

MILFORD, JUNIATA COUNTY, PENNSYLVANIA

TENANT REGISTRATION ORDINANCE

ORDINANCE NO. 2018-1

AN ORDINANCE OF THE TOWNSHIP OF MILFORD, JUNIATA COUNTY, PENNSYLVANIA, REQUIRING ALL OWNERS OF RESIDENTIAL RENTAL PROPERTIES TO ANNUALLY AND/OR PERIODICALLY REGISTER THEIR TENANTS NAMES AND ADDRESSES WITH THE TOWNSHIP.

SECTION 1: ENACTING CLAUSE.

Be it ordained and enacted by the Board of Supervisors of the Township of Milford, Juniata County, Pennsylvania and it is hereby ordained and enacted by the authority of the same, that from and after the effective date of this Ordinance, the following Ordinance shall be in full force and effect in the Township of Milford.

SECTION 2: SHORT TITLE.

This Ordinance shall be known as the Township of Milford Registration Ordinance.

SECTION 3: CONFLICT WITH OTHER ORDINANCES OR REGULATIONS.

All Ordinances or parts of Ordinances conflicting herewith are hereby repealed.

SECTION 4: PURPOSE.

The Township of Milford recognizes a need for registration of residential units within the Township in order to ensure appropriate identity of various residents of the Township for registration and taxation purposes. The Township recognizes that the most efficient system to provide for rental occupants' registration is to require the landlord to file periodic notices with the Township identifying its residential lessees.

SECTION 5: RULES OF CONSTRUCTION.

In the construction of this Ordinance, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise:

- A. Words used in the singular shall include the plural, and the plural the singular;

- B. Words used in the present tense shall include the future tense;
- C. Words used in the masculine gender shall include the feminine and neuter;
- D. The word "person" includes corporations, associations and partnerships and other similar entities;
- E. The word "shall" is always mandatory and not discretionary;
- F. The word "may" is permissive;
- G. This Ordinance shall be liberally construed to accomplish its purpose to protect protect the public's health, safety and welfare;

SECTION 6: DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

- AGENT FOR AN OWNER: Any person who provides written proof that he is authorized to act on behalf of a property owner;
- APARTMENT: A part of a house, apartment house or other dwelling occupied by a tenant, while the rest is occupied by another or others;
- APARTMENT HOUSE: A building arranged in several suites of connecting rooms, each suite designed for independent housekeeping, but with certain mechanical conveniences such as heat, light, or elevator services in common to all tenants occupying the building;
- DWELLING, MULTI-FAMILY, INCLUDING GARDEN APARTMENTS: A building or portion thereof containing or designed to contain three (3) or more separate dwelling units with or without common access facilities;
- DWELLING UNIT: A single unit providing complete, independent living facilities for one or more tenants including permanent provisions for living, sleeping, eating, cooking and sanitation. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit;
- LANDLORD: A person who receives rent and/or leases a dwelling unit or a rooming unit in a boarding, lodging or tourist home to a tenant for a period of time;
- LEASE: Any agreement which gives rise to the relationship of landlord and tenant;
- MANAGER: A person who has charge of a dwelling unit or a rooming unit in a boarding, lodging or tourist home;
- OWNER: Every person who has a property right in a multi-family dwelling, apartment house or rooming house and every person who owns, has, keeps, rents, leases or maintains a multi-family dwelling or rooming house, including a boarding, lodging or tourist home charging rent to tenants;
- PERSON: Shall mean an individual, proprietorship, partnership, corporation, association, or other legal entity;
- RENT: Consideration paid for use or occupation of property and/or a stated return or payment for the temporary possession or use of an apartment or dwelling unit to obtain temporary possession and use of an apartment or dwelling unit in return for a stated payment usually at fixed periodic intervals;

ROOMING HOUSE, INCLUDING A BOARDING, LODGING OR TOURIST HOME: A building other than a multi-family dwelling containing not more than one dwelling unit occupied by a tenant and providing, for compensation or other consideration, rooming units for lodging in addition to the owner;

ROOMING UNIT: A room or rooms constituting a separate, independent housekeeping unit that is physically separated from any other room, dwelling unit, or rooming unit in the same structure. The rooming unit shall contain living and sleeping facilities, but not cooking or eating facilities, and shall be occupied by no more than one family;

TENANT: A person who pays rent and leases a dwelling unit or a rooming unit in a boarding, lodging or tourist home from a landlord for a period of time;

TOWNHOUSE or ROW HOUSE: Dwelling units attached to each other by party or common walls, with each unit having individual access and rear common or private garden orientation;

TOWNSHIP OF MILFORD: Township of Milford, Juniata County, Pennsylvania;

TOWNSHIP SECRETARY: The Secretary of the Township of Milford.

SECTION 7: INFORMATION REQUIRED TO BE PROVIDED.

Every owner, landlord, manager or agent for an owner who rents or leases any dwelling unit in any multi-family dwelling or any rooming unit in any rooming house, including a boarding, lodging or tourist home, in the Township of Milford to any tenant for a period of time in excess of thirty (30) days, shall supply the following information to the Township Secretary;

- A. The dwelling unit or rooming unit number or street address;
- B. The name or names of all tenants to occupy such dwelling unit or rooming unit;
- C. The mailing address of the dwelling unit or rooming unit;
- D. The period of time for which the rental is made;

The above information shall be provided to the Township Secretary within thirty (30) days of the renting, re-renting, leasing, re-leasing or subleasing of any dwelling unit or rooming unit in the Township of Milford for a period of time in excess of thirty (30) days.

And every owner, landlord, manager or agent for an owner who has rented or leased any dwelling unit in any multi-family dwelling or any rooming unit in any rooming house, including a boarding, lodging or tourist home, in the Township of Milford to any tenant between January 1, 2018 and December 31, 2018, for a period of time in excess of thirty (30) days, shall provide the above-herein identified information to the Township Secretary by February 28, 2019.

SECTION 8: PENALTY AND REMEDIES.

Any person, partnership or corporation who violates any of the provisions of this Ordinance shall upon conviction, in a summary proceeding, be fined not less than Three Hundred (\$300.00) Dollars. Nothing contained herein shall be deemed to preclude the Township to seek other relief or avail itself of any remedy that may be at law or in equity to prevent continuing violations of the terms of this Ordinance.

SECTION 9: VALIDITY.

The provisions of this Ordinance are severable and if any of its provisions or any part of any provisions shall be held unconstitutional or otherwise held to be invalid, the decision of the Court shall not affect or impair any of the remaining provisions. It is hereby declared to be the intent of the Board of Supervisors of the Township of Milford that this Ordinance would have been enacted had such unconstitutional provisions or parts thereof not been included herein.

SECTION 10: EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.


DULY ENACTED AND ORDAINED this 27th day of December 2018, by the Board of Supervisors of the Township of Milford, Juniata County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MILFORD
Juniata County, Pennsylvania



Mary Beth D. Houtz
Secretary



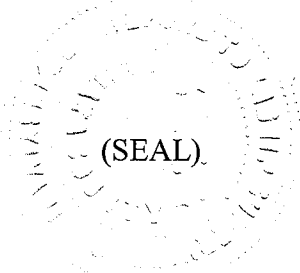
William C. Dressler
Chairman of the Board of Supervisors

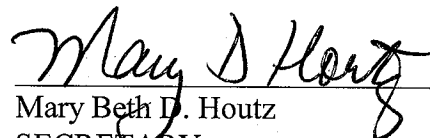
CERTIFICATE

I, the undersigned, Secretary of the Township of Milford, certify that the foregoing is a true and correct copy of a Township which duly was adopted by affirmative vote of a majority of all members of the Board of the Township at a meeting duly held on December 27, 2018, at which meeting a quorum was present, after due notice to the members of the board of the Township and to the public and which was at all times open to public; that said Township is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that this Authority met the public notice requirements of Action No. 84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising the place, date and time of said meeting in a newspaper of general circulation, and by posting a notice of the place, date and time of said meeting at the meeting place of the Board of this Township, and by giving notice to parties upon request as required under Section 9 of said Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 27th day of December, 2018.




Mary Beth D. Houtz
SECRETARY