# CITY OF WILLIAMSPORT, PA

# FILE OF CITY COUNCIL

**BILL No.** 1610-13

**SESSION OF** 2013

| Approved on first reading | Members of City Council: | Approved on final reading |
|---|---|---|
| This day 10th of Oct 2013 | HALL WILLIAMSON ALLISON<br>SMITH MIELE KATZ NOVIELLO | This day 24th of Oct 2013 |

## AN ORDINANCE

### THE WILLIAMSPORT RENTAL ORDINANCE

AMENDING ARTICLE 1749

6243

WHEREAS, the City of Williamsport has evaluated and reviewed issues and concerns regarding crime and drugs within the City limits and is obligated to ensure a safe and secure environment for residents, visitors, employers, employees and guests to the City; and

WHEREAS, it is the desire of City Council to pass legislation to correct the drug problems and to take any and all actions necessary to alleviate any further drug activity within the City limits; and

WHEREAS, it is also the desire of City Council to pass legislation to correct any criminal issues with firearms within the limits of the City of Williamsport; and

WHEREAS, the City of Williamsport is also intent on substantially reducing and/or eliminating crime within the City by imposing regulations upon property owners and occupants which are strict, as they relate to drug activity, violence, criminal acts and civil disobedience; and

WHEREAS, it is not the intent of the City of Williamsport to infringe upon or hinder the rights of property owners, landlords, tenants, occupants or guests within the City who are vital to the City's existence; and

WHEREAS, any person or party who or which feels he/she/they are or may be aggrieved are and shall be afforded a full and complete opportunity to exercise their due process rights guaranteed under the United States Constitution and the Constitution of the Commonwealth of Pennsylvania through appellate rights set forth in this Ordinance and in the Code of Ordinances of the City of Williamsport; and

WHEREAS, the City of Williamsport is concerned with crime in neighborhoods which statistically stems from properties which are not or do not meet proper health and code standards.

WHEREAS, the City of Williamsport, in no way, intends to infringe upon any constitutional right of any individual or "person" as defined, including, but not limited to, the Second Amendment, and the Constitutional guarantees of due process and equal protection under the law.

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FILE OF COUNCIL

No. ______ of 2013

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PRESENTED IN WILLIAMSPORT CITY COUNCIL ______________________, **2013**

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WHEREAS, the City of Williamsport, in no way, intends to infringe upon any constitutional right of any individual or "person" as defined, including, but not limited to, the Second Amendment, and the Constitutional guarantees of due process and equal protection under the law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Williamsport, and it is hereby ordained by the authority of the same that:

## SECTION 1
## Rental Inspection


| | | | |
|---|---|---|---|
| 1-1749.01 | Title and Purpose | 1-1749.08 | Responsible Party |
| 1-1749.02 | Definitions | 1-1749.09 | Violations and Penalties |
| 1-1749.03 | Certificate of Inspection Required for Occupancy | 1-1749.10 | Fee Schedule |
| 1-1749.04 | Inspection Requirements | | |
| 1-1749.05 | Issuance and Filing of Certificate of Inspection | | |
| 1-1749.06 | Notice Requirement | | |
| 1-1749.07 | Transfer of Certificate of Inspection | | |


### Section 1-1749

**1-1749.01 TITLE AND PURPOSE.**

(a) This **Section** shall be known as rental inspection.

(b) The City of Williamsport has experienced problems with the maintenance of non- owner occupied properties from time to time and the health, life safety and welfare of occupants of these non -owner occupied properties within the City is a concern. The purpose of this article is to enhance the safety of non-owner occupied properties through a system of inspections, and penalties for failure to comply with the City's laws, which focuses on compliance with the basic property maintenance codes governing existing structures, and criminal laws prohibiting illegal activity in the City of Williamsport.

**1-1749.02 DEFINITIONS.**

As used in this article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

(a) "**Code**" means any property maintenance code adopted or enacted by the City.

(b) "**Owner**" means any person, co partnership, association, corporation or fiduciary having legal, or equitable title, or any interest in any real property. Whenever used in any clause prescribing or imposing a penalty, the term "owner," as applied to co partnership and associations, shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

(c) "**Residential Unit**" means any structurally enclosed area including or intended to be used as a living quarters for one or more individuals.

(d) "**Regulated Rental Unit/Regulated Dwelling Unit**" means a residential unit occupied by other than the owner.

(e) "**Public Housing Unit**" means all housing units owned and operated or managed by a public housing authority under contract with the U.S. Department of Housing and Urban Development (HUD). "Public housing unit" does not include Section 8 or any other equivalent program.

(f) "**Structure**" means that which is built or constructed or a portion thereof.

**1-1749.03 CERTIFICATE OF INSPECTION REQUIRED FOR OCCUPANCY.**

No residential unit shall be occupied by any person or persons other than the owner thereof, unless a certificate of inspection is kept on file by the owner or designated agent as required by the provisions of this article.

**1-1749.04 INSPECTION REQUIREMENTS.**

Regulated rental units shall be subject to inspection in accordance with the provisions of this article.

(a) *Purpose*. Inspections required by this article shall be for the purpose of determining compliance with the provisions of the Code as in effect in the City on the date of inspection.

(b) *Permitted inspectors*. Inspections required by this article shall be conducted by members of the Department of Public Safety, Environmental Control and Code Enforcement.

(c) *Timing of inspections*.

(1) As for any residential unit unoccupied or occupied by the owner on or after the effective date hereof, a certificate of inspection shall be issued and on file prior to occupancy of such residential unit by anyone other than the owner, and subsequent inspections shall occur as set forth in Subparagraph (c)(2).

(2) As for any residential unit occupied by other than the owner as of the effective date hereof and for all subsequent inspections, inspections required by this article

shall be completed and the certificate of inspection issued and on file no later than June 30 of the following year for which inspection is required. In no event shall such an inspection be conducted prior to July 1 of the year for which inspection is required.

(d) *Tax Wards shall be used for determining district boundaries.*

The City shall be divided into districts as follows:

a. *District I:* Wards 5, 9, 11, 14.

b. *District II*: Wards 4, 8, 10, 16.

c. *District III*: Wards 3, 6, 13, 15.

d. *District IV:* Wards 1, 2, 7, 12.

The Department of Public Safety, Environmental Control and Code Enforcement, shall be responsible for maintaining the ward map of these districts in a place easily accessible to the public.

(e) *Required Inspection Dates.* Residential units subject to the inspection requirements of this article and located in District I shall be inspected between July 1 of the calendar year in which the article shall become effective and June 30 of the following year and within the same time period every fourth year thereafter. Residential units subject to the inspection requirements of this article and located in District II shall be inspected between July 1 of the subsequent calendar year in which the article shall become effective and June 30 of the following year and within the same time period every fourth year thereafter. Residential units subject to the inspection requirements of this article and located in District III shall be inspected between July 1 of the second calendar year subsequent to the year in which the article shall become effective and June 30 of the following year and within the same time period every fourth year thereafter. Residential units subject to the inspection requirements of this article and located in District IV shall be inspected between July 1 of the third calendar year subsequent to the year in which the article shall become effective and June 30 of the following year and within the same time period every fourth year thereafter.

**1. Within District I, the inspections will be scheduled as follows:**

a. Ward 5: July 1 through September 30.

b. Ward 9: October 1 through December 31.

c. Ward 11: January 1 through March 31.

d. Ward 14: April 1 through June 30.

**2. Within District II, the inspections will be scheduled as follows:**

a. Ward 4: July 1 through September 30.

b. Ward 8: October 1 through December 31.

c. Ward 10: January 1 through March 31.

d. Ward 16: April 1 through June 30.

**3. Within District III, the inspections will be scheduled as follows:**

a. Ward 3: July 1 through September 30.

b. Ward 6: October 1 through December 31.

c. Ward 13: January 1 through March 31.

d. Ward 15: April 1 through June 30.

**4. Within District IV, the inspections will be scheduled as follows:**

a. Ward 1: July 1 through September 30.

b. Ward 2: October 1 through December 31.

c. Ward 7: January 1 through March 31.

d. Ward 12: April 1 through June 30.

5. Any property that has been inspected as set forth in Subparagraph (c)(2) and subsequently becomes vacant or a non-regulated rental unit/non-regulated dwelling unit for a period of one year must be re-inspected prior to occupancy as a regulated rental unit/dwelling unit.

(f) Exceptions.

1. No residential unit which would otherwise be subject to the inspection requirements of this article shall be required to be inspected within the fourth calendar year subsequent to the year in which any certificate of occupancy required before occupancy of new construction is issued.

2. Structures, which require annual rooming house inspections, shall not be subject to this article.

3. Structures, which require annual student residence inspections as required by Section 1333.05(6)g of the Williamsport Zoning Ordinance, shall not be subject to this article.

4. Public housing unit, provided:

(a) The housing units owned and operated or managed by a public housing authority are required to be inspected at least annually to ensure compliance with HUD's Housing Quality Standards, 24 CFR Part 882, so long as said standards are comparable to the International Property Maintenance Code; and

(b) The inspections are conducted by HUD, the public housing authority, or its duly authorized agent; and

(c) The inspection reports are available for inspection by the Department of Public Safety, Environmental Control and Code Enforcement, and a list of the properties inspected filed with the Department of Public Safety, Environmental Control and Code Enforcement, annually.

(d) Nothing contained in this exception shall be deemed to exclude the properties from being subject to any other provisions or subsections of this Ordinance, or other City ordinance or code including Section 2-1749.04 of this ordinance, and Closure option.

**1-1749.05 ISSUANCE AND FILING OF CERTIFICATE OF INSPECTION.**

(a) *General Provision.* Upon completion of an inspection and that there were no violations found of the Code as in effect on the date of inspection or that any such violations have been corrected in accordance with said Code, the Department of Public Safety, Environmental Control and Code Enforcement, shall issue a certificate of inspection for the structure with each residential unit therein which was inspected listed upon said certificate. The certificate of inspection shall be kept on file by the owner or designated agent and made available to the Department of Public Safety, Environmental Control and Code Enforcement, upon request.

(b) *Form of proof of inspection*. Proof of inspection and absence of any violations of the Code shall be in such form as approved from time to time, by the Department of Public Safety, Environmental Control and Code Enforcement.

(c) *Report of inspection appeals*. Any report of inspection, which indicated any violations of any code, shall be provided to the owner within 15 days of the date of inspection. Any appeals from the report of inspection shall be filed and heard in the manner provided for in Section 1-1749.10 of this article.

(d) *Multi-unit structures.* The units within a structure, which are in compliance with the City's Codes, may continue to be occupied if units in other portions of the structure which either do not apply or have not passed inspection do not create a hazard to the health and life safety to the persons occupying these units.

(e) *Compliance with International Property Maintenance Code*. The issuance of a certificate of inspection does not relieve the property owner from complying with said Codes and City Ordinances.

**1-1749.06 NOTICE REQUIREMENTS.**

(a) *Newspaper advertisement*. The Department of Public Safety, Environmental Control and Code Enforcement, shall each year cause notice to be published two times in a newspaper of general circulation within the City. The first notice shall be published during January of each calendar year except in the year of enactment when the first notice shall be published during June; the second notice shall be published during October of each calendar year. The notice shall set forth the district for which inspection of residential units occupied by other than the owner is required during the year of publication, that inspection may be required before a residential unit is occupied by other than the owner, and where a copy of the article may be obtained.

(b) *Timeliness of Notice.* Reasonable notice must be given to the property owner or agent prior to inspections under Section 1-1749 *et. seq.* The property owner or agent shall provide the tenant with reasonable notice of the inspection.

(c) *Delivery of Notice.* Notices under this ordinance shall be considered to have been received when it is actually delivered, as verified by an affidavit of personal delivery, a certified receipt, or through a courier verification, or, in the case of regular mail, it shall be considered to have been received no later than five (5) days after mailing, whichever is earlier.

**1-1749.07 TRANSFER OF CERTIFICATE OF INSPECTION.**

A certificate issued hereunder is transferable to any person who has acquired ownership of a licensed non-owner-occupied residential unit for the unexpired portions of the four-year term for which it was issued or reissued, provided that the application to transfer such certificate is filed with the Department of Public Safety, Environmental Control and Code Enforcement, for change of ownership, and the licensed non-owner-occupied residential unit is in compliance with Williamsport Building Codes and Williamsport Zoning Ordinances. A certificate shall terminate upon failure to apply for its transfer within 30 days of the date of sale or transfer of ownership of the non-owner-occupied residential unit.

**1-1749.08 RESPONSIBLE PARTY.**

The owner and property manager, if any exist, of any residential unit which is subject to the inspection requirements of this Ordinance shall be jointly and severally responsible for compliance with the provisions of this Ordinance.

**1-1749.09 VIOLATIONS AND PENALTIES**

Any violation of this section of this Ordinance shall constitute a summary offense punishable, upon conviction thereof, by a fine not to exceed Six Hundred Dollars ($600.00) plus costs of prosecution or by a term of imprisonment not to exceed thirty (30) days, or both. Each violation shall constitute a separate and distinct offense.

**1-1749.10 FEES.**

The fees for issuance for Certificates of Inspection shall be as follows:

(a) The fee for any Residential Rental Building that fails said inspection shall be $30.00.

(b) In the event that all units pass the nine minimum standards as outlined in Section 2-1749.04(e) (2) upon initial inspection, said fee will be waived.

(c) Reinspection: a fee of $25.00 for each re-inspection per structure.

(d) Appeals: a fee of $25.00 for each appeal per structure.

## SECTION 2
# Owner/Tenant Duties


| | |
|---|---|
| 2-1749.01 | Title and Purpose |
| 2-1749.02 | General |
| 2-1749.03 | Definitions |
| 2-1749.04 | Owner's Duties |
| 2-1749.05 | Tenant's Duties |


## Section 2-1749

### 2-1749.01 TITLE AND PURPOSE.

This Section shall be known as OWNER/TENANT DUTIES.

### 2-1749.02 GENERAL.

It is the purpose of this Ordinance and the policy of the Council of the City of Williamsport, in order to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of Owners and Occupants of Residential Rental Units in the City of Williamsport. The purpose of this Ordinance is to encourage Owners and Occupants to maintain and improve the quality of rental housing within the community. It is also the policy of the City of Williamsport that Owners, Managers and Occupants share responsibilities to obey the various Codes adopted to protect and promote public health, safety and welfare. In addition to the findings at the beginning of this ordinance the City of Williamsport makes the following findings:

### 2-1749.03 DEFINITIONS

(a) "**City**" - The City of Williamsport, Lycoming County, Commonwealth of Pennsylvania.

(b) "**Code**" - Any Code or Ordinance adopted, enacted and/or in effect in and for the City of Williamsport concerning fitness for habitation or the construction, maintenance, operation, occupancy, use or appearance of any Premises or Residential Rental Unit.

(c) "**Code enforcement officer**" - The duly appointed Code Enforcement Officer(s) having charge of the Office of Code Enforcement of the City of Williamsport and any assistants or agents thereof.

(d) "**Closure**" – rendering a residential rental unit ineligible for occupation or rental.

(e) "**Disruptive conduct**" - Any form of conduct, action or behavior perpetrated, caused or permitted by any Tenant or Guest of a Residential Rental Unit that is a violation of existing ordinances of the City of Williamsport or statutes of the Commonwealth of Pennsylvania. In order for such disruptive conduct to constitute an offense under this article, a citation or criminal complaint must be issued by the police.

(f) "**Disruptive conduct report**" - A written report of Disruptive Conduct on a form to be prescribed, to be completed by the Code Enforcement Officer or Police, which shall be maintained by the Code Enforcement Officer or his designee.

(g) "**Guest**" - A person on the premises with the actual or implied consent of a tenant.

(h) "**Landlord**" - One or more persons, jointly or severally, in whom is vested all or part of the legal title to the premises, or all or part of the beneficial ownership and a right to present use and enjoyment of the premises, including a mortgage holder in possession of a Residential Rental Unit, and/or person(s) who is in control of leasing the premises to the tenants, including the collection of rent, interviewing prospective tenants, responding to complaints and concerns and/or maintenance of the premises.

(i) "**Landlord Tenant Act**" - The Landlord and Tenant Act of 1951, 68 P.S. §§ 250.101, et. seq.

(j) "**Manager/designated agent**" - An individual designated by the Owner of a Residential Rental Unit to act as an agent of the Owner for the service of process and receiving notices and demands, as well as performing the obligations of the Owner under this Ordinance and under Rental Agreements with Occupants.

(k) "**Occupant**" - An individual who resides in a Residential Rental Unit, with whom a legal relationship with the owner/landlord is established by a (written) lease or (by) other legally enforceable agreement under the laws of the Commonwealth of Pennsylvania. (same as "Tenant")

(l) "**Owner**" - One or more persons, jointly or severally, in whom is vested all or part of the legal title to the premises or all or part of the beneficial ownership, and a right to present use and enjoyment of the premises, including a mortgage holder in possession of a Residential Rental Unit.

(m) "**Person**" - A natural person, partnership, corporation, unincorporated association, limited partnership, trust or any other entity owning, renting, or leasing residential property in the City of Williamsport.

(n) "**Police**" - The Williamsport Bureau of Police or any properly authorized member or officer thereof. Any other law enforcement agency having jurisdiction within the City of Williamsport.

(o) "**Premises**" - Any parcel of real property in the City, including the land and all buildings, Structures, or other physical improvements to the property on which one or more Residential Rental Unit are located.

(p) "**Rent**"- Any payment, compensation and/or other consideration, regardless of the nature of the same, which acts as a consideration, whether actual or implied, for the right to rent or lease a property, dwelling, residence, or regulated rental unit. This payment, compensation and/or other consideration need not necessarily be made to the one actually living in the regulated rental unit and/or on the property.

(q) "**Rental agreement**" – An agreement or lease between Owner/Landlord and Occupant/Tenant supplemented by the addendum required under §2-1749.04(E) embodying the terms and conditions concerning the use and occupancy of a specified Residential Rental Unit or Premises.

(r) "**Residential rental unit**" – Any unit within a Structure or any Structure within the City of Williamsport which is occupied by someone other than the Owner of the real estate and for which the Owner of the said parcel of real estate receives any value or consideration, including but not limited to money, or the exchange of services. Each apartment within a building is a separate Residential Rental Unit requiring inspection in accordance with §1-1749.04 of this Article.

(s) "**Structure**" - Any human-made object, the use of which requires an ascertainable stationary location on land, whether or not it is affixed to the land.

(t) "**Tenant**" - An individual who resides in a Residential Rental Unit, with whom a legal relationship with the Owner/Landlord is established by a (written) lease or (by) other legally enforceable agreement under the laws of the Commonwealth of Pennsylvania. (Same as "Occupant").

**2-1749.04 OWNER'S DUTIES.**

(a) *General*. As provided for in this Ordinance, every Owner/Landlord shall be responsible for regulating the proper use and maintenance of every dwelling which he or she owns. Every Owner shall also be responsible for monitoring the conduct and activities of the Occupants that take place at any and every Residential Rental Unit he or she owns in the City of Williamsport. This Section shall not be construed to diminish or relieve, in any way, the responsibility of Occupants or their Guests for their conduct or activity, nor shall it be construed as an assignment, transfer, or projection of any responsibility or liability which Occupants or their Guest may have as a result of their conduct or activity under any private cause of action, civil or criminal enforcement proceeding, or criminal law to the Owner/Landlord.

(b) *Registration*.

1. The Owner or Manager shall disclose to the Williamsport Code Enforcement Office in writing at the time of registration on a form provided by the city all of the following:

a. The name, address, telephone number, and emergency number of the Owner/Landlord of the Premises;

b. The name, address, telephone number, and emergency number of the designated Manager, if applicable;

c. The property address and number of Residential Rental Units;

2. Every Owner/Landlord of a Residential Rental Unit must register the unit with the Code Enforcement Department in accordance with the following:

a. The following times are required for registration:

i. **District #1, District #2, Tax Wards 4,5,8,9,10,11,14, and 16** are required to register at the start of the first full month after adoption and by the end of that month.

ii. **District #3, District #4, Tax Wards 1,2,3,6,7,12,13 and 15** are required to register at the start of the Second full month after adoption and by the end of that month.

b. Any Owner/Landlord of a Residential Rental Unit must register the unit during the required time frame. If the Owner/Landlord has several Rental Units in different districts the Owner/Landlord will need to register those units in the appropriate time frames.

c. The Owner of a Residential Rental Unit must update the registration information on record with the Code Enforcement Department within thirty (30) days of any changes of the information set forth above.

3. The following categories of rental properties shall be exempt from the registration requirement:

a. Hospitals and nursing homes, or other rental units used for human habitation which offer full time supervision and provide medical or nursing services, and wherein all operations of such facilities are subject to

County, State, or Federal licensing regulations concerning the health and safety of the users, patients, or tenants.

b. Hotels and motels;

c. College Dormitories;

d. Residential Rental Units occupied by the Owner are exempt however; all other units within the Structure are subject to this article.

(c) *Designation of Manager.*

1. Every Owner who is not a full-time resident of the City of Williamsport, and/or who does not live within the boundaries of Lycoming County, shall designate a Manager who shall reside in an area that is within Lycoming County. If the Owner is a corporation, a Manager shall be required if an officer of the corporation does not reside within the above-referenced area. If the Owner is a partnership, a Manager shall be required if a partner does not reside within the above-referenced area.

2. An Owner or Manager shall not permit anyone other than the Tenant(s)/Occupant(s) or person(s) otherwise listed within the written rental agreement to permanently reside in a Residential Rental Unit, except children under the age of 21 as listed on the rental agreement/lease.

3. The Owner or Manager shall disclose to the Occupant or Tenant in writing, at or before the commencement of the Landlord-Tenant relationship, the following: the name, address, and telephone number of the Manager; and the name, address, and phone number of the Owner of the Premises.

(d) *Rental License requirement.*

1. As a prerequisite to entering into a rental agreement or permitting the Occupancy of a residential rental unit, the owner of every such residential rental unit shall be required to obtain a license for each Structure containing a residential rental unit. The Rental License will be issued upon successfully registering under section 2-1749.04(B) Owners Duties/Registration, and after compliance with all applicable codes.

2. The License shall be issued to each Structure containing a Residential Rental Unit per year.

(e) *General.* Grounds for denial, nonrenewal, suspension or revocation of license.

(1.) The Department of Public Safety, Environmental Control and Code Enforcement, may initiate disciplinary action against an owner that may result in a formal warning, nonrenewal, suspension or revocation of the owner's license for violating any provisions of this Ordinance that impose a duty upon the owner and/or for failing to regulate the breach of duties by occupants as provided herein subject to the right of appeal pursuant to Section 2-1749.04(j) and/or Section 2-1749.04(n) in regards to closure options.

(2.) In order for an owner to obtain or retain a license, all requirements of section 2-1749.04 (Owner's duties), and the nine minimum standards from the International Property Maintenance Code shall be followed:

a. Interior and exterior sanitary conditions.

b. Infestation and rodent harborage.

c. Structural members and foundation walls.

d. Plumbing/water systems.

e. Heating/mechanical systems ventilation.

f. Electrical system hazards.

g. Smoke detection system.

h. Fire escape routes.

i. Over occupancy.

(3.) The Department of Public Safety, Environmental Control and Code Enforcement, shall maintain a field inspection checklist to guide monitoring of compliance with these nine minimum standards. Said field checklist shall be made available to owners or agents of regulated rental units/regulated dwelling units.

(f) *Definitions of Options*.

(1) *Denial*: the violations found at the time of the inspection would render the property unsafe.

(2) *Formal warning*: formal written notification of at least one violation of this article. Upon satisfactory compliance with this article and any conditions imposed by the Department of Public Safety, Environmental Control and Code Enforcement, the formal warning shall be removed when the owner applies for the license renewal at a time set by the Department of Public Safety, Environmental Control and Code Enforcement.

(3) *Nonrenewal*: the denial of the right to apply for license renewal after expiration of the license term. The City will permit the owner to maintain occupants in the premises until the end of the license term unless the property is unfit for habitation, but will not accept applications for renewal of the license until the property passes inspection by the Department of Public Safety, Environmental Control and Code Enforcement.

(4) *Suspension*: the immediate loss of the right to rent regulated rental units for a period of time set by the Department of Public Safety, Environmental Control and Code Enforcement. The owner, after the expiration of the suspension period, may apply for license renewal without the need to show cause why the owner's right to apply for the renewal license should be reinstated. Upon suspension, the owner shall take immediate steps to evict the occupants.

(5) *Revocation*: the immediate loss of the right to rent regulated rental units for a period of time set by the Department of Public Safety, Environmental Control and Code Enforcement, and which may result in the loss of the right to apply for renewal of the license at the expiration of the time period. Upon revocation, the owner shall take immediate steps to evict the occupants.

(g) *Criteria for applying discipline*. Department of Public Safety, Environmental Control and Code Enforcement, when applying discipline, shall consider the following:

(1) The effect of the violation on the health, life safety and welfare of the occupant(s) of the regulated rental unit and other residents of the premises.

(2) The effect of the violation on the neighborhood.

(3) Whether the owner has prior violations of this article and other ordinances of the city or has received notices of violations as provided for in this article.

(4) Whether the owner has been subject to disciplinary proceedings under this article.

(5) The effect of disciplinary action on the occupants.

(6) The action taken by the owner to remedy the violation and to prevent future violations, including any written plan submitted by the owner.

(7) The policies and lease language employed by the owner to manage the regulated dwelling unit to enable the owner to comply with the provisions of this Ordinance.

(8) In addition to applying discipline as set forth above, the Department impose upon the existing or subsequent licenses reasonable conditions related to fulfilling the purpose of this article.

(h) *Grounds for imposing discipline*. Any of the following may subject an owner to discipline as provided for in this article:

(1) Failure to abate a violation of this article that applies to the premises within the time directed by the Department of Public Safety, Environmental Control and Code Enforcement.

(2) Refusal to permit the inspection of the premises by the Department of Public Safety, Environmental Control and Code Enforcement, as provided for in this article.

(3) Failure to take steps to remedy and prevent violations of this article by occupants of regulated dwelling units as provided for in Section 2-1749.04(a) of this article.

(4) Three violations of this article or other ordinances of the City that apply to the premises within a license term. For purpose of this article, there need be no criminal conviction before a violation can be found to exist. Before a prior violation can be considered under this section, the owner must have received notice in writing of this violation within 30 days after the Department of Public Safety, Environmental Control and Code Enforcement, received notice of the violation.

(i) *Procedure for denial, nonrenewal, suspension, or revocation of license notification*. Following a determination that grounds for denial, nonrenewal, suspension or revocation of a license exist, the Department of Public Safety, Environmental Control and Code Enforcement, shall notify the owner of the action to be taken and the reason therefore. Such notification shall be in writing, addressed to the owner in question, and shall contain the following information:

(1) The address of the premises in question and identification of the particular regulated rental unit(s) affected.

(2) A description of the violation, which has been found to exist.

(3) A statement that the license for said regulated rental unit(s) shall be either suspended or revoked, or will not be renewed for the next license year beginning January 1 or that the owner will receive a formal warning. In the case of a suspension or revocation, the notice shall state the date upon which such suspension or revocation will commence, and in the case of a suspension shall also state the duration of said suspension.

(4) A statement that, due to the denial, nonrenewal, suspension or revocation (as the case may be), the owner or any person acting on his, her or its behalf is prohibited from renting, letting, or permitting occupancy of the dwelling unit(s) subject to said enforcement action, from and during the period said action is in effect.

(5) A statement informing the owner that he, she, or it has a right to appeal the decision denying, suspending, revoking or declining to renew the license to the Board of Health in accordance with Section 1749.10 of this article submitting in writing to the Secretary of the Board of Health, within 10 days from the date printed on the notice, a detailed statement of the appeal, including the grounds therefore and the reason(s) alleged as to why the determination of the Department of Public Safety, Environmental Control and Code Enforcement, is incorrect or should be overturned, and a statement of the relief requested by the appellant. Such notice of appeal may be required to be submitted on a form to be prescribed therefore by the city, to be signed by the appellant. There is hereby imposed a fee for filing of such appeals, the amount of which shall be determined and established from time to time by ordinance of City Council.

(6) Upon receipt of such an appeal in proper form, accompanied with requisite filing fee, the Secretary shall schedule a hearing to be held in accordance with Section 1749.10 of this article.

(j) *Means of Appeal*

(1) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this article, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Board of Health, provided that such person files in the office of the Secretary of the Board of Health a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within 10 days after the notice was served. Upon receipt of such petition, the Board shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such

hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 10 days after the date on which the petition was filed. Upon application of the petitioner, the Board may postpone the date of the hearing for a reasonable time beyond such ten-day period, if in its judgment the applicant has submitted a good and sufficient reason for such postponement.

(2) After such hearing the Board shall sustain, modify or withdraw the notice, depending upon its finding as to whether the provisions of this article and of the rules and regulations adopted pursuant thereto have been complied with. If the Board sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to this section shall automatically become an order if a written petition for a hearing is not filed in the office of the Board within 10 days after such notice is served. After a hearing in the case of any notice suspending any permit required by this article or by a rule or regulation adopted pursuant thereto, when such notice has been sustained by the Board, the permit shall be deemed to have been suspended. Any such permit, which has been suspended by a notice, shall be deemed to be automatically suspended if a petition for hearing is not filed in the office of the Health Officer within 10 days after such notice is served.

(3) The proceedings at such hearing, including the findings and decision of the Board, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Board. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Board may seek relief there from in any court of competent jurisdiction, as provided by the laws of the Commonwealth of Pennsylvania.

(4) Whenever a member of the Department of Public Safety and Environmental Control and Code Enforcement finds that an emergency exists which requires immediate action to protect the public health, he may, without notice of hearing, issue an order reciting the existence of such emergency and requiring that such action be taken, as he deems necessary to meet the emergency. Notwithstanding the other provisions of this article, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Board shall be afforded a hearing as soon as possible. After such hearing, depending upon its findings as to whether the provisions of this article and of the rules and regulations adopted pursuant thereto have been complied with, the Board shall continue such order in effect, or modify it, or revoke it.

(k) *Rental Agreement.*

1. Following the effective date of this Ordinance, a summary hereof in substantially the form set forth in Addendum titled (Appendix B) Tenant Duties and Responsibilities, shall be provided to the Tenant on or before the commencement of the Landlord-Tenant relationship. Where a Rental Agreement has been entered into prior to the effective date of this Ordinance, the Owner shall provide any Tenant(s) with a copy of the summary within sixty (60) days after enactment of this Ordinance.

2. The Owner shall secure a written acknowledgment from Occupants that the Occupants have received the disclosures and information required by this Ordinance.

(l) *Landlord Tenant Act.* The Owner or Landlord shall comply with all provisions of the Landlord Tenant Act, 68 P.S. §§ 250.101, et. seq.

(m) *Corrective Action Report.*

1. Upon notification that an Occupant has violated Section 2-1749.05 the Code Enforcement Officer shall notify the Landlord, Owner, or Manager of the violation.

2. Within (20) twenty days of receipt of written notice of a Tenant's violation of Section 2-1749.05, the Owner shall file with the Codes Enforcement Officer a report, on a form provided by the City (Corrective Action Report), setting forth what action the owner has taken to remedy the violation.

3. Failure to submit the Corrective Action Plan shall be a violation of this Ordinance, and may subject the Owner, Landlord, or Manager to other penalties set forth in this Ordinance.

(n) *Closure Option*- The Code Enforcement Officer, or any authorized agent thereof, may close a Residential rental unit (or an entire property or structure or building containing more than one (1) residential rental unit) and render it ineligible for occupation or rental pursuant to this subsection when one (1) or more of the following events occurs:

1. A riot as defined in Title 18 of the Pennsylvania Statutes occurs on the premises where the rental unit is located;

2. Three (3) or more of the following occur in any combination within any six-month period:

a. violations of this article have occurred; and/or

b. disruptive conduct reports and/or police reports are generated from activity on the premises where the rental unit(s) are located.

3. The owner has failed to appoint a property manager as required by this section.

4. The owner has failed to comply with any applicable building codes, zoning codes, housing codes or any provisions of this Ordinance and/or the owner has failed to pay the fine or rectify the underlying problem which generated a citation and/or fine from the code enforcement office regarding the condition of the premises; or an owner, after written notice of violation(s), has failed to come into compliance with the City of Williamsport Codified Ordinances, within such time as the code Enforcement Officer shall designate.

5. Three (3) or more public nuisance violations, under section three (3) of this article, have occurred on the premises within any six (6) month period.

6. An occupant or owner has implied or actual knowledge of drug activity, where the owner and/or occupant is charged or convicted in a court of competent jurisdiction of selling or distributing narcotics or controlled substances, as these terms are defined in Pennsylvania statutes, in the rental unit, or on the premises of the property. Said knowledge may be imputed to the occupant or owner based on police knowledge and experience of drug activity on the premises or property.

7. An occupant or owner has implied or actual knowledge of any illegal or criminal action with a firearm, in any instance where the owner and/or occupant(s) are charged or convicted in a court of competent jurisdiction of murder or attempted murder, in any degree, manslaughter, assault with a deadly weapon, possession of an illegal firearm, or any crime where a firearm is used as an accessory and/or part of the commission of the said crime, as these terms are or may be defined in the Pennsylvania statutes, in the rental unit, or on the premises or property. Said knowledge may be imputed to the occupant or owner based on police knowledge and experience of such criminal activity(ies) on the premises or property.

In the event that there is a violation of section 2-1749.04(n)(1,3,4,5)the rental unit may be closed by the City of Williamsport for a period of time which will be the lesser of the time needed to cure the violating event or three (3) months. In the event that there is a violation of section 2-1749.04(n) (2,6,7), the rental unit may be closed by the City of

Williamsport for a period of six (6) months. Each re-opening without having cured the violation or prior to obtaining a new rental license shall be considered a new violation subject to any applicable fines and or penalties.

In the event any person or party who or which has standing and is aggrieved by the City's enforcement of the provisions of this portion of the said Ordinance shall be permitted to appeal to the Housing Appeals Board to address any concerns and/or issues which the aggrieved party(ies) may feel relevant. Notice of appeal shall be in writing and filed with the Secretary of the Housing Appeals Board no later than ten (10) days after the receipt of the Notice of Violation and/or any other notice issued by the city to said party. Said notice shall be accompanied by a non-refundable appeal fee of $100, unless the appellant claims *in forma pauperis status*, upon good cause shown. The Housing Appeals Board shall hear the appeal no later than twenty-one (21) days from the date of the notice of appeal.

(o) *Creation of Housing Appeals Board* – The City of Williamsport hereby creates a Housing Appeals Board, which shall be a five (5) member board of City residents who are familiar with the housing matters, including, but not limited to, real estate agents/brokers, those with experience in law enforcement, registered professionals (e.g. lawyers, engineers, etc.), and others familiar with code enforcement, construction, and landlord/tenant matters. The members of the Board shall serve for four (4) year terms, and will hear all appeals from enforcement under this Ordinance unless otherwise specified. These members shall be appointed by the Mayor of the City of Williamsport and approved by the City Council. This will allow for an objective review of the City's actions regarding enforcement of this Ordinance.

(p) *Enforcement; violations and penalties*.

1. Basis for Violation. It shall be a violation of this Ordinance for any Owner, Landlord, or Manager of any applicable Residential Rental Unit to fail to register. It shall be a violation of this Ordinance for any Owner, Landlord, or Manager of a Residential Rental Unit to operate without a valid Rental license issued by the City of Williamsport pursuant to §2-1749.04(d) authorizing such operation. It shall also be a violation of this Ordinance for any Owner, Landlord, or Manager to fail to fulfill Owner's duties in regards to monitoring the conduct and activities of the Occupants of any Residential Rental Unit which he or she owns pursuant to §2-1749.04.

2. Penalties for Landlords or Owners.

a. Any violation of this section of this Ordinance shall constitute a summary offense punishable, upon conviction thereof, by a fine not to exceed Six Hundred Dollars ($600.00) plus costs of prosecution or by a

term of imprisonment not to exceed thirty (30) days, or both. Each violation shall constitute a separate and distinct offense.

b. Subject to the Closure Options set forth in this Ordinance, in addition to the foregoing; upon receiving notification from the Code Enforcement Officer of a charge or conviction of a third offense by a Tenant(s) and/or Occupant(s) for violation of §2-1749.05(d) of this Ordinance, the Owner of the property shall begin eviction proceedings in accordance with the Landlord-Tenant Act against the Tenant(s) and/or Occupant(s) of the Residential Rental Unit.

**2-1749.05 TENANT'S DUTIES.**

(a) *General*. It shall be the duty of every Tenant and/or Occupant to comply with all obligations imposed by this Ordinance, all applicable Codes and Ordinances of the City of Williamsport and all applicable provisions of the laws of the Commonwealth of Pennsylvania.

(b) *Peaceful Enjoyment*. The Tenant(s) and/or Occupant(s) shall not engage in any activity and/or conduct that will disturb the peaceful enjoyment of any person living on or near the Premises. The Tenant(s) and/or Occupant(s) shall also be responsible for the conduct of any Person, Guest, or pet on the Premises with the permission of the Tenant(s) and/or Occupant(s).

(c) *Illegal Activities*. The Tenant(s) and/or Occupant(s) shall not engage in illegal conduct in violation of this Ordinance, the Ordinances of the City of Williamsport, the Pennsylvania Crimes Code, 18 Pa. C.S. §101, et. seq., the Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. §780.101,. et. seq., or any other law of the Commonwealth of Pennsylvania or the United States of America. The Tenant(s) and/or Occupant(s) shall not permit any Person or Guest to engage in illegal conduct on the Premises.

(d) *Disruptive Conduct*. In the event that there are citations issued to occupants and or tenants, codes violations issued pursuant to this ordinance, and/or arrest at the premises three (3) times within any one-year period, and provided the offense does not trigger the immediate Closure Options set forth in this Ordinance, the office of Code Enforcement shall be permitted to issue a notice to vacate the premises within Seventy-two (72) hours.

(e) *Compliance with Rental Agreement*. The Tenant or Occupant shall comply with all lawful provisions of the Rental Agreement entered into between the Owner and the

Tenant and/or Occupant. Failure to comply may result in eviction of the Tenant and/or Occupant by the Owner.

(f) *Enforcement; Violations and Penalties*. It shall be unlawful for any Occupant to violate any provision of §2-1749.05.

1. *Penalties for Tenants/Occupants*. In addition to Closure options permitted as part of this Ordinance and Article:

a. For the first offense. Any Occupant/Tenant violating any of the above listed sections shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than One Hundred ($100.00) Dollars.

b. For the second offense. Any Occupant/Tenant violating any of the above listed sections shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than Three Hundred ($300.00) Dollars.

c. For the third offense. Any Occupant/Tenant violating any of the above listed sections shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than Five Hundred ($500.00) Dollars.

2. This Ordinance and the foregoing penalties shall not be construed to limit or deny the right of the City of Williamsport or its agents or representatives to such equitable or other remedies as may otherwise be available with or without process of law.

## SECTION 3
# Neighborhood Preservation and Nuisance Assessment


| | | | |
|---|---|---|---|
| 3-1749.01 | Title and Purpose | 1-1749.06 | Repeat Offenders |
| 3-1749.02 | Introduction | 1-1749.07 | Enforcement Authority |
| 1-1749.03 | Presumption of Ownership | 1-1749.08 | Lack of Knowledge not a Defense |
| 1-1749.04 | Public Nuisance Defined | 1-1749.09 | Interdepartmental/Interagency |
| 1-1749.05 | Conviction Not Required | | |


## Section 3-1749

### 3-1749.01 TITLE AND PURPOSE.

This Section shall be known as the "Neighborhood Preservation and Nuisance Assessment." It is the intent of the City of Williamsport to promote the health, safety and welfare of the citizens of the City of Williamsport. This responsibility includes protecting neighborhoods from blight and deteriorating conditions that have a negative impact on property values and encourage disorder, disease, and health and safety risks. This is achieved through ordinances and by establishing a policy to guide enforcement of the ordinances contained within the Codified Ordinances of the City of Williamsport, Pennsylvania. It is the further intent of the City to assess against property owners who continually cost the taxpayers undue funds with respect to the enforcement of other ordinances to pay those costs to the City in the interests of fairness.

### 3-1749.02 INTRODUCTION.

The City finds that public nuisances exist in the City of Williamsport in the operation of certain buildings, structures and dwellings, and in the use and occupation of certain properties whose owners or responsible parties are in repeated violation of state and local laws or ordinances. Such nuisances substantially and seriously interfere with the interest of the public in enhancing the quality of life in the City, in fostering and facilitating commerce, in maintaining and improving property values, and in preserving and protecting the public health, safety, and welfare. Such properties create undue expense and burden on the resources of the City with respect to codes enforcement. The City further finds that repeated activities and violations are detrimental to the

health, safety, and welfare of the people of the City of Williamsport, its visitors, and businesses thereof. The City further finds that it is an unfair burden to the taxpayers generally, that the costs of repeated violations of ordinances with respect to property are caused by a limited number of property owners, and it is the intent to shift the burden of enforcement costs, to the extent reflected in this Article, to those offending property owners.

**3-1749.03 PRESUMPTION OF OWNERSHIP.**

The owner of the property affected by the orders hereunder shall be presumed to be the person in whose name the real estate is recorded in the Office of the Recorder of Deeds in and for Lycoming County, Commonwealth of Pennsylvania.

**3-1749.04 "PUBLIC NUISANCE" DEFINED.**

For purposes of this Section, a "public nuisance" shall be deemed to exist whenever individual(s), through violations of any of the following provisions from separate incidents at the same building, structure, dwelling or place. For the purpose of this Article, an "incident" will be defined as a violation of law, ordinance, or International Property Maintenance Code.

(a) The following violations shall be deemed a nuisance upon the third incident within a 12-month period during the ownership by one person and or co-partnership.

1. Article 701 – Animals;
2. Articles 1703 through 1741 – Building Construction (International Property Maintenance Code);
3. Article 733.01 – Snow/Ice Removal;
4. Article 1151 – Solid Waste Management.

(b) Upon a determination that a public nuisance exists, the following shall occur: The owners and/or tenants shall be assessed the costs of code enforcement visits and/or services if officers respond to the same property upon the third incident in a 12-month period. The costs of these code enforcement visits and services will be pursued through this Article in the context of a civil remedy.

(c) The costs incurred shall include the salaries of responding officers, prorated costs of equipment, the cost of repairing damage to City equipment and property, and the cost of medical treatment for officers if they are injured.

(d) A fee schedule reflecting the imposition of costs under this Article will be adopted by a resolution approved by City Council and incorporated into this Article. The

fee schedule is subject to change by resolution approved by City Council annually or otherwise, as the underlying costs change.

**3-1749.05 CONVICTION NOT REQUIRED.**

For purposes of this Section, a conviction for any of the previously listed offenses in a court of competent jurisdiction shall not be required to establish that a specified violation of this Article has occurred at a building, structure, dwelling or place. Instead, the City of Williamsport shall be required to prove a specified violation. However, a conviction in any court of competent jurisdiction shall constitute conclusive proof of such violation of law. Conviction of an attempt to commit a violation of any of the specified provisions shall be equivalent to a conviction for the violation of the specified provision.

**3-1749.06 REPEAT OFFENDERS.**

(a) *Purpose*. The repeat offender component of this Article is designed to provide relief, via an expedited enforcement process, for neighborhoods experiencing problems with residents or property owners who repeatedly violate City ordinances and State laws, and who have demonstrated an inability or unwillingness to remain law abiding and/or a good neighbor by orderly obeying law and ordinances as well as maintaining their respective properties.

(b) *Definition*. A repeat offender is a property where there is a history of violations involving the same person(s), owner(s), tenant(s) and/or responsible agent, within the last 12 months where:

1. A written notice has been issued;

2. Civil proceedings or Criminal Citations were filed/initiated; and/or

3. There is continuously a violation of City ordinances, International Property Maintenance Code for three (3) months or more.

The 12-month period will commence on the latest date that any notice or violation has expired; or a civil action or criminal action has concluded.

(c) Notification. Persons who have been designated or identified as repeat offenders will proceed through a legal process. The discovery of a repeat offense will be cause to issue a written notice with a citation for offenses that warrant abatement and the pursuant of civil remedies as set forth in this Article.

**3-1749.07 ENFORCEMENT AUTHORITY.**

The City of Williamsport or authorized designee, pursuant to this Article, upon a determination that a public nuisance, as defined herein, does exist at a property, shall be authorized:

(a) To order immediate abatement of a hazard without notice;

(b) To charge the owners and/or tenants the assessed costs of code enforcement visits and/or services for the City response to the same property upon the third incident in a 12-month period

(c) To charge the costs incurred including the salaries of responding City-authorized representatives prorated costs of equipment, the cost of repairing damage to City equipment and property, and the cost of medical treatment for staff if they are injured responding to the same property upon the third incident in a 12-month period.

(d) To order the securing of any building, structure, dwelling erection, place in or part of in order to abate the nuisance. If there is legal cause the premises will be secured by the authorized public agency or by contract or arrangement by private persons and the costs thereof shall be charged against the real estate upon which the structure is located outlined by law and/or City ordinances.

In addition, if after due cause and after full and diligent disclosure to the person, owner and/or tenant, the City of Williamsport or authorized designee may close and secure a property/unit if:

(a) The property, common area, or the premises are condemned by the City of Williamsport, authorized designee or City Engineer as structurally unsafe or unfit for human habitation.

**3-1749.08 LACK OF KNOWLEDGE NOT A DEFENSE.**

The lack of knowledge of participation in or responsibility for a public nuisance on the part of the owners, lessors, lessees, mortgagees and all those persons in possession or having charge of the property as agent or otherwise, or having any interest in the property, real or personal, used in conducting or maintaining the public nuisance, shall not be a defense by such owners, lessors and lessees, mortgagees, and such other persons.

**3-1749.09 INTERDEPARTMENTAL/INTERAGENCY COOPERATION.**

(a) The City of Williamsport will cooperate with other departments/agencies when appropriate, to further the mutual goals of nuisance abatement and public safety for the benefit of the City.

(b) Upon request the City of Williamsport or authorized designee and any other department of the City will assist and cooperate with other departments/agencies in the performance of duties related to the enforcement of City ordinances.

**3-1749.10 FEE SCHEDULE.**

The following fee schedule for hourly rates is adopted for costs associated with the Neighborhood Preservation and Nuisance Assessment Ordinance and the amount identified by subsequent resolution of City Council shall be the hourly rate under the current contract for each position:

(a) **Codes**

Building Official
Codes Enforcement Officer IV
Codes Enforcement Officer III
Codes Enforcement Officer II
Codes Enforcement Officer I
Zoning Official
Office Manager
Codes Clerk

(b) **Bureau of Fire.**

Fire Chief
Assistant Fire Chief
Platoon Chief
Engineer
Firefighter

(c) **Bureau of Police.**

Police Chief
Captain
Lieutenant
Sergeant
Corporal
Police Officer

(d) **Street and Parks Department.**
General Manager
Assistant General Manager
Forester
Laborer

**SEVERABILITY**

If it is determined by a proper legal authority that any section of this Ordinance or part thereof is unconstitutional or otherwise invalid, the remaining sections and parts thereof shall remain in full force and effect and be unaffected by such determination.

**CONFLICT**

Any Ordinance or law of the City of Williamsport which is in conflict with the provisions of this Ordinance, as outlined herein, is hereby automatically repealed, and this Ordinance shall control.

**EFFECTIVE DATE OF ORDINANCE**

This Ordinance shall become effective twenty (20) days after final adoption by Williamsport City Council.

ATTEST:

Joyce Freeark

WILLIAMSPORT CITY CLERK

# CITY OF WILLIAMSPORT, PA

# FILE OF CITY COUNCIL

**BILL No.** 1610-13

**SESSION OF** 2013

Approved on first reading
This day 10th of Oct 2013

Members of City Council:

Approved on final reading
This day 24th of Oct 2013.

## AN ORDINANCE

6243-30

SECTION II. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLIAMSPORT THAT this Ordinance shall become effective upon final enactment.

The Ordinance approved/vetoed this 24th day of Oct 2013.

ATTEST:

Janice Frank
City Clerk

William J. Hall
President
Williamsport City Council

Gabriel J. Campana
Mayor
City of Williamsport

O-6243

# 2013 RESIDENTIAL RENTAL HOUSING REGISTRATION FORM

**City of Williamsport**
**245 West Fourth St**
**Williamsport, Pa 17701**

***EVERY OWNER OF RENTAL HOUSING SHALL PROVIDE THE FOLLOWING INFORMATION TO THE CODES DEPARTMENT IN ORDER TO COMPLY WITH THE REGISTRATION REQUIRED BY ARTICLE 1749 THE "WILLIAMSPORT RENTAL ORDINANCE" OF THE CODIFIED ORDINANCES OF THE CITY OF WILLIAMSPORT.***

**Property Registering:**

Property Address: _____

Number of Rental units/apartments _____

**Landlord:**
Name: _____

Address: _____

Phone: _____

Emergency number: _____

**Landlord's designated agent or manager (if applicable):**
Name: _____

Address: _____

Phone: _____

Emergency number: _____

**ANY CHANGE IN THE ABOVE INFORMATION SUBMITTED FOR REGISTRATION SHALL BE PROVIDED TO THE CODES DEPARTMENT WITHIN 30 (THIRTY) BUSINESS DAYS OF SUCH CHANGE.**

# Acknowledgement of receipt of Summary of Williamsport Rental Ordinance

I acknowledge that I have received a summary of the Williamsport Rental Ordinance titled "Tenant Duties and Responsibilities" Appendix "B"

Printed Name: _____

Signature: _____

Date: _____

Printed Name: _____

Signature: _____

Date: _____

Printed Name: _____

Signature: _____

Date: _____

Printed Name: _____

Signature: _____

Date: _____

# SUMMARY OF ORDINANCE

## Appendix "B"
## Tenant Duties and Responsibilities

**NOTICES**

It is essential that the Tenant and the Landlord have the ability to contact one another promptly when problems in the relationship arise or when other notices under the Lease must be provided. The Landlord is required to provide the following information to the City of Williamsport and is included in this Addendum as follows:

Landlord
Name: _____
Phone: _____
Emergency number: _____

Landlord's designated agent or manager
Name: _____
Address: _____
Phone: _____
Emergency number: _____

TENANT DUTIES.

A. General.

It shall be the duty of every Tenant and/or Occupant to comply with all obligations imposed by this Ordinance, all applicable Codes and Ordinances of the City of Williamsport and all applicable provisions of the laws of the Commonwealth of Pennsylvania.

B. Peaceful Enjoyment.

The Tenant(s) and/or Occupant(s) shall not engage in any activity and/or conduct that will disturb the peaceful enjoyment of any person living on or near the Premises. The Tenant(s) and/or Occupant(s) shall also be responsible for the conduct of any Person, Guest, or pet on the Premises with the permission of the Tenant(s) and/or Occupant(s).

C. Illegal Activities.

The Tenant(s) and/or Occupant(s) shall not engage in illegal conduct in violation of this Ordinance, the Ordinances of the City of Williamsport, the Pennsylvania Crimes Code, 18 Pa. C.S. §101, et. seq., the Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act, 35

P.S. §780.101,. et. seq., or any other law of the Commonwealth of Pennsylvania or the United States of America. The Tenant(s) and/or Occupant(s) shall not permit any Person or Guest to engage in illegal conduct on the Premises.

D. Disruptive Conduct.

(1) The Tenant or Occupant shall not engage in, nor tolerate, nor permit others on the premise to engage in Disruptive Conduct or other violations of this Ordinance.

(2) In the event that there are citations issued to occupants and or tenants, codes violations issued pursuant to this ordinance, and/or arrest at the premises three (3) times within any one-year period, and provided the offense does not trigger the immediate Closure Options set forth in this Ordinance, the office of Code Enforcement shall be permitted to issue a notice to vacate the premises within Seventy-two (72) hours.

E. Compliance with Rental Agreement.

The Tenant or Occupant shall comply with all lawful provisions of the Rental Agreement entered into between the Owner and the Tenant and/or Occupant. Failure to comply may result in eviction of the Tenant and/or Occupant by the Owner.