

Ordinance No. 136 of 1987

AN ORDINANCE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, KNOWN AS THE TENANT OCCUPANCY REPORT ORDINANCE, REQUIRING ALL LANDLORDS WITHIN THE TOWNSHIP OF PYMATUNING, TO REGISTER, WITHIN THIRTY (30) DAYS OF ANY LEASE, CERTAIN INFORMATION WITH REGARD TO TENANTS ON FORMS TO BE PROVIDED BY THE TOWNSHIP SECRETARY; TO SUPPLEMENT THAT INFORMATION WITHIN THIRTY (30) DAYS OF ANY CHANGE IN STATUS BY ANY TENANTS; PRESCRIBING CONTENTS OF THE OCCUPANCY REPORT AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, and it is hereby enacted and ordained by and with the authority of the same as follows:

SECTION 1. TITLE: This Ordinance shall be known and may be cited as the "Pymatuning Township Tenant Occupancy Report Ordinance."

SECTION 2. Definitions: For the purpose of interpreting the provisions of this Ordinance, the following words shall have the meaning or meanings hereby ascribed to them:

A. LANDLORD: Shall mean 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 Mercer County, Pennsylvania.

B. PERSON: Shall mean 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.

C. PREMISES: Shall mean a building or any portion thereof suitable or adaptable for human occupancy for residential, commercial or other purposes.

D. LEASE: Shall mean 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.

E. TENANT: Shall mean any Person who shall inhabit, occupy or possess any Premises owned or controlled by a Landlord under a Lease as hereinbefore defined.

F. OCCUPANCY REPORT: Shall mean a writing, on forms supplied by the Township Secretary, containing at least the following information, legibly inscribed thereon:

1. The 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;
2. The name(s), date(s) of birth, tax identification number(s), or social security number(s), place(s) of employment, complete and current post office address of each Tenant over the age of seventeen (17) years occupying any such premises for residential, commercial or other purposes, and date of occupancy; and
3. Any such other information as the Township may from time to time require, consistent with purposes of this Ordinance.

SECTION 3. OCCUPANCY REPORT:

1. All Landlords shall, on or before September 1, 1987, file an Occupancy Report in the Office of the Township Secretary concerning any existing Lease within Pymatuning Township, on forms provided by the Township.
2. After the effective date of this Ordinance, all Landlords shall, within thirty (30) days of the Lease of any Premises within Pymatuning Township, file an Occupancy Report in the Office of the Township Secretary, on forms provided by the Township.

SECTION 4. SUPPLEMENTAL INFORMATION: All Landlords shall, within thirty (30) days of any and every change of occupancy of each Premises, file a supplemental Occupancy Report in the office of the Township Secretary, on forms to be supplied by the Township, detailing the specifics of any changes in such occupancy, and 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 Person. Such supplementary reports, apart from the initial report, may be limited to the changes which have occurred.

SECTION 5. PENALTY: The Township Secretary, or the Township Secretary's designee, 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 Township of Pymatuning, and any Landlord convicted of violating any of the provisions of this Ordinance, that is, failing, neglecting or refusing to file any required Occupancy Report within the time limits prescribed by this Ordinance, or refusing to notify the Township Secretary of any change in occupancy within the time limits prescribed by this Ordinance, 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, or shall undergo

imprisonment for not more than thirty (30) days, or both. In the case of partnerships or associations, the fine and penalty may be imposed upon any of the partners or members thereof, and in the case of corporations, upon any of the officers thereof, in lieu of the corporation itself. A separate offense shall be deemed committed each day on which, or during which a violation of this Ordinance occurs, or continues.

SECTION 6. SEVERABILITY: The provisions of this Ordinance shall be severable, and, if any of the provisions hereof shall be held to be unconstitutional, void, or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

SECTION 7. 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 8. REPEALER: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 9. EFFECTIVE DATE: This Ordinance shall become effective five (5) days after the adoption hereof.

ORDAINED AND ENACTED into law by the Board of Supervisors of the Township of Pymatuning, Mercer County, Pennsylvania, on this 11th day of JUNE, 1987.

ATTEST:

PYMATUNING TOWNSHIP BOARD OF SUPERVISORS

Freida Eakman
Freida Eakman, Township Secretary

By William E. Bule
Jeffrey A. M. Heath
[Signature]
Supervisors