ORDINANCE NO. 2018-01

AN ORDINANCE OF WICONISCO TOWNSHIP 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 WICONISCO TOWNSHIP SECRETARY; PROVIDING FOR DEFINITIONS, INTERPRETATIONS AND THE PURPOSES HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Supervisors of Wiconisco Township hereby ordains:

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

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 agent for the lessor, of any parcel of real estate located in Wiconisco Township, or a lessor, or person who acts as agent for the lessor, of any improvements on real estate or any building located in Wiconisco Township.

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 period 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 Township Secretary, a report form supplied by the Township Secretary, which includes the following information:

1. list of the dwelling units and business units owned by the landlord, located within the Wiconisco Township 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;

5. name 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 Wiconisco Township by agreement of sale, by deed, or by any other means, shall, within thirty (30) days thereafter, report to the Township Secretary the information and data set forth in section 3 above, and on forms to be provided by the Township 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 Wiconisco Township shall report to the Township Secretary on a report form to be supplied by the Township 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 name 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 also be reported to the Township 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 Wiconisco Township Secretary. The Township Secretary, under the authority of this ordinance, shall:

1. maintain on file at the Wiconisco Township office, the names of the landlords owning dwelling units and business units in the Wiconisco Township, 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 Township Secretary as required by sections 3, 4 and 5 of this ordinance.

Section 7. Penalties. Any person who shall violate any provision of this ordinance shall, upon conviction thereof before a District Justice, be sentenced to pay a fine of not more than six hundred dollars ($600.00), 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.

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 Board of Supervisors of Wiconisco Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 10. Effective Date. This ordinance shall become effective on 3/5/2018.

ATTEST:

Secretary

TOWNSHIP OF WICONISCO
BOARD OF SUPERVISORS