

## ORDINANCE N<sup>o</sup> 310

AN ORDINANCE OF THE BOROUGH OF CRESSONA REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGE THEREIN; ESTABLISHING THE DUTIES OF THE BOROUGH OF CRESSONA SECRETARY/CLERK; PROVIDING FOR DEFINITIONS, INTERPRETATIONS, AND THE PURPOSE HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Cressona, Schuylkill County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

**Section 1. Purposes.** This ordinance is enacted to provide for the uniform and equitable distribution of the tax levies in the Borough of Cressona and upon the inhabitants thereof and to promote health, safety, morals, and general welfare of the inhabitants of the Borough of Cressona.

**Section 2. Definitions and Interpretation.** As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

**BUSINESS UNIT** - A parcel of real estate, with or without improvements located thereon utilized by any person or persons for any commercial activity or purpose.

**DWELLING UNIT** - One or more rooms used for living and sleeping purposes arranged for occupancy by one family or by one or more persons.

**LANDLORD** - A lessor, or person who acts as an agent for the lessor, of any parcel of real estate located in the Borough of Cressona, or a lessor, or person who acts as agent for the lessor, of any improvements on real estate or any building located in the Borough of Cressona.

**PERSON** - Any individual, partnership, association, firm or corporation.

**TENANT** - A person who has the use, either by himself or with others, of a dwelling unit or a business unit owned by a person other than himself, for a person exceeding thirty (30) days.

**Section 3. Reports by Landlords.** Within thirty (30) days from the effective date of this ordinance, each landlord shall submit to the Borough Secretary, a report form supplied by the Borough Secretary, which includes the following information:

1. List of the dwelling units and business units owned by the landlord, located within the Borough of Cressona limits, whether occupied or not occupied;
2. Address of each dwelling unit and business unit;
3. Brief description of each dwelling unit or business unit;
4. Whether or not said dwelling unit or business unit is inhabited or utilized by tenants; and
5. Names of the tenant or tenants utilizing the aforementioned dwelling unit or business unit, if any.

**Section 4. Reports by Persons upon Becoming Landlords.** After the effective date of this ordinance, any person who becomes a landlord of any parcel of real estate or any improvement on real estate or building located in the Borough of Cressona by agreement of sale, by deed, or by any other means, shall, within thirty (30) days thereafter, report to the Borough of Cressona the information and data set forth in section 3 above, and on forms to be provided by the Borough Secretary.

**Section 5. Reports of Changes in Use or Occupancy.** After the effective date of this ordinance, each and every landlord of property within the Borough of Cressona shall report to the Borough Secretary on a report form to be supplied by the Borough Secretary, any change in the use or occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the names or names of new tenants of such dwelling unit or business unit, the date when such change was effected and the forwarding address of the old tenant or tenants if known. A landlord of a hotel, inn or boarding house shall not be required to report a person as a "tenant" until that person has resided in such landlord's establishment for a period exceeding thirty (30) days. In the event that a dwelling unit or business unit was used or utilized by a tenant and then becomes vacant, this change shall be reported to the Borough Secretary. All reports required by this section shall be made within ten (10) days after a landlord has knowledge that such a unit has had a change in occupancy or has become vacant.

**Section 6. Duties of the Borough Secretary.** The Borough Secretary, under the authority of this ordinance, shall:

1. Maintain on file at the Borough of Cressona office, the names of the landlords owning dwelling units and business units in the Borough of Cressona, said list to include the names of the current tenants of said dwelling units and business units.

2. Maintain a supply of forms for landlords to use in making reports to the Borough Secretary as required by sections 3, 4, and 5 of this ordinance;
3. Notify the Chief of Police and the Fire Marshall of the Borough of Cressona of the address and description of any dwelling unit or business unit that is vacant, unoccupied and not in use.

**Section 7. Penalties.** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

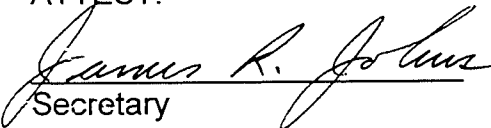
**Section 8. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

**Section 9. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the governing body of the Borough of Cressona that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part hereof not been included herein.

**Section 10. Effective Date.** This ordinance shall become effective on the 19 day of SEPTEMBER, 1994.

DULY ENACTED AND ORDAINED this 19 day of SEPTEMBER, 1994, by the Council of the Borough of Cressona, Schuylkill County, Pennsylvania, in lawful session duly assembled.

ATTEST:

  
Secretary

BOROUGH OF CRESSONA

BY:   
Council President

APPROVED THIS 19 DAY OF SEPTEMBER, 1994

  
MAYOR