

RESOLUTION NO. 2009-6

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE TOWNSHIP OF LONGSWAMP, BERKS COUNTY,
PENNSYLVANIA, ESTABLISHING RENTAL PERMIT FEES
AND REGULATIONS FOR RENTAL PERMIT
ADMINISTRATION**

BE IT RESOLVED by the Board of Supervisors of the Township of Longswamp, Berks County, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

WHEREAS, Longswamp Township has enacted Ordinance No. 239 regarding the regulation of rental properties within the township and permit requirements for said properties; and

WHEREAS, this Resolution seeks to set permit fees for the implementation of said ordinance; and

WHEREAS, the Board of Supervisors also desires procedures for periodic rental property inspections as part of the administration of the rental permits;

WHEREAS, the Board of Supervisors seeks to confirm that all rental properties are subject to full inspection under the Property Maintenance Code provisions adopted pursuant to Ordinance No. 239. However, the Board seeks to provide a check list of permit inspection items that will be reviewed on a tri-annual basis (every three (3) years) and/or when properties change hands in order to provide a streamlined permitting process;

WHEREAS, the Board of Supervisors seeks to provide discretion for the Code Officer when a full inspection may be required based upon visual observation during a permit inspection, complaints by tenants or neighbors or other visual inspections that indicate health, safety and welfare concerns; and

WHEREAS, the Board of Supervisors seeks to note that said inspections are not a warranty or guarantee of safety but to ensure that the provisions of the Property Maintenance Code are applied to rental properties and to protect against blight within the Township.

NOW, THEREFORE, be it resolved by the Board of Supervisors of the Township of Longswamp, Berks County, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

SECTION 1. The Board of Supervisors incorporates the aforementioned recitals as if more fully set forth herein. Further, to the extent that Resolution 2007-11, which previously adopted inspection fees and procedures, conflicts with this resolution it is hereby repealed.

SECTION 2. That the Longswamp Township Board of Supervisors hereby establishes by resolution a rental permit fee per residential dwelling unit as follows:

A. **Seventy-Five Dollars (\$75.00)**per dwelling unit for all units located on a single lot for up to two rental units;

B. Fifty Dollars (\$50.00) per rental unit for all units located on a single lot in instances where there are three or more rental units.

SECTION 3. Inspections:

- A. A tri-annual inspection (every three years) which shall be conducted pursuant to the criteria set forth in Ordinance No. 239 and as set forth in this Resolution. The three (3) year period will be established based upon the first inspection held pursuant to Ordinance No. 239.
- B. In addition to tri-annual inspections, an inspection of rental properties shall take place when rental properties are sold to persons who seek to continue to let the premises to third parties.

SECTION 4. Said permit fee shall be paid every three years (as established by the Inspection Period set forth in Section 3) by January 15 of the triennial renewal year. At that time, as part of the permit application the applicant shall schedule the yearly inspection which shall be conducted pursuant to the criteria set forth in Ordinance No. 239.

SECTION 5. The inspections established pursuant to Section 3 above shall be conducted within ninety (90) days of receipt of the application and at the conclusion of the inspection, if said property meets the requirements of Ordinance No. 239, (Property

Maintenance Code) then a permit shall be issued within fifteen (15) days after the inspection.

SECTION 6. Inspection Criteria.

A. The inspections established pursuant to Section 3 shall focus on such issues as the following:

1. The availability of smoke detectors;
2. Building exteriors;
3. Occupancy Limitations;
4. The availability of heat and electric (the code inspector shall determine availability and permits shall not be withheld due to the need for replacement systems, but information shall be provided as to sub-par equipment);
5. Outdoor and stairway guide rails;
6. The availability of water and sewage utilities.

B. In the event that an inspection reveals unsafe or dangerous conditions at a particular property or unit, a notice of such deficiencies shall be provided by the Township Inspector and the Property Owner and/or agents shall advise the inspector in writing as to a plan for remedying such violations within thirty (30) days of such inspection. The Township Inspector shall

provide a written approval of such plan which shall establish time limits for compliance with the Plan.

- C. Upon notice of historic structure, the Code Officer shall make a determination as to mandatory provisions of the Property Maintenance Code pursuant to Section 102.6.

SECTION 7. In the event that the Property Owner/agent does not submit a written plan for remedying violations within the time established in Section 6(B) of this Resolution or the Property Owner does not comply with said approved plan, then a Notice of Violation pursuant to Ordinance No. 239 (Property Maintenance Code) shall be provided. Thereafter, the procedure for appeals as set forth in Ordinance No. 239 shall be followed.

SECTION 8. In the event of non-compliance with Ordinance No. 239 as to inspection deadlines or requirements otherwise not set forth herein, no permit shall be issued and the procedure for processing violations within said Ordinance as outlined by the Property Maintenance Code Ordinance shall be followed, including the appeal process set forth therein.

SECTION 9. All resolutions or parts of resolutions inconsistent with this Resolution are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

RESOLVED AND ADOPTED by the Board of Supervisors of the Township of

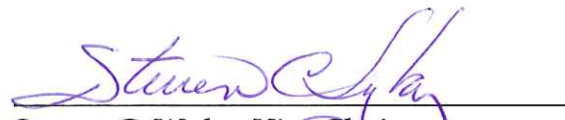
Longswamp, Berks County, Pennsylvania, in lawful session fully assembled, this

10th day of February, 2009.

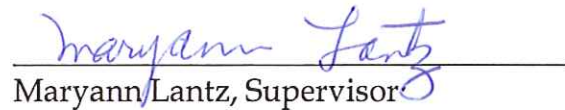
BOARD OF SUPERVISORS
LONGSWAMP TOWNSHIP
BERKS COUNTY, PA



Donald C. Siegfried, Chairman

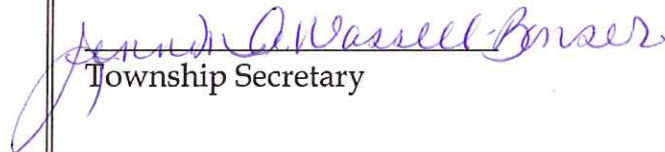


Steven C. Wyka, Vice Chairman



Maryann Lantz, Supervisor

Attest:



Township Secretary