

ORDINANCE NO. 654

**AN ORDINANCE PROVIDING FOR THE REGISTRATION OF
RESIDENTIAL RENTAL UNITS, LICENSING AND OCCUPANCY
WITHIN THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY,
PENNSYLVANIA AND PROVIDING FOR ENFORCEMENT,
VIOLATIONS AND PENALTIES**

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY, PENNSYLVANIA:

SECTION 1. TITLE. This chapter shall be known as the Borough of Mont Alto Tenant Occupancy and Reporting Ordinance.

SECTION 2. DEFINITIONS.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

LANDLORD - Any person who either alone, jointly or severally with others shall have title to any premises or shall have charge, care or control of the premises as agent for the person holding legal title or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of any person holding legal title, or any person selling under an article of agreement unless said article of agreement has been properly recorded in the office of the Recorder of Deeds of Franklin County, Pennsylvania.

LEASE - Any permissive occupancy by a person or persons (other than members of the landlord's immediate family) of any premises, regardless of whether or not any charges, fees or other considerations are made or levied therefor.

OCCUPANCY REPORT - A writing, on forms supplied by the Borough, containing at least the following information, legibly inscribed thereon:

- (1) The full name, current post office address and telephone number of the landlord(s) and the location and current post office address of each premises under the ownership, control or possession of the landlord within the Borough and stating which residential or commercial units are occupied or unoccupied.
- (2) The full name(s), employment status (i.e., employed within the Borough or outside of the Borough or unemployed), complete and current post office address of each tenant occupying any such premises for residential, commercial or other purposes, date of occupancy and date the occupancy terminated. Where the tenant is an individual, only those tenants over the age of 17 years need be identified.

PERSON - An individual, partnership, firm, corporation, association or combination thereof, including those acting in a fiduciary or representative capacity, whether appointed by a court or otherwise. Whenever used in any clause prescribing or imposing a penalty, the term "person," as applied to the partnerships or associations, shall include the partners or members thereof, and if applied to corporations, the officers thereof.

PREMISES - A building or any portion thereof suitable or adaptable for human occupancy for residential, commercial or other purposes.

TENANT - Any person who shall inhabit, occupy or possess any premises owned or controlled by a landlord under a lease, as hereinbefore defined.

Number and gender defined. As used in this Ordinance, whenever the context so indicates, the masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the other.

SECTION 3. OCCUPANCY REPORTS

A. All landlords shall, on or before March 1, 2017, file an occupancy report with the Borough Secretary concerning any existing lease within the Borough of Mont Alto, on forms provided by the Borough Office.

B. After the effective date of this Chapter, all landlords shall, within 30 days of the lease of any premises within the Borough of Mont Alto, file an occupancy report in the Borough Office.

SECTION 4. SUPPLEMENTAL OCCUPANCY REPORTS

All landlords shall, within 30 days of any and every change of occupancy of each premises, file a supplemental occupancy report in the Borough Office, on forms to be supplied by the Borough, indicating the date upon which any tenant previously identified in an occupancy report terminated their occupancy, along with the forwarding or other last known address of that tenant. Such supplementary reports, apart from the initial report, shall be limited to the changes which have occurred.

SECTION 5. VIOLATIONS AND PENALTIES

The Borough Secretary may and is hereby authorized to institute summary proceedings in accordance with the applicable Rules of Court for violation of this Ordinance. This action shall be brought in the name of the Borough of Mont Alto, and any landlord convicted of violating any of the provisions hereof, that is by failing, neglecting or refusing to file any required occupancy report within the time limits prescribed herein or refusing to notify the Borough of any change in occupancy within the time limits prescribed herein, or who shall knowingly make any incomplete, false or fraudulent report shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300.00 and costs of prosecution and, in default of payment of

such fine and costs, to undergo imprisonment for not more than 90 days; provided, however, that the landlord shall not be subject to any penalties provided for under this Chapter for incorrect or misinformation furnished to the landlord by any tenant(s). A separate offense shall be deemed committed each day on which or during which a violation of this Chapter occurs or continues.

SECTION 6. EFFECTIVE DATE.

This chapter shall become effective immediately upon enactment.

Ordained and enacted into an Ordinance this 3rd day of January, 2017.

ATTEST:



Secretary

BOROUGH OF MONT ALTO



President of the Town Council

Approved this 3rd day of January, 2017.



Mayor