements set forth in Section 5 above, upon correction of all violations, the owner shall notify the code official in writing that the violations are corrected. A re-inspection shall be performed by the code official. A certificate of re-occupancy or certificate of compliance shall be issued by the code official if the property is in compliance. The fee for re-inspection shall be twenty-five dollars (\$25.00).

Section 8. Exceptions. Where the code official determines, due to unique circumstances or weather conditions, that exterior violations, such as sidewalks and roofs, cannot be replaced or repaired to comply with the minimum requirements set forth in Section 5 before occupancy, the owner shall submit a time schedule for repairs to be approved by the code official. As a condition to issuing the certificate of re-

occupancy, sufficient funds shall be escrowed with the Township in order to insure completion of the required work.

Section 9. Waivers. The code official may waive compliance with the five (5) year requirement of Section 3.1 of this Ordinance if the subject dwelling unit has been inspected and a certificate of re-occupancy has been issued within the five (5) year period. The code official may waive compliance with Section 3.2 of this Ordinance if the dwelling unit being re-occupied has been inspected and a certificate of re-occupancy has been issued within the twelve (12) month period immediately preceding the proposed re-occupancy date.

Section 10. Violations and Penalties. Any person violating the terms of this Ordinance shall be guilty of a summary offense, and upon conviction thereof by a district justice, be sentenced to pay a fine of not less than \$300.00 and not more than \$1,000.00 plus costs. Each day that a violation continues shall be deemed a separate offense.

Section 11. Severability. If a section, subsection, sentence, clause, or any provision of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

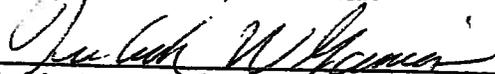
Section 12. Repealer. Ordinance No. 2003-04 is hereby repealed.

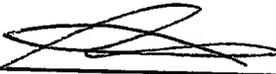
Section 13. Effective Date. This Ordinance shall take effect five (5) days from the date of enactment.

ENACTED AND ORDAINED this 12th day of April 2004.

**BOARD OF SUPERVISORS
UWCHLAN TOWNSHIP**

By: 
Joseph E. Toner, Chairman

By: 
Frederick W. Gaines, Vice Chairman

By: 
Milton H. Bozarth, Supervisor

ATTEST:


Doug Hanley, Manager

Uwchlan Township
Building Department
715 North Ship Road. Exton PA 19341-1940
610-363-9450 Fax: 610-363-7915
tcaputo@uwchlan.com

APPLICATION FOR CERTIFICATE OF RE-OCCUPANCY
FOR NON-OWNER OCCUPIED DWELLINGS

Name of Property Owner: _____

Mailing Address of Property Owner: _____

Phone Number(s) of Owner H) _____ W/C) _____

Name of Owner's Agent: _____

Mailing address of Agent: _____

Phone Number(s) of Agent: W) _____ Cell) _____ Fax) _____

Address of Rental Unit: _____

Phone Number for Unit: _____

It is the Property Owner's responsibility to submit to the Township a complete list of the current tenants.

Please provide name(s) of all persons living in dwelling:

	Adult	Minor
Name: _____	_____	_____

Signature of Property Owner/Agent: _____ Date: _____