510 City-County Building
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City of Pittsburgh

Legislation Details (With Text)

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Effective date:	9/28/2023		

Title: Ordinance amending the Pittsburgh Code of Ordinances, Title Seven: Business Licensing, Article X: Rental of Residential Housing, by amending in its entirety Chapter 781: Residential Housing Rental Permit Program.
(Public Hearing held 5/19/22)

Sponsors: Theresa Kail-Smith, Bobby Wilson, Deborah L. Gross, Reverend Ricky V. Burgess, R. Daniel Lavelle, Corey O'Connor, Erika Strassburger

Indexes: PGH. CODE ORDINANCES TITLE 07 - BUSINESS LICENSING

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/28/2023	6	Mayor	Signed by the Mayor	
9/26/2023	6	City Council	AMENDED	Pass
9/26/2023	6	City Council	Passed Finally, As Amended	Pass
9/20/2023	5	Standing Committees	Affirmatively Recommended	Pass
9/14/2023	5	Briefing	Briefing Held	
8/30/2023	5	Standing Committees	Held in Committee	Pass
7/26/2023	5	Standing Committees	AMENDED BY SUBSTITUTE	Pass
7/26/2023	5	Standing Committees	Held in Committee	Pass
7/19/2023	4	Standing Committees	Held in Committee	Pass
7/12/2023	4	Standing Committees	Held in Committee	Pass
7/5/2023	4	Standing Committees	Held in Committee	Pass
4/5/2023	4	Standing Committees	Held in Committee	Pass
3/8/2023	4	Standing Committees	AMENDED BY SUBSTITUTE	Pass
3/8/2023	4	Standing Committees	Held in Committee	Pass
3/1/2023	3	Standing Committees	Held in Committee	Pass
12/14/2022	3	Standing Committees	Held in Committee	Pass
11/30/2022	3	Standing Committees	Held in Committee	Pass
11/2/2022	3	Standing Committees	Held in Committee	Pass
10/19/2022	3	Standing Committees	Held in Committee	Pass

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8/24/2022	3	Standing Committees	Held in Committee	Pass
7/13/2022	3	Standing Committees	Held in Committee	Pass
6/22/2022	3	Standing Committees	Held in Committee	Pass
6/15/2022	3	Standing Committees	AMENDED	Pass
6/15/2022	3	Standing Committees	Held in Committee	Pass
5/19/2022	2	Committee on Hearings	Public Hearing Held	
4/27/2022	2	Standing Committees	Held for Cablecast Public Hearing	Pass
4/27/2022	2	Standing Committees	Reconsidered	Pass
4/20/2022	3	Standing Committees	AMENDED	Pass
4/20/2022	3	Standing Committees	Held in Committee	Pass
4/19/2022	1	City Council	Waived under Rule 8	Pass
4/19/2022	1	City Council	Read and referred	
4/19/2022	1	City Council	added to the Agenda	Pass

Ordinance amending the Pittsburgh Code of Ordinances, Title Seven: Business Licensing, Article X: Rental of Residential Housing, by amending in its entirety Chapter 781: Residential Housing Rental Permit Program. ***(Public Hearing held 5/19/22)***

The Council of the City of Pittsburgh enacts as follows:

Section 1.

CHAPTER 781. RESIDENTIAL HOUSING RENTAL PERMIT PROGRAM

§ 781.00 AUTHORITY, PURPOSE, AND INTENT.

This Residential Housing Rental Permit Program is adopted in accordance with authority existing under Section 2961 of the Pennsylvania Home Rule Law, Sections 4101 and 4103 of the Municipal Housing Ordinance Authorization Law, Sections 102 and 104 of the Pennsylvania Construction Code Act, and Section 23158 of the Second Class City Code.

The Purpose of this Chapter and the policy of the City of Pittsburgh is to protect and promote the public health, safety, and welfare of its citizens, to establish rights and obligations of owners and occupants relating to the health and safety of residential units in the City, to ensure rental units meet all applicable building, existing structures, fire, health, safety, and zoning codes, and to carry into effect the purposes of Pennsylvania statutes concerning the occupation, maintenance, use, and inspection of buildings and the protections of the occupants thereof. As a means to these ends, this Chapter provides for a systematic inspection program, registration, and permitting of residential rental units, an efficient system for compelling both absentee and local landlords to correct violations and maintain, in proper condition, rental property within the City, fees to support program implementation, and reasonable penalties for non-compliance. The City recognizes that the most efficient system is the creation of a program requiring the registration of residential rental units within the City as defined in this Chapter, so that an inventory of rental properties and verification of compliance can be made by

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City officials.

(Ord. No. 60-2015, §1, eff. 12-18-15)

§ 781.01 DEFINITIONS.

As used in this Chapter, the following terms and words shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

(a) ***CITY*** means the City of Pittsburgh. To the extent that this Article requires filings or submissions, City shall refer to the Department of Permits, Licenses, and Inspections, Department of Finance, City Planning or other entity that the City has legally designated to perform a function on its behalf.

(b) ***DORMITORY*** means the use of a zoning lot for occupancy solely by groups of people who are not defined as a family and who are registered students at a college, university or other institution of higher learning, on a weekly basis or longer, and is managed by the institution at which the students are registered.

(c) ***DWELLING UNIT*** means a building, or portion thereof, designed for occupancy for residential purposes and having cooking facilities and sanitary facilities.

(d) ***LANDLORD*** means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

(e) ***LICENSE OFFICER*** means the City of Pittsburgh Department of Permits, Licenses, and Inspections.

(f) ***OWNER*** means the legal title holder of a rental unit or the premises within which the rental unit is situated.

(g) ***PERSON*** means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.

(h) ***PREMISES*** mean any lot, plot, parcel of land, including the buildings or structures thereon, which also includes any structure with one or more dwelling units.

(i) ***RENTAL UNIT*** means any dwelling unit or structure containing dwelling units or sleeping units, which is leased or rented from the owner or other person in control of such units, to any tenant for any period of time. Dormitories, certified rehabilitation facilities, and long-term medical care facilities shall be exempt from this Chapter. **Hotels, motels, nursing homes, and other properties which are subject to permitting and inspection by the Allegheny County Health Department's (ACHD) Housing and Community Environment Program are also exempt from this Chapter.** Domiciles used by owners as short-term homestays and experiences are to be considered rental units subject to the provisions of this Chapter.

(j) ***SLEEPING UNIT*** means a building, or portion thereof, designed for occupancy for residential purposes and can have cooking facilities or sanitary facilities but not both.

(k) ***TENANT*** means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

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(Ord. No. 60-2015, §1, eff. 12-18-15)

§ 781.02 PERMIT REQUIREMENT.

No person shall lease, rent, or otherwise allow a rental unit within the City to be occupied without having a currently valid rental permit issued by the License Officer as required by this Chapter. It shall be unlawful for any person to charge or collect rent for occupancy of a rental unit with the City unless a permit has been issued by the License Officer and such permit has not expired or been revoked.

(Ord. No. 60-2015, §1, eff. 12-18-15)

§ 781.03 PERMIT REGISTRATION.

(a) Registration Forms. Rental permit registration shall be made upon forms furnished by the City and shall require all of the following information:

(1) The street address and block and lot number of the rental unit(s);
(2) The number of rental units within the rental property;
(3) Name, residence address, telephone number, e-mail address, and mobile telephone number for all property owners of the rental unit(s);
(4) A copy of a current, valid government-issued photo ID for the applicant, as proof that the applicant is at least 18 years of age or older, as required under Title 7 of the Pittsburgh City Code;
(5) A copy of a current valid occupancy permit for the property shall be provided with the initial application. A Certificate of Occupancy is not required for any structure exempt from such requirement under Title(s) 9 and 10 of the Pittsburgh City Code.
(6) Name and contact information for a person with authority to schedule inspections and allow for the entry by City officials into the unit.

(b) Accurate and complete information. All information provided on the registration application shall be accurate and complete. No person shall provide inaccurate information for the registration of a rental unit, or fail to provide the information required for such registration. Failure to comply with this provision will result in the rejection of the application.

(c) Change in registration information or transfer of property.

(1) If the property is transferred to a new owner, the new property owner of a registered rental unit shall re-register the rental unit within sixty (60) calendar days following the transfer of the property.

(d) Registration term and renewals. Registration of a rental unit shall be effective for one (1) year from the date of issuance. The property owner shall re-register each rental unit with the City at least thirty (30) days prior to the expiration of the registration of the rental unit.

(e) Permits term and renewals.

(1) Except as otherwise provided in this Section, every rental unit is required to pass inspection as a postcondition to the issuance of a rental permit, for the purpose of ascertaining that the unit complies with City of Pittsburgh housing and property maintenance standards.

(2) After receipt of a complete application and issuance of a rental permit, the owner or applicant designee shall schedule an inspection within a timeframe established by the Department of Permits, Licenses, and Inspections.
(3) Pending the initial inspection for rental units existing as of the effective date of this ordinance, each rental unit will be issued a provisional permit, provided that the License Officer determines that the unit complies with all applicable regulations and that the rental permit registration fee has been paid.
(4) The inspector shall confirm that the rental unit is compliant with the City of Pittsburgh housing, zoning, and property maintenance standards following inspection. The Department of Permits, Licenses, and Inspections shall promulgate regulations for the scheduling of inspections and issuance of permits.
(5) After the inspection, if the inspector finds that the rental premises is not in compliance with the City of Pittsburgh housing and maintenance standards, the Department of Permits, Licenses, and Inspections shall notify the applicant in writing of the deficiencies within 10 days of the inspection via first-class mail. The owner shall be given a period of time determined to be reasonable by the inspector to correct the deficiencies, depending on the complexity of the deficiency with due regard given to health and safety considerations. If a serious health or safety issue is discovered at the time of the inspection as determined by the inspector, and per the adopted property maintenance code, the Department of Permits, Licenses, and Inspections shall be authorized to revoke the rental permit and take such additional actions to preserve life and safety as necessary.
(6) For any unit that has passed its inspection, the permit shall be effective for three (3) years.
(7) No rental permit shall be renewed unless the owner has submitted a complete registration form for that unit, all rental permit registrations fees have been paid, all fines and costs of nuisance abatement, if any, have been paid, and the rental unit has passed inspection by the License Officer.

(Ord. No. 60-2015, § 1, eff. 12-18-15)

§ 781.04 INSPECTIONS.

The Department of Permits, Licenses, and Inspections is hereby authorized and directed to inspect each registered rental unit as a postcondition to the issuance of a non-provisional rental permit for the purpose of ascertaining that the unit complies with City of Pittsburgh housing and property maintenance standards. The City of Pittsburgh will utilize the International Property Maintenance Code for the purposes of carrying out and enforcing compliance with minimum residential rental housing quality and standards. Any unit that has not passed its inspection shall be inspected by the Department of Permits, Licenses, and Inspections until such time that it does pass an inspection by a License Officer. The failure of an owner, landlord, or occupant to allow the inspector access to a rental unit sufficient to permit the required inspection shall result in the License Officer obtaining an administrative warrant in accordance with Section 104.3 of the International Property Maintenance Code, which was adopted by Chapter 1004.01 of the City Code.

(Ord. No. 12-2020, eff. 3-31-20)

§ 781.05 FEES.

(a) In accordance with Chapter 170 of the City Code, the City Council shall establish an appropriate fee for rental permit registration and may review and increase such fees on an annual basis.
(b) Fee schedule: Annual rental registration fees shall be reviewed and set annually in accordance with Chapter 170 of the City Code.
(c) Section 8 Affordable Housing Units inspected by HUD under 42 U.S.C.S. 1437d(f) and in compliance with Housing Quality Standards (HQS) promulgated under 42 U.S.C.S. 1437d(f)(2) are exempt from this Section.

(Ord. No. 60-2015, § 1, eff. 12-18-15; Ord. No. 42-2021, § 1, eff. 11-8-21)

§ 781.06 IMPLEMENTATION AND ENFORCEMENT.

(a) The Department of Permits, Licensing, and Inspections shall coordinate the implementation and enforcement of this ordinance and shall promulgate appropriate regulations for such purposes.
(b) The regulations promulgated by the Department of Permits, Licensing, and Inspections shall be communicated to City Council.
(c) This ordinance shall take effect immediately following the posting of the regulations by the Department of Permits, Licenses, and Inspections.
(d) It is the intent of Council that the appropriate expenditures are made and the staff to implement the program be hired on or before the initial implementation date.

(Ord. No. 60-2015, § 1, eff. 12-18-15)

§ 781.07 NOTICE.

(a) When the Department of Permits, Licenses, and Inspections determines that there has been a violation of any provision of this Chapter, the License Officer or their designee shall send the owner or responsible local agent a Notice of Violation, warning of the failure to comply with the Chapter. Such written notice shall provide with specificity any violation, any corrective actions required to cure violation, and the right to appeal in accordance with this Chapter.
(b) Notice shall be served in accordance with applicable law and per the adopted property maintenance code.

(Ord. No. 60-2015, §1, eff. 12-18-15)

§ 781.08 APPEALS.

Any person aggrieved by any action of the License Officer shall have the right to appeal such action in accordance with Section 701.1~~5~~**6** of this Title.

(Ord. No. 60-2015, § 1, eff. 12-18-15)

§ 781.09 PENALTY.

Leasing, renting, or otherwise allowing a rental unit within the City to be occupied without a valid rental permit from the License Officer as required by this Chapter shall be a summary offense. The fine for each separate violation shall not exceed five hundred dollars ($500.00) per each unit per month that a rental unit is not registered or properly permitted as required by this Chapter.

This penalty section shall not limit the rights of the City, tenants, or any other person with legal standing to take any lawful action or seek any remedy available to them at law or in equity.

(Ord. No. 60-2015, §1, eff. 12-18-15)

§ 781.10 SEVERABILITY.

This Chapter and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Chapter shall not be affected thereby.

(Ord. No. 60-2015, § 1, eff. 12-18-15)

§ 781.11 REPEAL.

All resolutions, ordinances, or parts thereof in conflict in whole or in part with any of the provisions of this Chapter are, to the extent of such conflict, hereby repealed.

(Ord. No. 60-2015, § 1, eff. 12-18-15)