

**UPPER MIFFLIN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2014- ]**

**AN ORDINANCE REQUIRING LESSORS IN UPPER MIFFLIN TOWNSHIP TO PROVIDE A REGISTRY OF ALL RENTAL PROPERTIES.**

**WHEREAS**, the Board of Supervisors of Upper Mifflin Township has determined that it is in the best interest of the Township to establish and require that a registry of all rental properties be maintained; and

**WHEREAS**, the Ordinance is authorized by “The Second Class Township Code,” Act of May 1, 1933, P.L. 103; Act of July 10, 1947, P.S. 1481 (53 P.S. Section 65101, et seq.) as amended; it is therefore enacted and ordained by the Board of Supervisors of Upper Mifflin Township, Cumberland County, Pennsylvania, as follows:

**SECTION 1: SHORT TITLE**

This Ordinance shall be known and may be cited as the “Upper Mifflin Township Rental Registry Ordinance.”

**SECTION 2: DEFINITIONS**

The following words and phrases, 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 or contrary meaning:

- (A) **PERSON**. A person is any natural person or persons, partnership, association, corporation, firm, fictitious name or any other individual or business entity or their agents.
- (B) **LESSEE**. A lessee is any person or persons, including their agents, who has the use for the purpose of human occupancy of real estate of a Lessor, wherever situate and wherever located in Upper Mifflin Township, and is responsible for giving any type of consideration, monetary or otherwise, therefore, excluding, however, those who are lessees for a period of less than thirty (30) days.
- (C) **LESSOR**. A lessor is any person or persons, including their agents, who grants a lease, or leasehold interest or otherwise permits, either by virtue of a written document or orally, the use of real estate or portions of real estate owned for consideration, monetary or otherwise for a period of thirty (30) days or longer.

**SECTION 3: REGISTRY OF ALL RENTAL PROPERTIES**

All lessors, within thirty (30) days after the effective date of this Ordinance, or in the case of real estate hereafter acquired or hereafter rented or becoming available for rental or the actual rental or availability for rental thereof, as the case may be, shall report to the Secretary of Upper Mifflin Township, the number of parcels or units of said real estate presently or hereafter rented and/or available for rental for the purpose of human occupancy, including a description by address, number, tax identification parcel number of said parcels or units, along with the names and full addresses of the applicable lessees at the time of such report, together and along with a designation as to which unit or parcel is occupied by the lessee.

**SECTION 4: CHANGE OF OCCUPANCY OR VACANCY TO BE REPORTED**

Any change in the occupancy of real estate rented or leased in Upper Mifflin Township or in the identity of the lessee from that shown on the report of the lessor required herein shall be that shown shall be reported by the lessor to the Secretary of Upper Mifflin Township, within thirty (30) days after such change. It is specifically intended hereby that all lessors shall report all new lessees or lessees who rent, as well as when a unit or parcel of lessor's real estate, as well as when a unit or parcel of said real estate becomes vacant by virtue of the lessee voluntarily or involuntarily leaving the real estate.

**SECTION 5: STATUS OF OCCUPANCY REPORTS**

The Board of Supervisors of Upper Mifflin Township or its duly designated employee or agent shall prepare a form report entitled "Status of Occupancy Report" which report will require and set forth the information required herein, as well as other information deemed pertinent and that the Board of Supervisors of Upper Mifflin Township may, by resolution, direct the incorporated into said report. The Status of Occupancy Report forms are to be enacted and may be changed from time to time by resolution. The failure to have such report forms available, however, shall not excuse the obligation of the lessors to provide the information required herein.

**SECTION 6: PENALTIES**

Any person who shall violate any provisions of the Ordinance shall be liable, upon conviction for each subsequent offense, to a fine of not less than Fifty (\$50.00) dollars nor more than One Thousand (\$1,000.00) dollars together with the cost of prosecution, in each case. Every violator of the provisions of the Ordinance shall be deemed guilty of a separate offense each and every day such violation continues and shall be subject to the penalty imposed under the provisions of this Ordinance. Fines and costs imposed under this Ordinance shall be enforceable and recoverable in the manner and at the time provided by applicable law. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, such person may be sentenced and committed to the jail of Cumberland County for a period not exceeding thirty (30) days.

**SECTION 7. CONTINUATION**

The provisions of this Ordinance, so far as they are the same as those of Ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and not new enactments. Provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any Ordinance repealed by this Ordinance.

**SECTION 8. EFFECTIVE DATE**

This Ordinance shall become effective in accordance with law.

**SECTION 9: SEVERABILITY**

In the event that any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Ordinance or other Ordinances affected by this Ordinance, it being the intent of Upper Mifflin Township that such remainder shall be and shall remain in full force and effect.

**SECTION 10. RELATIONSHIP TO OTHER ORDINANCES**

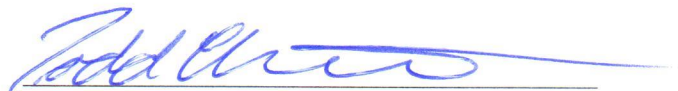
All other Ordinances, parts of Ordinances or parts of Resolutions inconsistent herewith shall be and the same expressly are repealed.

**IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors, Upper Mifflin Township, Cumberland County, Pennsylvania, as follows:

This Ordinance shall become effective five days after its adoption.

UPPER MIFFLIN TOWNSHIP  
BOARD OF SUPERVISORS

  
Chairman





**CERTIFICATION & ATTEST**

I hereby certify that the above Ordinance was enacted at a duly constituted meeting of the Board of Supervisors of Upper Mifflin Township, Cumberland County, Pennsylvania, held on Aug. 19, 2014, at the Township Building, 455 Whiskey Run Road, Newville, Pennsylvania.

*Seth Ann Myers*  
Secretary

SEAL

Date: 8-19-14