



Upper Darby Township, Pennsylvania
Department of Licenses & Inspections
100 Garrett Road, Upper Darby, PA 19082
Phone: 610-734-7613 Email: UO@UpperDarby.org

Dear Applicant:

This packet contains important Use & Occupancy Permit information, including the necessary application and forms needed to file your property transfer / change of use or occupancy application and to complete inspection requirements. In order to ensure expeditious review and processing of your application, please complete the Use & Occupancy Permit Application and submit with the required fee along with the necessary supporting documentation (zoning approval, sewer lateral inspection report, and all other applicable supporting documents). Thank you for your cooperation.

Required At Time of Submission:

- **Use & Occupancy Permit Application (Property Transfer / Change of Use or Occupancy).** Please complete all the sections that are applicable to your application. **Please print or type all information clearly and legibly. Incomplete/illegible applications will not be accepted and will be returned.**
- As required per Upper Darby Township Code, §550-53(B), an approved zoning use permit must accompany all U&O applications other than single family dwellings for the transfer of property or change of use or occupancy. **Under no circumstances will a U&O application be accepted if the approved zoning permit is not attached.**

Supporting Documentation (if applicable):

- **Sewer Lateral Inspection Report.** To be submitted at time of filing or inspection by a licensed master plumber.
- **Rental License Application.** To be submitted at time of application if the property will not be owner occupied.
- **Fire Escape Certification Form.** To be submitted at time of filing or inspection by a licensed design professional.
- **Fire Department Occupancy Information Sheet.** This form must be submitted for all commercial buildings (including any properties with three or more dwelling units). The information contained on this form is forwarded to the Delaware County Emergency Dispatch Center for use in the event of a Police, Fire, or EMS emergency at the property.

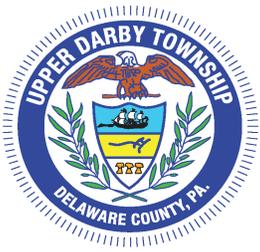
Additional Information:

- **PA UCC Guide.** This guide will assist you with Pennsylvania Uniform Construction Code Requirements.
- **Use Group Guide.** This guide will assist you with building code use group information.
- **Township Business Privilege / Mercantile License Notice.** Applicable persons & businesses must obtain license.

As required per Upper Darby Township Code, Article II of Chapter 417, §1005.1, a fully completed application along with necessary supporting documents, fees, etc. must be submitted to the Department of Licenses and Inspections at least fourteen (14) business days prior to the date of transfer/settlement. Due to the high volume of application submitted, we recommend filing the application at least four (4) weeks before settlement. Once your U&O application is deemed filed with the Department, an inspector will be assigned to contact you to schedule a suitable date and time for the required inspection.

At the time of inspection, the inspector will verify compliance with the Upper Darby Township Property Maintenance Code along with any other applicable Township Laws and code requirements. At the conclusion of the inspection, the applicant will receive the inspection report containing code violations, if any are observed, along with a deadline for compliance. **Upper Darby Township performs non-invasive, visual inspections for code compliance.**

For any questions, please contact the Department. Thank you for your cooperation.



Upper Darby Township

100 Garrett Road, Upper Darby, PA, 19082
Phone: (610) 734-7613
Email: UO@upperdarby.org

For Office Use Only

Date Application Received: _____ By: _____

Fee: \$ _____ .00 Receipt Number: _____

Inspector Assigned: _____

Use & Occupancy Permit Application

**** Please print or type all information clearly and legibly. Incomplete applications will be returned. ****

Property Location: _____

Number of Units: _____ Floor / Suite: _____ Sq. Footage: _____

Section 1 – Zoning Compliance. To ensure compliance with all zoning requirements, **any property other than a single-family dwelling (including properties with two or more residential units and/or commercial properties) must include a copy of the approved zoning use determination/approval.** This document must be attached to the application at the time of submission. If required zoning permit/approval is not attached, this application will be deemed incomplete.

Section 2 – Reason for Application (Check Appropriate Application Type)

- | | | |
|---|---|--|
| <input type="checkbox"/> Owner Occupied Residential Transfer | <input type="checkbox"/> Commercial Property Transfer | <input type="checkbox"/> Rehab to Resell |
| <input type="checkbox"/> Residential Rental Property Transfer | <input type="checkbox"/> Commercial Change of Tenant | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Lot / Land | <input type="checkbox"/> Sheriff Sale / Foreclosure (Supporting Documents Required) | |

Section 3 – Building Classification / Use Group Information. Please indicate the present building occupancy type / use group. Please see the attached Use Group Information Guide for assistance. Uses with an (*) must also have an occupancy condition identified. (If the building is mixed use, mark all of the appropriate classification/use groups).

- | | | |
|--|---------------------------------------|---------------------------------|
| <input type="checkbox"/> R – 1 | <input type="checkbox"/> E | <input type="checkbox"/> B |
| <input type="checkbox"/> R – 2 (Duplex & Multi-Unit) | <input type="checkbox"/> E – Day Care | <input type="checkbox"/> I – 1* |
| <input type="checkbox"/> R – 3 (Single Family) | <input type="checkbox"/> F – 1 | <input type="checkbox"/> I – 2* |
| <input type="checkbox"/> R – 4* | <input type="checkbox"/> F – 2 | <input type="checkbox"/> I – 3* |
| <input type="checkbox"/> A – 1 | <input type="checkbox"/> H – 1 | <input type="checkbox"/> I – 4 |
| <input type="checkbox"/> A – 2 | <input type="checkbox"/> H – 2 | <input type="checkbox"/> M |
| <input type="checkbox"/> A – 3 | <input type="checkbox"/> H – 3 | <input type="checkbox"/> S – 1 |
| <input type="checkbox"/> A – 4 | <input type="checkbox"/> H – 4 | <input type="checkbox"/> S – 2 |
| <input type="checkbox"/> A – 5 | <input type="checkbox"/> H – 5 | <input type="checkbox"/> U |

Occupancy Condition: 1 2 3 4 5

Note: The classifications and use groups listed above are based on the International Building Code and/or International Residential Code and do not pertain to property use as defined by the Upper Darby Township Zoning Code.

Section 4 – Current Owner (Seller)

Name(s): _____
Address: _____
City: _____ State: _____ Zip Code: _____
Daytime Phone: _____ Cell Phone: _____ E-Mail Address: _____

Section 5 – New Owner (Buyer)

Name(s): _____
Address (No P.O. Box): _____
City: _____ State: _____ Zip Code: _____
Daytime Phone: _____ Cell Phone: _____ E-Mail Address: _____

If New Owner is a Company, Corporation, LLC, LLP, etc. please provide the following information:

Chief Operating Officer(s): _____
Address (No P.O. Box): _____
City: _____ State: _____ Zip Code: _____
Daytime Phone: _____ Cell Phone: _____ E-Mail Address: _____

Section 6 – Will the New Owner (Buyer) occupy this property as primary residence? (Owner Occupied Residential Transfer)

Yes No

If the answer is No, the property must conform to the Townships Rental Registration and Inspection Requirements. Please complete the Rental License Application attached to this packet.

Section 7 – Commercial Transfer of Ownership or Commercial Change of Use / Occupancy Only

Current Use Classification (*Select from the categories listed in Section 3 and provide a brief description*)

Proposed Use Classification (*Select from the categories listed in Section 3 and provide a brief description*)

Commercial Tenant Business Name: _____
Nature of Business: _____
Corporate Mailing Address (No PO Box): _____
City: _____ State: _____ Zip Code: _____
Contact Name: _____ Title: _____
Daytime Phone: _____ Cell Phone: _____ E-Mail Address: _____

Please Note: Certain information regarding new commercial ownership / occupancies must be provided to the Upper Darby Fire Department for inclusion in the Delaware County Emergency Services database. This information is critical for use during emergency events.

All applicants must complete the attached **Fire Department Occupancy Information Sheet** and submit it with this application. This form is required for all commercial buildings, including properties with three or more dwelling units. The information will be forwarded to the Delaware County Emergency Dispatch Center to assist with Police, Fire, or EMS responses at the property.

Last Revised: December 2024

Application is hereby made to Upper Darby Township for approval to use and occupy the aforementioned property in whole or in part. I agree to comply with all ordinances and codes of Upper Darby Township and the Commonwealth of Pennsylvania. I will not occupy, nor will I allow occupancy of, any land, structure, or building until a Certificate of Use & Occupancy is issued.

I understand that any misrepresentation in this application will be grounds for revocation of the application or the Use & Occupancy Certificate. I further understand that before a U&O certificate can be issued, the property seller must provide a valid sewer lateral inspection report from a Upper Darby Township licensed master plumber to ensure the sewer lateral is safe and functional.

If the Township Inspector identifies conditions that require correction, all repairs must be completed prior to the issuance of an Occupancy Certificate, unless the new owner (buyer) assumes responsibility in writing through a Letter of Intent. This Letter of Intent must be completed by the buyer, notarized, and returned to the Department of Licenses and Inspections. Based on the findings during the inspection, the Township may issue one of the following certificates: A Final Use & Occupancy Certificate, if no violations are found, a Temporary Use & Occupancy Certificate if minor (non-substantial) violations are identified, or a Temporary Access Certificate if substantial violations are discovered.

Temporary Certificate Types and Definition of Unfit for Human Habitability and Substantial Violation

1. Temporary Use & Occupancy Certificate

A Temporary Use & Occupancy Certificate is issued when an inspection reveals violations that do not constitute substantial violations. This certificate allows the purchaser to fully utilize or reside in the property while correcting these violations. The corrections must comply with all applicable laws, ordinances, and regulations of Upper Darby Township and the Commonwealth of Pennsylvania, including the Upper Darby Property Maintenance Code.

2. Temporary Access Certificate

A Temporary Access Certificate is issued when an inspection identifies at least one substantial violation. This certificate authorizes the purchaser to access the property only for the purpose of correcting substantial violations in compliance with all applicable laws, ordinances, and regulations of Upper Darby Township and the Commonwealth of Pennsylvania.

- **No new occupants may occupy the property while a Temporary Access Certificate is in effect.**
- **Existing tenants may remain only if the property meets the Township’s criteria for human habitability, as determined by the Department of Licenses and Inspections.**
- The owner may store personal items related to the proposed use or repairs required to correct the violations during the term of the Temporary Access Certificate.

• Substantial Violation:

A violation of any adopted building, housing, property maintenance, or fire code, or maintenance, health, or safety nuisance ordinance that renders a building or structure unfit for human habitation. Substantial violations are disclosed in the Township’s inspection report and must be corrected immediately.

• Unfit for Human Habitability:

Any condition that poses a danger or is injurious to the health, safety, or welfare of occupants or neighboring properties. Substantial violations are conditions that pose significant risks to the health, safety, or welfare of occupants or neighboring properties. These include non-functioning or missing smoke and carbon monoxide detectors, lack of fire extinguishers where required, structural hazards compromising the property’s integrity, exposed or faulty electrical wiring, and inadequate sanitation or utilities. Additional examples include failure to provide valid sewer lateral or fire escape certifications and any other conditions identified by the Code Official as posing substantial risks.

The issuance of any Use & Occupancy Certificate, including Temporary Certificates, does not constitute a representation, guarantee, or warranty of any kind by Upper Darby Township or its officials or employees regarding the safety, soundness, habitability, or quality of the premises, or any systems therein (e.g., plumbing, heating, electrical, or structural components). Upper Darby Township and its officials assume no liability for deficiencies in the property or its systems.

This application is solely for the purpose of property transfer or change of use / occupancy and is not associated in any way with a Certificate of Occupancy required under the Pennsylvania Uniform Construction Code.

Property Owner’s Name (Please Print) Property Owner’s Signature Date

I certify that I am authorized by the owner to submit this application and will serve as the primary point of contact for all communications regarding this transaction. L&I will only provide transaction status updates to person listed below:

Agent’s Name / Company or Firm Agent’s Signature Date

Agent’s Telephone Number Agent’s E-Mail Address