

Chapter 11

Housing

Part 1

Landlord Occupancy Reports

- §11-101. Title
- §11-102. Definitions
- §11-103. Landlord Occupancy Reports
- §11-104. Violations and Penalties

Part 1**Landlord Occupancy Reports****§11-101. Title.**

This Part shall be known and be cited as the "Landlord Occupancy Report Ordinance."

(Ord. 731, 9/15/1982, §1)

§11-102. Definitions.

For the purpose of interpreting the provisions of this Part, the following words shall have the meaning or meanings hereby ascribed to them:

Landlord - any person who for monetary or other consideration grants, permits or otherwise allows another person to use or occupy or exercise control over premises or any part thereof as a lessee, sublessee, licensee, invitee or concessionaire, whether or not he is the owner of the premises, and further shall also include any agent or other person authorized to collect rents on behalf of another person.

Person - an individual, partnership, 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 partnerships or associations shall include the partners or members thereof, and if applied to corporations, the officers thereof.

Premises - a building or portion thereof suitable or adaptable for human occupancy for residential, commercial or other purposes.

Occupancy report - a writing, including forms supplied by the Borough Manager, containing at least the following information legibly inscribed thereon:

- (1) The names and current complete mailing addresses of any and all persons using, occupying or exercising control over premises owned by, subject to or in control of the landlord.
- (2) The date upon which each person commenced such use, occupancy or exercise of control over the premises of the landlord.
- (3) The date upon which any person previously identified in an occupancy report terminated the use, occupancy or exercise of control over the premises of the landlord and the forwarding or other last known address of that person.
- (4) The name, current address and telephone number of the landlord.
- (5) A statement by the landlord verifying the contents of the report duly executed and acknowledged by the landlord.

(Ord. 731, 9/15/1982, §2)

§11-103. Landlord Occupancy Reports.

Each landlord shall file an occupancy report in the office of the Borough Manager on or before January 31, 1983. Beginning in 1984 every landlord shall annually file an

occupancy report in the office of the Borough Manager on or before May 31. Every landlord shall file an occupancy report in the office of the Borough Secretary within 30 days after each and every change of occupancy of each premises by any lessee, sub-lessee, licensee, invitee or concessionaire. Such supplementary reports, apart from the annual report, may be limited to the change made.

(*Ord. 731, 9/15/1982, §3*)

§11-104. Violations and Penalties.

1. Any landlord who fails to file any required occupancy report or who makes any false or fraudulent report or who fraudulently omits required portions of a report shall, by such conduct, violate the provisions of this Part.

2. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1,000 for each violation, plus court costs and costs of prosecution incurred by the Borough, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. Procedures for collection of fines and penalties for default of payment shall be in accordance with Chapter 1 of this Code.

3. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each Section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.

4. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(*Ord. 731, 9/15/1982, §4; as amended by Ord. 830, 3/18/1992; and by Ord. 976, 1/16/2008*)