

Sept. 11, 2024

**Lower Merion Township
Building & Planning Committee Meeting**





Township of Lower Merion
A FIRST CLASS TOWNSHIP

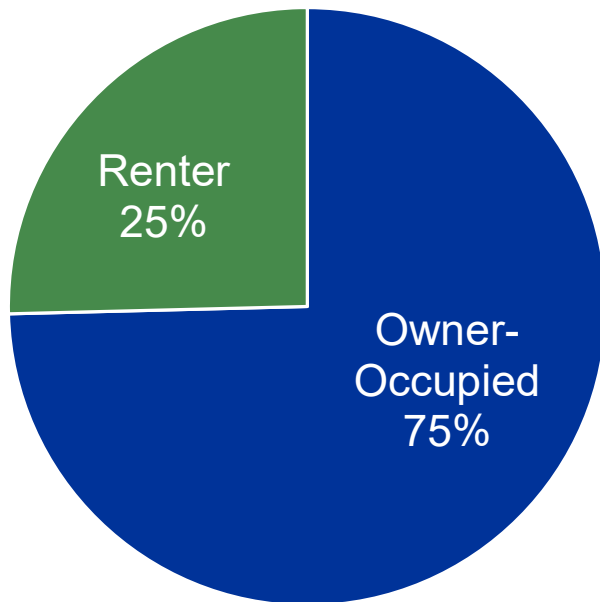
Agenda item #7

CODE AMENDMENT Rental License Regulations

To authorize the Township Secretary to advertise notice of intent to adopt an ordinance to amend the Code of the Township of Lower Merion, Chapter 92, Housing-Property Maintenance, Chapter 75, Fair Housing, and Chapter A167, Fees, to provide for new regulations pertaining to student and nonstudent/residential rental licenses and an amendment fee schedule for rental licensing while incorporating changes to the language of the proposed ordinance as recommended by staff.



Rental Housing Demographics:



- 1388 Residential Rental Licenses (2023)
- 71 Student Rentals Licenses (2023)
 - 182 *Student rental units*
 - *not inclusive of dorms/on-campus*
- Proposed Ordinance would result in 182 Student Rental Licenses vs. 71 Licenses
- Primarily concentrated in Bryn Mawr, Ardmore, and Haverford.



Purpose of the Ordinance:

- **EXPAND REGULATIONS TO DIFFERENTIATE** between Student and Non-Student/Residential Rentals;
- **CLARIFY EXPECTATIONS** in regulations and procedures pertaining to the Township's rental licensing program; and
- **STRENGTHEN** the ability of Township officials to enforce the Code regulating rental licenses and rental units.



Key Provisions:

- **Expands rental regulations** and relocates the regulations from Chapter 92 to Chapter 75 in the Township Code.
- Establishes **SEPARATE REGULATIONS** for:
 - Student rental units & licenses under Chapter 75 Article II.
 - Non-Student/Residential units & licenses under Chapter 75 Article III.
- **Amends the Fee Schedule** for Rental Licenses so that fees cover the cost to administer the rental licensing program.



Key Provisions - Expanding Regulations:

- License will now be required for EACH Rental Unit
- Annual licensing period will be from January 1 through December 31
- Owner or Property Manager must live within 10 miles of the Township
- Unties violations from convictions
- Outlines enforcement actions and appeal process



Key Provisions – Enforcement Actions:

- **Formal Warning**
- **Suspension** – immediate loss of a license for a set period
- **Non-renewal** – the denial of the ability to apply for or renew a license
- **Revocation** – the immediate loss of a license and the denial of the ability to apply for or renew a rental license



Key Provisions - Expanding Regulations: (STUDENT RENTALS ONLY)

- Student is defined as a person enrolled and matriculating in an undergraduate or graduate program at a college or university.
- New Regulations DOES NOT apply to on-campus dormitories or housing.
- Affidavit identifying each tenant of a student rental unit REQUIRED for applications & renewals (must be updated when residency changes).
- Defines Disruptive Conduct as a violation.



Key Provisions - Expanding Regulations: (STUDENT RENTALS ONLY)

- **Disruptive Conduct** is any form of conduct, action, incident or behavior perpetrated, caused or permitted by any tenant or guest of a student rental unit that is loud, untimely (as to hour of the day), offensive, riotous or otherwise that it disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises such that a report is made by the Lower Merion Police Department and/or to the Director complaining of such conduct, action, incident or behavior. **LMPD and/or Township Code officials will determine if conduct is disruptive or not.**



Draft Ordinance Revision #1:

- Amends §75-9 (E-1 & E-5) as originally proposed to require a tenant affidavit instead of a written rental agreement.



Draft Ordinance Revision #2:

- Amends §75-11 (A-4) to add Dormitories to the list of rental properties exempt from the student rental license requirements.
- Amends §75-11(A-6 & A-7) to eliminate the written rental agreement requirement.
- Amends §75-11(A-8) to eliminate the need to submit a floor plan for each student rental license application.



Draft Ordinance Revision #3:

- Amends §75-12 (D) to correct references to other subsections of the code.
- Removes §75-12 (D-4) in its entirety.



Draft Ordinance Revision #4:

- Amends §75-17 (A-1)(f) to require a separate license rather than application for each residential rental unit.
- Amends §75-19 (A-1)(f) to change the proposed three-year licensing term for non-student/residential rental licenses to an annual licensing period (January 1 through December 31).



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Draft Ordinance Revision #5:

STUDENT RENTAL LICENSES	CURRENT FEE	PROPOSED FEE
Dwelling with up to 2 Student Rental Units	\$135	\$150
Multi-unit Dwelling of 3 or more Student Rental Units		
First 2 Student Rental Units	\$135	\$150
Each additional Student Rental Units over 2 units	\$25	\$75
RESIDENTIAL RENTAL LICENSES		
Dwelling with up to 2 Residential Rental Units	\$85	\$100
Multi-unit dwellings, 3 or more Residential Rental Units		
First 2 units	-	\$100
First 5 units	\$100	-
Each additional Residential Rental Unit	\$10	\$50
Re-inspection Fee (per inspection)	\$75	\$100
Late fee (after January 1) per unit	\$50	\$100
Annual license to operate rooming house		
Per rental room within a rooming house	\$25	\$50

Radnor Township		
Rental License	\$ 60.00	each unit (1-10)
2021	\$ 100.00	reinspection fee
Due by June 30	\$ 100.00	late fee july 1-31
	\$ 150.00	on or after aug 1
Haverford Township		
Due by March 1	\$ 60.00	each unit
	\$ 50.00	reinspection fee
	\$ 50.00	late fee after mar 1



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Action to be Considered:

To authorize the Township Secretary to advertise notice of intent to adopt the proposed rental ordinance incorporating the five sets of changes as recommended by staff.