

**MONTGOMERY TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA  
ORDINANCE NO. 25-350**

**AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE MONTGOMERY TOWNSHIP ZONING CODE TO REPLACE PROVISIONS FOR "RELATIVE QUARTERS" WITH PROVISIONS FOR "ACCESSORY FAMILY DWELLING"; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE;**

**WHEREAS**, Section 230-187 of the Montgomery Township Zoning Code and Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10609, authorize the Board of Supervisors of Montgomery Township to enact amendments to the Montgomery Township Zoning Code; and

**WHEREAS**, the Board of Supervisors of Montgomery Township has determined that it is in the best interests of the residents of Montgomery Township to update provisions for accessory dwelling units; and

**WHEREAS**, a public hearing was held, following public notice, for the purpose of considering this amendment to the Montgomery Township Zoning Code; and,

**WHEREAS**, the Board of Supervisors of Montgomery Township, after public hearing, pursuant to public notice, and after receipt of recommendations from the Montgomery Township Planning Commission and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Code be amended as set forth herein and that such amendment is in accordance with the spirit and the intent of the Montgomery Township Zoning Code.

**NOW, THEREFORE**, be it, and it is hereby **ORDAINED** by the Montgomery Township Board of Supervisors, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

**SECTION 1.** The Zoning Code of Montgomery Township, Section 230-149.C, shall be amended to read as follows:

- C. Accessory family dwelling. One accessory dwelling unit to a single-family detached dwelling shall be permitted as a residence by family members or a family caregiver.
  - (1) Any on-lot septic system shall be recertified if the sewage flows will increase.
  - (2) The building shall maintain the appearance of a single-family detached dwelling with a single front entrance. Additional entrances may be placed on the side or rear of the structure. The dwelling units may internally share the single front entrance.
  - (3) The conversion shall not be permitted if it would require the placement of an exterior stairway on the front of the building or would require the placement of off-street parking spaces in the required front yard (other than up to three spaces in a driveway).
  - (4) Separate cooking and sanitary facilities shall be provided for each dwelling unit.
  - (5) The accessory family dwelling shall occupy no more than 25% of the total floor area of the principal residence, not including any garage.

- (6) An accessory family dwelling shall be part of the principal residence. An internal connection shall be provided between the accessory dwelling unit and the principal residence.
- (7) The required off-street parking for the principal dwelling plus one additional off-street parking space for the accessory family dwelling shall be provided.
- (8) Each accessory family dwelling shall be registered with the Township Zoning Officer, who shall keep a record of its use to ensure compliance with this chapter. A fee shall be imposed by the Township Board of Supervisors for the registration of said use, which said fee shall be fixed periodically by the Board of Supervisors by resolution. Registration of an accessory family dwelling shall expire upon conveyance of the property, at which time the new property owner may reregister said use if warranted.
- (9) The record owner of the property shall grant a deed restriction limiting such use in accordance with the foregoing provisions in favor of the Township, which agreement shall contain the following provisions:
  - (a) A description of the dimensions and location of accessory use.
  - (b) Being in a recordable document acceptable to the Township for filing with the Montgomery County Recorder of Deeds Office. All costs for the preparation and recording of the foregoing document are the responsibility of the applicant for the accessory use.
  - (c) The rental of an accessory family dwelling shall not be permitted, nor shall it be used in any way as an income property.

**SECTION 3. Severability.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality or invalidity shall not affect or impair any of the remaining provisions, sentences, or parts of this Ordinance. It is hereby declared to be the express intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or parts thereof not been included herein.

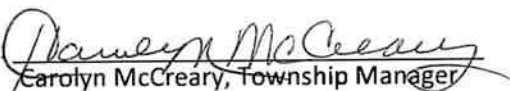
**SECTION 4. Repealer.** All Resolutions, Ordinances, or parts of Ordinances conflicting or inconsistent herewith are hereby repealed to the extent of the conflict or inconsistency.

**SECTION 5. Effective Date.** This Ordinance shall become effective immediately after adoption by the Board of Supervisors for Montgomery Township, Montgomery County, Pennsylvania.

Enacted and ordained by the Board of Supervisors for Montgomery Township, Montgomery County, Pennsylvania this 22nd day of September, 2025.

MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS

Attest

  
Carolyn McCreary, Township Manager

  
Audrey R. Ware-Jones, Chairwoman