

ORDINANCE NO. 39

AN ORDINANCE OF UPPER MILFORD TOWNSHIP REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGES THEREIN, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF

NOW, BE IT ORDAINED AND ENACTED by the Township of Upper Milford, Lehigh County, Pennsylvania, as follows:

SECTION 1 - PURPOSE

This ordinance is enacted to provide for the uniform and equitable distribution of tax levies in Upper Milford Township and upon the inhabitants thereof, and to promote the health, safety, morals and general welfare of the inhabitants of Upper Milford 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 in 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 the Township, or a lessor or person who acts as agent for the lessor, of any improvements on real estate or any building located in the 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 Code Enforcement Officer, Secretary, Treasurer, or other designated employee of the Township, a report form supplied by the officer or employee, which includes the following information:

(a) List of the dwelling units and business units owned by the landlord, located within the Township limits, whether occupied or unoccupied;

(b) Address of each dwelling unit and business unit;

(c) Brief description of each dwelling unit or business unit;

(d) Whether or not said dwelling unit or business unit is inhabited or utilized by tenants; and

(e) 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 Township shall, within thirty (30) days thereafter, report to the officer or employee the information and data as set forth in Section 3 above and in the manner specified in Section 3 above.

SECTION 5 - REPORTS OF CHANGES IN USE OR OCCUPANCY

After the effective date of this Ordinance, each and every landlord of property within the Township shall report to the officer or employee in the manner prescribed in Section 3 above, 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 affected, and the forwarding address of the old tenant or tenants if known. A landlord of a hotel and/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 utilized or utilized by a tenant and then becomes vacant, this change shall also be reported to the officer or employee. 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 - PENALTIES

Any person violating any of the provisions of this Ordinance, shall upon conviction thereof before the magistrate of jurisdiction, be fined in the amount of Twenty Five Dollars (\$25.00) for any one offense, recoverable with costs of prosecution. Upon default of payment of the said fine and costs, such person shall be committed to Lehigh County Prison for a period not exceeding five (5) days. Each day's continuance of this offense shall constitute a new offense.

SECTION 7 - REPEALERS

This Ordinance in no way relieves the tenant or tenants of a requirement to obtain a moving permit as specified by other ordinances of the Township.

SECTION 8 - SEVERABILITY

The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

SECTION 9 - EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ADOPTED this 6th day of August , 1986.

BOARD OF SUPERVISORS OF
UPPER MILFORD TOWNSHIP

ATTEST:

Shirley M. Batman
Secretary

Robert C. Schmeitzle
Supervisor

Bruce R. Buhl
Supervisor

Supervisor