

Ordinance Number 6-16 of 2014

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BUFFALO, ARMSTRONG COUNTY, PENNSYLVANIA, REGULATING THE REGISTRATION OF ALL RESIDENTIAL RENTAL UNITS AND PROVIDING PENALTIES FOR NONCOMPLIANCE.

**Residential Rental Property Ordinance**

**Whereas**, the township of South Buffalo enacted a Landlord Registration Ordinance, Ordinance Number 05-19 of 2008;

**Whereas**, the supervisors of the township of South Buffalo have resolved to repeal Ordinance Number 05-19 of 2008 as registration and compliance issues have arisen since its enactment and replace it with the Ordinance set forth below,

**Now Therefore**, be it ordained as follows:

**§ 1 Title.**

This Ordinance shall be known and may be cited as the Township of South Buffalo "Residential Rental Property Ordinance."

**§ 2 Authority.** This Ordinance is adopted pursuant to the applicable provisions of the Pennsylvania Second Class Township Code, Act of May 1, 1933 (P.L.350, No.60), as amended November 9, 1995 (P.L.350, No.60), as amended.

**§ 3 Purpose.** It is the purpose of this Ordinance is to protect and promote the public health, safety and welfare of its citizens by 1) to establish registration for residential rental units in South Buffalo Township and 2) to establish and maintain a current record of all rental properties, their owners and tenants occupying such properties in order to insure that township officials have an accurate accounting of the number of residence for taxation purposes and to account for occupied and unoccupied residences throughout the township.

**§ 4 Definitions.**

**"Township of South Buffalo" or "Township"** - The Township of South Buffalo, Armstrong County, Pennsylvania.

**Landlord** - The person or entity (corporation, partnership or management company) who holds record title and/or the equitable owner under an agreement of sale of a property upon which a

residential rental unit is erected or maintained. If more than one person owns the residential rental unit as joint tenants, tenants in common, tenants by the entireties, or tenants in co-partnership, each such person shall be considered a Landlord and shall have all the duties of an owner under this Ordinance.

**Residential Rental Unit** - (1) a rooming unit or (2) a dwelling unit let for rent or (3) a residential unit occupied by any persons other than one occupied solely by the owner and members of the owner's family. Each individual townhouse dwelling each individual apartment unit, each individual unit in a multi-family building, and each rooming unit shall be considered a separate residential rental unit. If a structure contains a rooming unit or if any portion of the structure is let for rent, it shall be considered a residential rental unit whether or not the owner or a relative of the owner also resides in the structure. A residential rental unit includes dwelling units under lease-purchase agreements or long-term (greater than six (6) months) agreements of sale. A residential rental unit shall not include a hotel unit or a hospital room.

**Tenant**- An individual who resides in a rental unit, whether or not he or she is the owner thereof, with whom a legal relationship with the owner/landlord is established by a lease or by the laws of the Commonwealth of Pennsylvania.

#### **§ 5 Duty of Landlord.**

1. **Registration.** Every owner of a residential rental unit shall register the unit with the Township secretary in accordance with the following:
  - A. All owners of residential rental units shall register the units with the township secretary by December 31<sup>st</sup> of each year. The property owner is required to file annually on forms provided by the Township, an annual report beginning on or before December 31, 2014, and all subsequent years thereafter on or before December 31. This annual report shall be required whether or not there is any change in the names of tenants occupying said rental units. In addition, said annual report must provide the names of any and all new tenants.
  - B. Any individual, entity or firm which converts any structure to a residential rental unit shall register the unit with the township secretary:
    1. Within (10) days of the date which a tenant or tenants occupies the unit or units.



- C. The owner of a residential rental unit shall update the registration information on record with the township secretary within ten (10) days of any changes of the information set forth below.
- D. Registration information shall be provided by all owners and shall include the following:
  - 1. Owners name, address, telephone number.
  - 2. Property address and number of units.
  - 3. Emergency contact/telephone number.
  - 4. Names of current tenants.
- E. Any owner of a residential rental unit shall notify the Township secretary within ten (10) days of a new tenant occupying, renting or residing in the landlord's or owner's residential rental unit.
- F. All registrations and notifications shall be in writing on forms specified by the township. Forms are available at the township office or on the townships website. Forms may be submitted in person, US Mail, FAX or Email.

**§ 6 Enforcement; Violations and Penalties.**

- A. Violation of this ordinance constitutes a summary offense and shall be enforced by the South Buffalo Township Police Department.
- B. Penalties.
  - 1. Any landlord or owner of a residential rental unit who violates Section 5 of this Ordinance shall, upon conviction, be sentenced to pay a fine of up to One Thousand Dollars (\$1,000.00).
- C. Fines imposed through this ordinance shall be collected by any means allowable by law.
- D. Each day an owner of a residential rental unit Violates any provision of this Ordinance shall constitute a separate offense.
- E. Equitable and Other Remedies.
  - 1. In addition to fines and penalties the township may enforce this ordinance by equitable, injunctive and other remedies of law, and shall recover from the violator(s) reasonable attorneys fees, court costs and other costs incurred by the Township in enforcing this ordinance.

**§ 7 Severability.**

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any parts thereof.

**§ 8 Repealer.**

All other Ordinances or sections of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**§ 9 Effective date.**


This Ordinance is effective immediately.

ORDAINED AND ENACTED this 16<sup>th</sup> day of June, 2014 at a Regular Meeting of the South Buffalo Township Supervisors.

South Buffalo Township Supervisors

  
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Terry L. VanDyke, Chairman

  
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Thomas Boroski, Vice Chairman

  
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Glenn Heilman

ATTEST:

  
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Secretary (SEAL)