

CHAPTER 11

HOUSING

Part 1

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Part 1

Rental Units

§101. Registration Required.

No person hereafter shall occupy, allow to be occupied or lease to another person for occupancy any residential rental property within the Borough unless a registration statement has been properly completed and filed with the Borough Codes Enforcement Officer and all fees paid therefor. (Ord. 695, 1/12/2005, §1)

§102. Manner of Registration; Fees.

1. Registration shall be made upon forms furnished by the Borough Codes Enforcement Officer for this purpose and shall include such information as the Borough Council by resolution shall direct, including but not limited to the following:
 - A. Name, address and telephone number of the property owner(s).
 - B. Name, address and telephone number of any designated local property manager.
 - C. Street address of the rental property.
 - D. Number and type of units within the rental property.
 - E. Name, address and telephone number of the person authorized to make or to order to be made repairs or services for the property if found in violation of Borough or State codes, if the person is different than the owner or local manager.
 - F. Names of all persons authorized by the property owner to reside at the property.
2. The fee for annual registration of residential rental units shall be \$15, or as Borough Council may hereafter, by resolution, direct.
3. Except as provided in Subsection 4, registration shall be made on or before January 31 of each calendar year for the period commencing January 1 and ending December 31.
4. Every new owner of residential rental property within the Borough shall be required to furnish to the Borough Codes Enforcement Officer the information required by Subsection 1 within 30 days of the date of purchase and thereafter as required by Subsection 3. The fee required by Subsection 2 shall not be collected from a new owner during the year in which he acquires ownership of the rental

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property if the prior owner has paid all registration fees and complied with all requirements of this Part.

(Ord. 695, 1/12/2005, §2)

§103. Repairs Made by Borough.

If none of the designated contact persons are available and/or there is failure, after reasonable attempts, by this Borough to contact these persons, the property owner shall be deemed to have designated the Borough Mayor or such other person as the Borough Council shall, by resolution, select as his local manager with full authority to make or order to be made repairs for the property if found in violation of Borough or State ordinances and laws. (Ord. 695, 1/12/2005, §3)

§104. Inspections; Fees.

1. All residential rental units shall be inspected by the Borough Codes Enforcement Officer for compliance with this and the 2003 International Property Maintenance Code¹ on a biannual basis on or before April 30. Nothing in this section shall prohibit additional inspections if the property is found to be in violation of any Borough ordinance or State laws if the Borough Council receives complaints from Borough citizens regarding unlawful activities or conditions at the property. The owner shall be responsible for any additional inspection costs, including additional charges of \$50, if any registered letter or posting of the property is required or if violations are identified as a result of a complaint inspection.
2. The fee for biannual inspection of residential rental units shall be \$50 per unit if made between 9:00 a.m. and 5:00 p.m. If an inspection must be made after 5:00 p.m. until 7:30 p.m., the inspection fee shall be \$100 per unit. There shall be a similar charge for any other follow-up inspections to verify compliance. No Saturday inspections will be available.

(Ord. 695, 1/12/2005, §4; as amended by Ord. 717, 10/11/20066)

§105. Inspection Certificates.

No person shall rent, lease or allow to be occupied any dwelling subject to this Part without having a valid and current certificate of inspection for the dwelling. (Ord. 695, 1/12/2005, §5)

¹ Editor's Note: See Ch. 5, Code Enforcement, Part 2, Property Maintenance.

§106. Procedure for Inspections; Reinspections.

1. The Borough Codes Enforcement Officer shall inspect every residential unit within the Borough as set forth in §104, Subsection 1. If a property is found to be in compliance with Borough ordinances and the inspection fee has been paid, the Borough Codes Enforcement Officer shall issue a certificate of inspection for the property.
2. If a property is found to be in violation of any Borough ordinance, the Borough Codes Enforcement Officer shall provide written notice of such violation to the property owner or to the contact persons identified by the property owner and shall set an inspection date before which such violation shall be corrected. The re-inspection date shall be no more than 30 days after the date of inspection, unless the Borough Council otherwise shall approve.
3. If the violations cited by the Borough Codes Enforcement Officer are not corrected upon reinspection, the Borough Codes Enforcement Officer shall not issue the certificate of inspection and shall inform the Borough Council, in writing within 10 days, for further action as the Borough Council shall deem appropriate.

(Ord. 695, 1/12/2005, §6)

§107. Issuance, Transferability and Copies of Certificates.

1. The owner of a residential rental unit may request inspection of a dwelling at any time. Any such request shall be made in writing and accompanied by the inspection fee required by §104, Subsection 2.
2. The certificate of inspection issued by the Borough Codes Enforcement Officer shall expire two years from the date thereof, or the second January 1 following issuance of the certificate.
3. A certificate of inspection shall be transferable to new owners.
4. The tenant of a residential rental unit may request a copy of a certificate of inspection for the property in which he resides.

(Ord. 695, 1/12/2005, §7)

§108. Violations and Penalties.

1. Any person who violates any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$600 and, in default of payment, to imprisonment for a term not to exceed 30 days.

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2. Any person who violates any provision of this Part and who shall have been convicted of an offense under this Part within the immediately preceding six-month period shall, upon conviction thereof, be sentenced to pay a fine of not less than \$300 but not more than \$1,000 and, in default of payment, to imprisonment for a term not to exceed 30 days.
3. A separate offense shall be deemed to have been committed for each and every day during or on which a violation occurs.

(Ord. 695, 1/12/2005, §8)

§109. Exemptions.

This Part shall not apply to hospital units, nursing units or retirement units located within the Borough. (Ord. 695, 1/12/2005, §9)

§110. Definitions.

As used in this Part the following terms shall have these meanings:

PERSON — any natural individual, partnership, association, corporation, joint venture, receiver, executor, trustee or personal representative or guardian appointed by order of any court.

RESIDENTIAL RENTAL UNIT — a room or rooms, for one or more persons, with independent living facilities, providing for living, sleeping, cooking and disposal of human waste. "Residential rental units" include but are not limited to single-family dwellings, two-family dwellings or duplexes, multifamily dwellings, boardinghouses, rooming houses, lodging houses, hotels and tourist houses.

(Ord. 695, 1/12/2005, §10)