

ORDINANCE NO. 04-2006

AN ORDINANCE OF WEST MAHEIM TOWNSHIP, YORK COUNTY, PENNSYLVANIA REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGE THEREIN; ESTABLISHING DUTIES OF THE WEST MANHEIM SECRETARY; PROVIDING FOR DEFINITIONS, INTERPRETATIONS AND THE PURPOSES HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION

BE IT ENACTED AND ORDAINED by the Board of Supervisors of West Manheim Township, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

1. SHORT TITLE

This ordinance shall be known as and may be cited as the "West Manheim Township Landlord Reporting Ordinance."

2. PURPOSES

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

3. DEFINITIONS

For the purposes of this ordinance, the following words shall have the meanings ascribed to them in this section:

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

"Person" – any individual, partnership, association, corporation or firm.

"Rental Property" – any building, structure, mobile home, mobile home pad, campsite or parcel of land in the Township, in whole or in part occupied for dwelling purposes or used as a residence by any individual other than any individual owning such property or any minor child of such individual owner.

"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.

4. REPORTS BY LANDLORDS

Within thirty (30) days from the effective date of this ordinance, each person owning rental property within West Manheim Township shall provide the following information, in writing, to the Township Secretary:

1. A list of the dwelling units and business units owned by the landlord and located within West Manheim Township, whether occupied or unoccupied;
2. The physical address of each such rental property;
3. A brief description of each such rental property
4. Whether or not said rental property is inhabited or otherwise utilized by tenants;
5. The name of all tenants inhabiting or utilizing each rental property.

5. 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 within West Manheim 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 4 above.

6. REPORTS IN CHANGES IN USE OR OCCUPANCY

After the effective date of this ordinance, each and every landlord within West Manheim Township shall report to the Township Secretary, in writing, any change in the use or occupancy of any rental property owned by such landlord. The reported change shall include the name or names of new tenants or such rental property, the date when such change was effected, and the forwarding address of the old tenant/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 of a previously occupied rental property becoming vacant, this change shall also be reported to the Township Secretary. All reports as 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.

7. DUTIES OF THE TOWNSHIP SECRETARY

The West Manheim Township Secretary, under the authority of this ordinance, shall maintain on file at the Township Office, the names of the landlords owning rental properties within the Township, said list to include the names of the current tenants.

8. PENALTIES

Any person who fails to comply with any of the provisions set forth in this ordinance, on conviction thereof before a District Justice, shall 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.

9. **REPEAL**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

10. **SEVERABILITY**

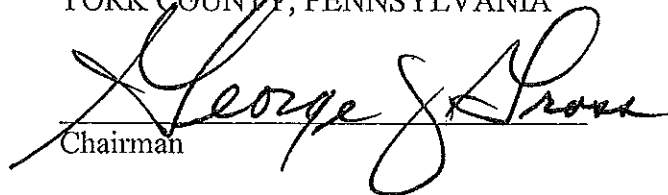
If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of West Manheim Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

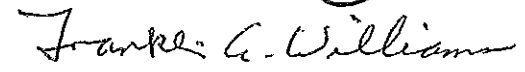
11. **EFFECTIVE DATE**


This ordinance shall become effective 5 days after its adoption.


ENACTED AND ORDAINED this 2ND day of NOVEMBER, 2006.

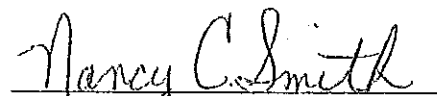
BOARD OF SUPERVISORS
WEST MANHEIM TOWNSHIP
YORK COUNTY, PENNSYLVANIA


Chairman


Vice Chairman


Member


Member


Secretary


Member