

**FRANKLIN TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2 of 2002**

**AN ORDINANCE REQUIRING LANDLORDS TO REPORT  
OCCUPIED AND VACANT DWELLING UNITS AND  
BUSINESS UNITS TO THE TOWNSHIP SECRETARY**

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

**SECTION 1: SHORT TITLE**

This Ordinance shall be known and may be cited as the Rental Unit Registration Ordinance of Franklin Township.

**SECTION 2: LEGISLATIVE INTENT AND APPLICABILITY**

The background of this Ordinance and the legislative intention of the Board of Supervisors (herein, the "Board") in enacting it are as follows:

- (A) The Township of Franklin (herein, the "Township") is a municipal township of the second class.
- (B) The Board desires to insure that its tax levies are uniformly and equitably distributed among Township residents.
- (C) The Board finds that the identification of occupied and vacant structures, or portions of structures, within the Township is necessary in order to promote the health, safety, and general welfare of the inhabitants.
- (D) The Board further finds that the enactment of requirements for landlords to report the occupancy of their structures, or portions thereof, is a uniform and reasonable means to identify new occupants on a timely basis for purpose of assessment of tax levies and to identify occupied or vacant structures, or portions thereof, for the purposes of police and fire protection.

**SECTION 3: DEFINITIONS**

**BUSINESS UNIT** - An improved parcel of real estate utilized by any person or persons for any commercial motive or purpose.

DWELLING UNIT - Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used for living and sleeping purposes, arranged for occupancy by one (1) family or by one (1) or more persons.

LANDLORD - A person who holds the legal or equitable title to any parcel of real estate located in the Township or who holds the equitable or legal title to any improvements on real estate or any building located in the Township.

PERSON - Any natural person, firm, partnership, association, organization, corporation and any and all other forms of enterprise. Whenever used in any clause or sentence imposing and prescribing a duty or a penalty, or both, the word "person" shall mean the partners, members and officers, if there be officers of any form. In the case of firms, partnerships, associations, organizations or corporations conducted by a local manager, the word "person" shall mean the local manager.

TENANT - A person who has the use, either by himself or herself or with others, of a dwelling unit or a business unit owned by a landlord.

#### **SECTION 4: REGISTRY OF RENTAL PROPERTIES REQUIRED**

Within thirty (30) days after the effective date of this Ordinance, or in the 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, each landlord shall report, on a report form to be supplied by the Township Secretary, the following information:

- (A) A list of the dwelling units and business units owned by the landlord, located within the Township limits, whether occupied or not occupied.
- (B) The address of each dwelling unit and business unit.
- (C) A brief description of each dwelling unit and business unit.
- (D) The names of the tenant or tenants utilizing the dwelling units or business units, if any.
- (E) An identification of vacant dwelling units or business units.

#### **SECTION 5: REPORT OF CHANGES IN USE OR OCCUPANCY**

Each and every landlord owning property within the Township shall report to the Township Secretary, on a form provided by him or her, any change in the use or occupancy of any dwelling unit or business unit owned by the landlord. This section is also intended to require landlords to report

any change in the use or occupancy of any dwelling unit or business unit involving tenants who move from one unit or portion of landlord's real estate to a different dwelling unit or business unit or portion of landlord's real estate. Reports of changes shall include the name or names of new tenants of each dwelling unit or business unit and shall include the date when such change was effected. In the case of a landlord who is an owner of a hotel, inn or boardinghouse, such landlord shall not be required to report a person as a tenant until that person has resided in such landlord's establishment for a period of sixty (60) days. In the event that a dwelling unit or business unit was used or utilized by a tenant and then becomes vacant, this change shall also be reported to the Township Secretary. All reports required by this section shall be made within ten (10) days after a landlord has knowledge that such a unit has become occupied or vacant.

#### **SECTION 6: DUTIES OF TOWNSHIP SECRETARY**

The Township Secretary shall have the following duties:

- (A) To maintain on file in the Township Offices the names of the landlords owning dwelling units and business units in the Township, said list to include the names of the current tenants of dwelling units and business units.
- (B) To maintain a supply of forms for landlords to use in making reports as required by Sections 4 & 5 of this Ordinance.
- (C) To notify the Police Authority and the Fire Authority of the address and description of any dwelling unit or business unit that is occupied and/or vacant, and changes in use and occupancy.
- (D) To report to the proper authority instances when a number of tenants in any dwelling unit or business unit exceeds the number of tenants or inhabitants permitted by any ordinance of the Township or by any law of the Commonwealth of Pennsylvania.

#### **SECTION 7: VIOLATIONS AND PENALTIES**

Any landlord violating any of the provisions of this Section or who furnishes false information to the Township or who uses a false name or address in any report required by this Section shall, upon conviction thereof before the District Justice, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) and costs of prosecution, and in default of payment thereof, to suffer imprisonment in the York County Prison for not more than thirty (30) days.

#### **SECTION 8: SEVERABILITY**

If any sentence, clause, phrase or section 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, phrases, sections or parts of this Ordinance.

It is hereby declared as the intention of the Board that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

**SECTION 9: REPEALER**

Any other Ordinance or parts thereof inconsistent with this Ordinance be and are hereby expressly repealed.

**SECTION 10: EFFECTIVE DATE**

This Ordinance shall become effective as provided by law.

ENACTED AND ORDAINED this 23rd day of April, 2002.

ATTEST:

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS**

Deborah K. Westbrook  
Secretary

By: [Signature]  
Chairman

By: [Signature]

By: [Signature]

By: [Signature]

By: \_\_\_\_\_