

## TOWNSHIP OF SOUTH BEAVER

## ORDINANCE NO. 38

AN ORDINANCE OF TOWNSHIP OF SOUTH BEAVER, OF BEAVER COUNTY, PENNSYLVANIA, REQUIRING LESSORS TO REPORT ON THE STATUS OF OCCUPANCY OF PARCELS OR UNITS OF REAL ESTATE WHICH THE LESSOR RENT OR HAVE AVAILABLE FOR RENT, INCLUDING REGISTRATION OF THE NAMES AND ADDRESS OF ALL OCCUPANTS; PROVIDING FOR REPORTS THEREON EACH TIME THERE IS VACANCY OR A NEW LESSEE OF A PARTICULAR PARCEL OR UNIT OF REAL ESTATE, INCLUDING REGISTRATION OF THE NAMES AND ADDRESS OF ALL OCCUPANTS; PROVIDING FOR REPORTS THEREON EACH TIME A LESSEE OR OCCUPANT VACATES A PARTICULAR PARCEL OR UNIT OF REAL ESTATE; PROVIDING METHODS OF ENFORCEMENT AND PENALTIES FOR VIOLATION HEREOF.

BE IT ENACTED AND ORDAINED by the Supervisors of South Beaver Township, of Beaver County, Pennsylvania, under and by virtue of the authority of the Township Code, the following:

SECTION 1: All lessors shall within thirty (30) days after the effective date of this Ordinance, or within thirty (30) days after acquiring or converting real estate or any parcel or unit thereof for rental purposes, as the case may be, shall report to the Township the number of parcels or units of real estate presently or hereafter rented or available for rent, a description of such parcel or unit of real estate, with address designation thereof (street name and number and/or some other meaningful method of identification and location of the parcel or unit of real estate) and whether each such parcel or unit of real estate is vacant or rented and/or occupied by a lessee, or occupied by a person or persons with the consent of a lessee, and if so occupied, the lessor shall provide and include in the report required hereby, the name, age and address of each lessee and/or occupant of each such parcel or unit of real estate.

SECTION 2: Any change in the occupancy, or in the identity of the lessee, or person and/or persons occupying same with the consent of a lessee, as to any parcel or unit of real estate required to be reported under Section 1 of this Ordinance, shall be reported by the lessor to the Township within ten (10) days after such change, which report the lessor shall provide information as to whether the parcel or unit is vacant or occupied, and if occupied, the lessor shall provide and include in the report required hereby, the name, age and address of each lessee and/or occupant of each such parcel or unit of real estate.

SECTION 3: Lessors shall file such information required by Section 1 and Section 2 on a report form as prepared at the direction of the Board of Supervisors of the Township from time to time, which report form may require such information as the said Board of Supervisors may deem pertinent. Such report form shall be timely filed by the lessor at the Township office or in the alternative, with such other designated person and address as designated by the Board of Supervisors. The failure to have such report form shall not however, excuse the obligation of lessors to provide the Township the information required by this Ordinance.

SECTION 4: The following words when used in this Ordinance shall have the meaning ascribed to same in this Section except where the context clearly indicates or requires a different meaning:

- A. **Township**                   The Township of South Beaver
- B. **Lessee**                   Person or persons who have the use of a parcel or unit of real estate as a lessee and thereby are responsible for the giving of any type of consideration therefore, or person or persons who have use of a parcel or unit of real estate with the consent of a lessee, excluding however, those who are lessees for a period of less than twenty-nine (29) days.

- C. **Lessor** Any person or person who grants a lease or rents any parcel or unit of real estate for a consideration, monetary or otherwise, or agent thereof, including but not limited to rental real estate brokers.
- D. **Person** Any natural person, partnership, association, firm or corporation.
- E. **Real Estate** Any parcel or unit of real estate situate within the Township held or acquired for leasing or rent to any person, which parcel or unit shall include but is not limited to a residential dwelling, an apartment unit within a structure, a site for placement of a mobile home or pre-manufactured unit, any unimproved or improved parcel of real estate or portion thereof for occupancy or use by another person or persons other than the titled owner in fee simple absolute thereof, including commercial establishments.
- F. **Report** The report required of a lessor by Section 1 or Section 2 of this Ordinance.

Section 5: Each lessor shall keep in his, her or its possession a copy of the current report form that the lessor has filed with the Township. The Wage Tax Collector of the Township, the Per Capita Tax Collector of the Township and/or any other appointed Tax Collector, or other person designated and appointed by separate Resolution of the Board of Supervisors of the Township, which resolution relates and refers to this Ordinance, shall have authority to inspect and review all records of the lessor as to the rental and/or occupancy of a parcel or unit of real estate, as now or as hereafter may be authorized by legislation for enforcement of local tax revenues, assessment, levy and/or collection.

Section 6: Any person who violates any provision of this Ordinance, or who knowingly makes an incomplete, false or fraudulent report or statement to

avoid the provisions of this Ordinance, upon summary conviction before any justice of the peace, magistrate or Court of competent jurisdiction, shall be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars nor more than Three Hundred (\$300.00) Dollars for each offense and costs, and in default of payment of said fine and/or costs, may be imprisoned for a period not exceeding thirty (30) days. Each day that a person fails to comply with the report filing requirements of this Ordinance, and each day thereafter so long as such required report is not filed, shall constitute a separate offense under this Ordinance.

Section 7: Should any section, clause, part or word of this Ordinance be declared by a Court of competent jurisdiction invalid, illegal or unconstitutional, such decision of the Court shall not affect the validity or impair any of the remaining sections, clauses, parts or words of this Ordinance; the provisions of this Ordinance being thus severable and declared valid.

DULY enacted and ordained this this 8th day of May, 1990.

TOWNSHIP OF SOUTH BEAVER

Attest:

Carol Miller  
Secretary

Richard Hadden  
Supervisor

Clifford Cole  
Supervisor

Charles W. Pafford  
Supervisor