RED HILL BOROUGH COUNCIL

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2026-609

"Use and Occupancy and Rental Inspection Ordinance"

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE BOROUGH OF RED HILL, CHAPTER 5 (CODE ENFORCEMENT), PART 4 (RESIDENTIAL RENTAL PROPERTY), SECTION 5-403.D TO REQUIRE RESIDENTIAL RENTAL UNIT INSPECTIONS TO COMPLY WITH THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDING CHAPTER 5 (CODE ENFORCEMENT) TO ADD A NEW PART 5 ENTITLED "CHANGE OF USE OR OCCUPANCY" TO REQUIRE INSPECTIONS FOR CHANGE OF USE OR OCCUPANCY TO COMPLY WITH THE 2015 INTERNATIONAL PROPERTY MAINTENCNE CODE; AND FURTHER AMENDING CHAPTER 27 (ZONING), PART 8 (ADMINSITRATION) TO REPEAL THE EXISTING SECTION 27-802.2.D(1) AND (2) (INSPECTIONS) IN THEIR ENTIRETY AND REPLACING THEM WITH A NEW SECTION 27-802.2.D ADDRESSING INSPECTIONS FOR CHANGE OF USE OR OCCUPANCY.

The Borough Council of the Borough of Red Hill does hereby **ENACT** and **ORDAIN** as follows:

SECTION I. - <u>Amendment to Code</u>

The Codified Ordinances of Red Hill Borough, Chapter 5 (Code Enforcement), Part 4 (Residential Rental Property), Section 5-403 (Triennial Inspections Required), Subsection D is hereby amended by deleting the existing Subsection D in its entirety and replacing it with a new Subsection D as follows:

> D. The minimum requirements and standards for residential rental units shall comply with the provisions of the 2015 International Property Maintenance Code, adopted by Red Hill Borough in Part 2 of this Chapter, as may be amended from time to time.

SECTION II. Amendment to Code.

The Codified Ordinances of Red Hill Borough, Chapter 5 (Code Enforcement), is hereby amended to add a new Part 5 entitled "Change of Use or Occupancy" as follows:

Part 5 CHANGE OF USE OR OCCUPANCY

§ 5-501 Inspections for Change of Use or Occupancy.

A. Prior to a change in occupancy of any residential or multiple-family dwelling, prior to a change in occupancy of any structure or land where a commercial or industrial use is to be located, and for any change of use of any existing building or land where a residential or multiple-family dwelling or a commercial or industrial use will be involved, the property shall be inspected by the Code Enforcement Officer for compliance with the minimum requirements and standards set forth in the 2015 International Property Maintenance Code, adopted by Red Hill Borough in Part 2 of this Chapter, as may be amended from time to time, prior to issuance of a new occupancy permit. This provision shall not be applicable to a change in title to a residential or commercial property which is not accompanied by a change of use or occupancy.

SECTION III. Amendment to Code.

The Codified Ordinance of Red Hill Borough, Chapter 27 (Zoning), Part 8 (Administration) is hereby amended by deleting the existing Sections 27-802.2.D(1) (Inspections) and 27-802.2.D.(2) in their entirety and replacing them with the following:

27-802.2.D. Inspections for Change of Use or Occupancy.

(1) Any change in use of any structure or any change in occupancy of any residential or commercial structure shall require written notice to the Borough two weeks prior to any such change. The inspections required for any such change in use or occupancy shall be conducted in accordance with Chapter 5, Part 5 of the Code of Ordinances pertaining to Inspections for Change of Use or Occupancy.

SECTION IV. Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the

intent of the Council that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION V. – Failure to Enforce not a Waiver

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION VI. – Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VII. – Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

[Signature Page Follows]

ORDAINED and **ENACTED** by the Borough Council of Red Hill Borough, Montgomery County, Pennsylvania, this 11th day of March, 2026.

RED HILL BOROUGH COUNCIL

By: _____
Donna Paul, Council President

Attest: _____
Elizabeth DeJesus, Secretary

APPROVED the 11 day of March, 2026.

_____
David Schiffgens, Mayor

NOTICE

NOTICE is hereby given that the Red Hill Borough Council, at its public meeting on March 11, 2026 at 7:00 PM at the Red Hill Borough Hall, 56 West Fourth Street, Red Hill, Pennsylvania 18076, will consider adoption of an ordinance entitled "Use and Occupancy and Rental Inspection Ordinance" amending the Codified Ordinance of the Borough of Red Hill, Chapter 5 (Code Enforcement), Part 4 (Residential Rental Property), Section 5-403.D to require residential rental unit inspections to comply with the 2015 International Property Maintenance Code; amending Chapter 5 (Code Enforcement) to add a new Part 5 entitled "Change of Use or Occupancy" to require inspections for change of use or occupancy to comply with the 2015 International Property Maintenance Code; and further amending Chapter 27 (Zoning), Part 8 (Administration) to repeal the existing Sections 27-802.2.D(1) and (2) (Inspections) in their entirety and replacing them with a new Section 27-802.2.D addressing inspections for change of use or occupancy.

Copies of the proposed Ordinance are available for public inspection at the Borough Offices, 56 West Fourth Street, Red Hill, Pennsylvania 18076 where a copy of the proposed ordinance may be obtained at a charge not greater than the cost thereof, the offices of *The Town & Country,* 2508 Kutztown Road, Pennsburg, PA 18073 and the Montgomery County Law Library, Court House, Norristown, Pennsylvania, during normal business hours.

MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP

Solicitor for the Borough of Red Hill