

**ORDINANCE NO. 2025-01
BOROUGH OF WEST CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF WEST CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH'S RENTAL REGISTRATION CODE TO AMEND A DEFINED TERM, TO REQUIRE RENTAL REGISTRATION CERTIFICATES, TO ESTABLISH PROCEDURES AND STANDARDS FOR OBTAINING THE SAME, ESTABLISHING RULES AND REGULATIONS PERTAINING TO THE USE OF RESIDENTIAL RENTAL PROPERTIES, AND TO AMEND THE BOROUGH'S ZONING CODE TO AMEND A DEFINED TERM AND TO REQUIRE COMPLIANCE WITH THE RENTAL REGISTRATION CODE FOR RENTAL PROPERTIES.

WHEREAS, the Pennsylvania Borough Code authorizes Borough Council of the Borough of West Conshohocken ("Borough Council") to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough of West Conshohocken ("Borough") and the maintenance of peace, good government, health and welfare of and its citizens;

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, ("MPC") authorizes the Borough Council to enact, amend and repeal zoning ordinances;

WHEREAS, the Borough Council desires to update and amend the its Rental Registration Ordinance and its Zoning Ordinance to amend their provisions regarding the rental of residential properties within the Borough of West Conshohocken;

WHEREAS, the Borough Council has met the procedural requirements of the Pennsylvania Borough Code and MPC, for the adoption of the proposed ordinance, including advertising, submission to the planning commissions, and holding a public hearing;

WHEREAS, the Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents and guests of the Borough will be served by this amendment of the Borough of West Conshohocken Zoning Ordinance as set forth below.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, as follows:

§ I. RECITALS. The above recitals are incorporated herein as if set forth in full.

§ II. CODE AMENDMENT – RENTAL REGISTRATION. The Code of the Borough of West Conshohocken, Chapter 90, Rental Registration, is hereby amended as follows:

- A. The Code of the Borough of West Conshohocken, Chapter 90, Section 90-2 is hereby amended to revise the definition of “Family” to read as follows:

“FAMILY

Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises, when said individuals are related by blood, marriage or adoption, including any number of foster children under the care of same; or no more than three unrelated individuals living together as a single housekeeping unit. This definition excludes the occupants of a club, fraternity or sorority house, or lodge. This definition shall be deemed to include any number of mentally or physically handicapped persons occupying a dwelling unit as a single housekeeping unit if such occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended, and the Fair Housing Amendments Act of 1988, as amended.”

- B. The Code of the Borough of West Conshohocken, Chapter 90, Section 90-2 is hereby amended to add the following definitions to read as follows:

“EMERGENCY REPAIR

A condition that materially affects the health or safety of the tenant or the habitability of the dwelling, including but not limited to:

- Plumbing failures resulting in loss of water or sanitation;
- Loss of heat during the heating season (October 1–April 30);
- Major electrical failures or fire hazards;
- Structural failures of hazardous conditions;
- Gas leaks or carbon monoxide concerns;
- Flooding or sewer backup; or
- Any condition identified as an imminent hazard by the West Conshohocken Borough Code Enforcement Officer.

NON-EMERGENCY REPAIR

Any maintenance issue not defined as an emergency, including but not limited to cosmetic repairs, appliance issues, and general wear and tear.”

- C. The Code of the Borough of West Conshohocken, Chapter 90, Section 90-3 is hereby repealed in its entirety and replaced with the following:

“§ 90-3. Regulation of rental properties.

- A. No rental property shall be occupied unless a rental registration certificate has been first obtained therefor. The owner of a property shall apply for a rental registration certificate by using the Borough’s application form.
- B. A rental registration certificate shall be valid for a term of 1 year, and must be renewed annually.
- C. All rental properties must be equipped with the following:
- (1) A smoke detector in each bedroom.
 - (2) A smoke detector in common hallways.
 - (3) At least one smoke detector on each floor.
 - (4) A carbon monoxide detector if the rental property contains an open-flame oil or gas furnace, a gas or wood fireplace, a wood-burning stove, or an attached garage.
 - (5) All new and replacement smoke detectors, carbon monoxide detectors and combination smoke/carbon monoxide detectors shall be 10-year sealed battery detectors. Where the detectors are hard-wired into the electrical system, a 10year sealed backup battery detector shall be installed.
 - (6) GFI outlets for outlets located within six feet (6’) of a water source.
 - (7) A Class 2-A:10- BC aka 5 LB (or greater) fire extinguisher in the kitchen of each unit.
 - (8) Indoor and outdoor stairs that are in good condition.

- (9) Windows that are in good working order.
- (10) Any and all other requirements stated within the Code of the Borough of West Conshohocken.

D. All rental properties shall comply with the following:

- (1) The owner shall maintain general liability insurance at all times during the term of a rental registration certificate in an amount not less than \$1,000,000.00.
- (2) If the rental property is not connected to a public sanitary sewer system, the septic system shall be adequate to handle the number of persons occupying the rental property.
- (3) If the rental property is connected to a public sanitary sewer system, the number of persons occupying the rental property shall not exceed the number of persons for whom sanitary sewer capacity has been obtained from the sanitary sewer authority.
- (4) If a sewage system malfunction occurs, the rental of the rental property shall be discontinued until the malfunction is corrected in accordance with the requirements of the Borough and the Commonwealth of Pennsylvania Department of Environmental Protection.
- (5) (a) Emergency Repairs. The property owner or their authorized representative must respond to emergency repair requests within 24 hours of being notified by the tenant. Emergency repairs must be completed within 48 hours of initial notification unless extraordinary circumstances prevent completion within this timeframe, in which case the property owner or representative must provide: (1) written explanation to the tenant; and (2) temporary mitigation, if necessary.

(b) Non-Emergency Repairs. The property owner or their authorized representative must initiate repairs for nonemergency issues within 10 days of written notification from the tenant. All non-emergency repairs must be completed within 30 days of the initial notice, unless: (1) the tenant agrees in writing to a longer timeframe; or (2) circumstances beyond the property owner's or

representative's control cause a delay (e.g., parts backordered, weather conditions).

(c) Notice and Documentation. Tenants must notify the property owner or their authorized representative of needed repairs in writing (e.g., email, text, letter). The property owner or representative must acknowledge receipt of emergency repairs notices within 24 hours and nonemergency notices within 48 hours.

- (6) Neither the tenants of a rental property nor their guests shall engage in disorderly conduct, disturb the peace and quiet of any nearby person or neighborhood by loud, unusual, or excessive noise, by tumultuous or offensive conduct, public indecency, threatening, traducing, quarreling, challenging to fight, or fighting, or creating a dangerous or physically offensive condition.
- (7) Overnight occupancy of recreational vehicles, camper trailers and tents are not permitted on a rental property.
- (8) Outdoor sleeping of tenants of a rental property or their guests is not permitted on a rental property.
- (9) Trash shall not be kept or stored outside of designated receptacles when it is on the exterior of the property.
- (10) All fireplaces must be cleaned at least once every 2 years.

E. The following information shall be conspicuously posted in a packet within each unit of a rental property:

- (1) The name and contact information of the property owner or the person charged with the maintenance of the rental property shall be kept in a conspicuously visible place within each unit of a rental property.
- (2) Trash pick-up day and notification that trash shall not be kept or stored outside of designated receptacles when it is on the exterior of the property.

- (3) Notification that a tenant or guest may be cited and fined for creating a disturbance, exceeding permitted noise limits or for violating other provisions of the Code of the Borough of West Conshohocken.
 - (4) Notification that tenants must make the rental property available for inspection by the Borough upon request and upon reasonable notice being provided.
- F. The Borough shall not issue a rental registration certificate for any rental property if there exist any outstanding violations of any Borough ordinance, resolution, code or regulation. The rental registration certificate may not be assigned or transferred without the prior written permission of the Borough Code Enforcement Officer.
- G. The owner of a rental property shall insure contractually through a rental, license or other agreement that all tenants comply with all federal, state, and Borough laws, rules, codes, ordinances and regulations relating to:
- (1) The sale, use or possession of illegal substances.
 - (2) The consumption and use of alcohol.
 - (3) The possession, storage or discharge of firearms.
 - (4) The possession or use of fireworks, explosives, incendiary or noise-making devices.
 - (5) The possession or use of hazardous or noxious materials.
 - (6) The provisions of the Borough's Property Maintenance Code, including but not limited to requirements that all property be free of high grass, weeds and debris, foul odors or other hazardous and unsightly conditions.
 - (7) The storage of tools, equipment and vehicles.
 - (8) Untimely or excessive noise or disruptive conduct, including but not limited to noise caused by voices, radios, stereos, televisions, tools, machinery, equipment, vehicles or animals.

- H. The owner of every rental property for which a rental registration certificate has been issued shall notify the Borough's Code Enforcement Officer, in writing, within 24 hours after having sold, transferred, given or otherwise conveyed its interest in or control of the rental property.
- I. Any person violating the provisions of this chapter shall be subject to the provisions detailed in Section 90-8 of this chapter."

D. The Code of the Borough of West Conshohocken, Chapter 90, Section 90-5 is hereby repealed in its entirety and replaced with the following:

"§ 90-5. Application procedures for rental registration certificates and multitenant licenses.

Rental registration certificates and multitenant licenses shall be issued in accordance with the following procedures:

- A. A property owner shall submit an application for a rental registration certificate or a multitenant license containing the following information:
 - (1) The address of the rental property.
 - (2) The name, address, telephone number and email address of the owner and any agent whom the owner engages to manage the rental property.
 - (3) The name, address and 24-hour telephone number of either the property owner or the person or agent with authority to represent and make decisions on behalf of the owner for purposes of emergency and non-emergency contact and communication regarding the rental property. The Borough shall be notified of any change in the identity of any such persons.
 - (4) The total number of units in the rental property, and the number of bedrooms within each unit.
 - (5) The signature of the property owner and any agent whom the owner engages to manage the rental property.
- B. The following items must be submitted with an application for a rental registration certificate:

- (1) If the rental property is not connected to a public sanitary sewer system, a septic system evaluation certifying the existing system is functioning as intended and proof that the tank was pumped within the prior 3 years.
 - (2) If the rental property is connected to a public sanitary sewer system, a "will-serve" letter from the sanitary sewer authority certifying that sufficient capacity is available for the use of the property as a rental property with the number of bedrooms noted in the body of the letter.
 - (3) A certificate of insurance evidencing that the owner has obtained general liability insurance for the rental property for the full term of the rental registration certificate.
- C. The applicant for a rental registration certificate or multitenant license shall pay a fee in an amount that is set forth in the Borough's fee schedule.
- D. The Borough's Code Enforcement Officer or authorized agent shall inspect the rental property prior to issuing a rental registration certificate or multitenant license and shall not issue such a registration certificate or multitenant license if the rental property is in violation of any Borough Code provision. However, no inspection shall be required if the Borough's Code Enforcement Officer or authorized agent has inspected the rental property within the previous 60 days from the date of the application for the rental registration certificate or multitenant license.
- E. The Borough's Code Enforcement Officer shall grant or deny the application for a rental registration certificate or a multitenant license within 30 days of the application being made.
- F. In the event that an application for a rental registration certificate or a multitenant license is denied, the property owner may appeal to the appropriate governmental body, in writing, within 30 days. Any denial shall include the reason for denial and the appropriate body to which an appeal can be taken."

§ III. CODE AMENDMENT – ZONING. The Code of the Borough of West Conshohocken, Chapter 113, Zoning, is hereby amended as follows

- A. The Code of the Borough of West Conshohocken, Chapter 113, Section 113-10 is hereby amended to revise the definition of "Family" to read as follows:

"FAMILY

Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises, when said individuals are related by blood, marriage or adoption, including any number of foster children under the care of same; or no more than three unrelated individuals living together as a single housekeeping unit. This definition excludes the occupants of a club, fraternity or sorority house, or lodge. This definition shall be deemed to include any number of mentally or physically handicapped persons occupying a dwelling unit as a single housekeeping unit if such occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended, and the Fair Housing Amendments Act of 1988, as amended."

- B. The Code of the Borough of West Conshohocken, Chapter 113, is hereby amended to add the following Subsection 113-33.6:

"§ 113-33.6. Rental properties. All rental properties, as that term is defined and used in Chapter 90 hereof, shall comply with all provisions of Chapter 90 hereof. All leases, rental agreements, licenses and similar agreements for such rental properties shall be for a term of not less than 30 days."

§ IV. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

§ V. REVISIONS. The Borough Council of the Borough of West Conshohocken does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.

§ VI. SEVERABILITY. If any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

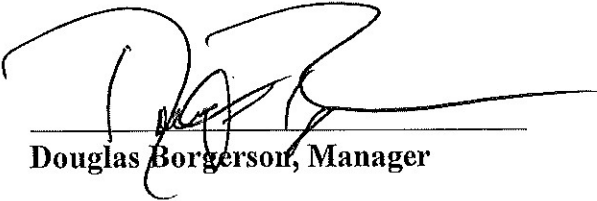
§ VII. FAILURE TO ENFORCE NOT A WAIVER. The failure of the Borough of West Conshohocken to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

§ VIII. EFFECTIVE DATE. This ordinance shall take effect immediately upon its enactment.

ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this 10th day of November, 2025.

Attest:

**BOROUGH OF WEST
CONSHOHOCKEN:**



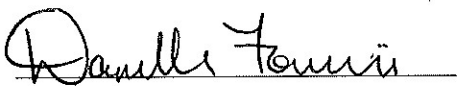
Douglas Borgerson, Manager

By:



Stephen Blumenthal, Council President

Approved by the Mayor of the Borough of West Conshohocken, this 10th day of November, 2025.

By: 

Danelle Fournier, Mayor

