O F F I C I A L

BOROUGH OF ETNA

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1272

"AN ORDINANCE OF THE BOROUGH OF ETNA, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1230 OF 1994 BY PROVIDING FOR INSPECTION OF ALL RESIDENTIAL RENTAL PROPERTIES IN THE BOROUGH OF ETNA AND FOR THE ISSUANCE OF RENEWABLE OCCUPANCY PERMITS."

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Etna that Ordinance 1230 of 1994 is hereby amended in the following particulars:

ORDINANCE 1230 of 1994 which presently reads:

AN ORDINANCE OF THE BOROUGH OF ETNA REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS, OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGE THEREIN; ESTABLISHING THE DUTIES OF THE BOROUGH OF ETNA SECRETARY MANAGER; PROVIDING FOR DEFINITIONS, INTERPRETATIONS AND THE PURPOSES HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION.

SECTION 1, PURPOSE: This ordinance is enacted to provide the uniform and equitable distribution of the tax levies in the Borough of Etna and upon the inhabitants thereof and to promote welfare of the inhabitants of the Borough of Etna.

SECTION 2, - DEFINITIONS AND INTERPRETATION. As used in this ordinance, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

BUSINESS UNIT - a parcel of real estate, with or without improvements located thereon utilized by any person or persons for any activity carried on or experienced for gain or profit in the Borough of Etna.

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 the Borough of Etna, or a lessor, or person who acts as agent for the lessor, of any improvements on real estate or any building located in the Borough of Etna.

PERSON - any individual, partnership, association, firm or corporation.

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.

SECTION 3 - REPORTS BY LANDLORDS. Within ninety (90) days from the effective date of this ordinance each landlord shall submit to the Borough Secretary Manager, a report form supplied by the Borough Secretary Manager which includes the following information.

1. A list of the dwelling units and business units owned by the landlord, located within the Borough of Etna limits, whether occupied or not occupied;

2. Address of each dwelling unit and business unit;

3. Lot and Block number of each dwelling unit and business unit;

4. Whether or not said dwelling unit or business unit is inhabited or utilized by tenants;

5. Name of all tenants utilizing each aforementioned dwelling unit or business unit, if any;

6. Name and address of any tenants' employment, if known;

7. Social Security number of each tenant, if known.

SECTION 4 - REPORTS BY PERSONS UPON BECOMING LANDLORDS. After the effective date of this ordinance, any person who becomes a landlord shall within thirty (30) days thereafter, report to the Borough Secretary Manager the information and data set forth in Section 3 above, and on forms to be provide by the Borough Secretary Manager.

SECTION 5 - REPORTS OF CHANGES IN USE OR OCCUPANCY. After the effective date of this ordinance, each and every landlord of property within the Borough of Etna shall report to the

Borough Secretary Manager on a report form to be supplied by the Borough Secretary Manager, any change in the occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the name or names of all new tenants of such dwelling unit or business unit, the date when such changes was effected, and the forwarding address of the previous tenant or tenants, if known. The report shall also contain the name and address of tenant's employer, if known, and tenant's social security number, if known. 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 Borough Secretary Manager. All reports required by this section shall be made within thirty (30) days after a landlord has knowledge that such a unit has had a change in use or occupancy of has become vacant.

SECTION 6 - PENALTIES. Any person who shall violate any provision of this ordinance including failure to file required reports, filing inaccurate, untimely or incomplete reports or for any other violation, shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars ($300.00). For the purpose of this section, each day a person is in violation of any provision of this ordinance shall be considered a separate offense.

SECTION 7 - REPEALER. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 8 - EFFECTIVE DATE. This ordinance shall become effective on this 17th day of May 1994.

is hereby amended to read as follows:

AN ORDINANCE OF THE BOROUGH OF ETNA REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS, OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGE THEREIN; ESTABLISHING THE DUTIES OF THE BOROUGH OF ETNA SECRETARY MANAGER; PROVIDING FOR DEFINITIONS, INTERPRETATIONS AND THE INSPECTION OF ALL RESIDENTIAL RENTAL PROPERTIES IN THE BOROUGH OF ETNA AND PRESCRIBING PENALTIES FOR VIOLATION.

ARTICLE I - LANDLORD RESPONSIBILITIES

SECTION 1, PURPOSE: This ordinance is enacted to provide the uniform and equitable distribution of the tax levies in the Borough of Etna and upon the inhabitants thereof and to promote welfare of the inhabitants of the Borough of Etna by insuring that all residential rental properties conform to the International Property Maintenance Code.

SECTION 2, - DEFINITIONS AND INTERPRETATION. As used in this ordinance, the following terms shall have the meaning

indicated, unless a different meaning clearly appears from the context:

BUSINESS UNIT - a parcel of real estate, with or without improvements located thereon utilized by any person or persons for any activity carried on or experienced for gain or profit in the Borough of Etna.

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 legal agent for the lessor of any parcel of real estate located in the Borough of Etna, or a lessor, or person who acts as legal agent for the lessor, of any improvements on real estate or any building located in the Borough of Etna.

PERSON - any individual, partnership, association, firm or corporation.

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.

SECTION 3 - REPORTS BY LANDLORDS. Within ninety (90) days from the effective date of this ordinance each landlord shall submit to the Borough Secretary Manager, a report form supplied by the Borough Secretary Manager which includes the following information.

1. A list of the dwelling units and business units owned by the landlord, located within the Borough of Etna limits, whether occupied or not occupied;

2. Address of each dwelling unit and business unit;

3. Lot and Block number of each dwelling unit and business unit;

4. Whether or not said dwelling unit or business unit is inhabited or utilized by tenants;

5. Name of all tenants utilizing each aforementioned dwelling unit or business unit, if any;

6. Name and address of any tenants' employment, if known;

7. . Social Security number of each tenant, if known.

SECTION 4 - REPORTS BY PERSONS UPON BECOMING LANDLORDS. After the effective date of this ordinance, any person who becomes

a landlord shall within thirty (30) days thereafter, report to the Borough Secretary Manager the information and data set forth in Section 3 above, and on forms to be provided by the Borough Secretary Manager.

SECTION 5 - REPORTS OF CHANGES IN USE OR OCCUPANCY. After the effective date of this ordinance, each and every landlord of property within the Borough of Etna shall report to the Borough Secretary Manager on a report from to be supplied by the Borough Secretary Manager, any change in the occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the name or names of all new tenants of such dwelling unit or business unit, the date when such changes was effected, and the forwarding address of the previous tenant or tenants, if known. The report shall also contain the name and address of tenant's employer, if known, and tenant's social security number, if known. 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 Borough Secretary Manager. All reports required by this section shall be made within thirty (30) days after a landlord has knowledge that such a unit has had a change in use or occupancy of has become vacant.

ARTICLE II - INSPECTION AND ISSUANCE OF CERTIFICATE

SECTION 1 - PURPOSE. This ordinance is enacted to provide for the health, safety, and welfare of the inhabitants of the Borough of Etna by calling for the inspection of all residential rental properties in the Borough of Etna.

SECTION 2 - OCCUPANCY PERMIT (renewable). A renewable Occupancy Permit shall be required for each building within the Borough of Etna that is deemed to be a residential rental unit. A fee of $40.00 shall be paid by the landlord to cover the inspection provided for by this ordinance and the issuance of the certificate.

SECTION 3 - APPLICATION. An application for such permit shall be made to the Code Enforcement Officer by the landlord of the property or the owner's legal agent as per Section 4 of this Ordinance. An inspection fee for each is to be paid to the Borough Manager for general revenues of the Borough to defray the costs of the inspection of the building by the Code Enforcement Officer. The annual inspection fee shall be billed to the property owner and shall become due and payable on or before March 31, of the year of the required inspection or upon completion of the inspection, whichever occurs sooner. Every three (3) years thereafter, another application shall be made by the owner or owner's legal agent with the inspection fee becoming due and payable on or before March 31st of that year. On a Ward by Ward basis, all residential rental properties shall be obligated to file an application and be subject to inspection every three years thereafter. The

Code Enforcement Officer shall enter and inspect all structures for which an Application for an Occupancy Permit has been made. The inspection shall be based upon compliance with the Property Maintenance Code as adopted through Ordinance Number _____ of 1999. The Code Enforcement Officer shall refuse issuance of an Occupancy Permit or the renewal thereof to the owner or owner's legal agent of any building or occupancy if the fee has not been paid or when the inspection discloses that the building or occupancy to be substandard and detrimental to the health and safety of the tenants and other residents of the Borough of Etna until alterations and improvements have been made to eliminate the substandard condition.

SECTION 4 - INSPECTION SCHEDULE BY WARDS.

1. For the purposes of beginning the inspection process in the Borough of Etna, the First Voting Ward will be inspected during the year 2000, the Second Voting Ward shall be inspected in the year 2001 and the Third Voting Ward shall be inspected in the year 2002.

2. Any residential rental property within the Borough of Etna upon proper cause shown and upon complaint of the Code Enforcement Officer will be subject to an inspection at anytime.

SECTION 5 - PENALTIES. Any person who shall violate any provision of this ordinance including failure to file required reports, filing inaccurate, untimely or incomplete reports or fails to apply for an Occupancy Permit or renewal thereof or for any other violation, shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars ($300.00). For the purpose of this section, each day a person is in violation of any provision of this ordinance shall be considered a separate offense.

SECTION 6 - REPEALER. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 7 - EFFECTIVE DATE. This ordinance shall become effective on this 1st day of January, 2000.

ORDAINED AND ENACTED this 21st day of Dec., 1999, by the Council of the Borough of Etna.

Peter Ramage
Peter F. Ramage, President

ATTEST:

Mary Ellen Ramage
Mary Ellen Ramage, Secretary

EXAMINED AND APPROVED by me this 21st day of Dec., 1999.

William Dougherty
William Dougherty, Mayor