

SECTION 2-85

ORDINANCE

AN ORDINANCE OF FRANKLIN TOWNSHIP, ERIE COUNTY, PENNSYLVANIA, REQUIRING LESSORS TO REPORT ON THE STATUS OF OCCUPANCY OF PARCELS OF UNITS OF REAL ESTATE WHICH THEY RENT OR HAVE AVAILABLE FOR RENTAL; PROVIDING FOR REPORTS THEREON EACH TIME THERE IS A NEW LESSEE IN A PARTICULAR PARCEL OR UNIT OF REAL ESTATE; PROVIDING FOR REPORTS EACH TIME A LESSEE VACATES A PARTICULAR PARCEL OR UNIT OF REAL ESTATE; AND PROVIDING METHODS OF ENFORCEMENT AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Franklin, Erie County, Pennsylvania, and it is hereby enacted and ordained by authority of the same.

SECTION 1. The following words when used in this Ordinance shall have the meaning ascribed to them in this section, except where the context clearly indicates or requires a different meaning:

(a) "Person" - Any natural person, partnership, association, firm or corporation.

(b) "Lessee" - That person or persons who has the use of real estate of a lessor, and is responsible for the giving of any type of consideration therefor but excluding those who are lessees for a period of less than thirty (30) days.

(c) "Lessor" - Any person who grants a lease or otherwise permits the use of his real estate, or portion thereof, for a consideration, monetary or otherwise.

SECTION 2. All lessors, within thirty (30) days after the effective date of this Ordinance, or in case of real estate thereafter acquired or thereafter rented or becoming available for rental, within thirty (30) days after the acquisition, rental or availability for rental thereof, as the case may be, shall report to the Township Housing Inspector, or other official agent of the Township, in writing addressed to him at the Township Office, the number of parcels or units of real estate presently or hereafter rented and available for rental, a description (by address, number and/or some other meaningful method) of the said parcel or units, and the names of its lessees and other occupants at the time of such report, together with a designation as to which parcel or unit is occupied by each and the date of occupancy. The report may be a copy of the lease agreement, if one is in existence.

SECTION 3. Any change in the occupancy of real estate rented or leased or in the identity of the lessee from that shown in the report of the lessor as required in Section 2 hereof, shall be reported by lessor to the Township Housing Inspector, or otherwise designated Township agent, within ten (10) days after such change. It is intended hereby that lessors shall report a new lease or a lessee who rents or leases a different parcel or unit of lessor's real estate and when a parcel or unit of their real estate becomes vacant.

SECTION 4. The Township Housing Inspector, or other designated agent, may prepare a form report entitled "Status of Occupancy Report", which form report may require that information set forth above and such other pertinent information that the Township Supervisors by Resolution may direct the Township Housing Inspector, or other agent, to incorporate into the said report form. The failure to have such report forms, however, shall not excuse the obligation of lessors to provide the information required herein. The report may be filed by presenting to the Township Housing Inspector, or other agent, a copy of any lease agreement which may be in effect, or a copy of any other form that the lessor may be required to submit to any other agency concerning tenants.

SECTION 5. Any lessor violating any of the provisions of this Ordinance, or who furnished false information to the Township, or who knowingly used a false name or address in any report required by this Ordinance, shall, upon conviction thereof before any District Magistrate, be sentenced to pay a fine of not more than One Hundred (100) Dollars and costs of prosecution, and in default of payment thereof to suffer imprisonment in the Erie County Jail for not more than thirty (30) days.

SECTION 6. All Ordinances, or parts of Ordinances or Resolutions, inconsistent herewith, are hereby repealed.

SECTION 7. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13 day of November, 1985.

FRANKLIN TOWNSHIP

ATTEST:

Doranne K. Tolson

Secretary

BY:

John J. Sachar
John J. Sachar
Chairman, Board of Supervisors

Herbert H. Netzler
Herbert H. Netzler
Supervisor

John Gnagi
John Gnagi
Supervisor