

ORDINANCE NO. 2-05
OF THE BOROUGH OF MILLERSBURG

THIS ORDINANCE IS ENACTED TO PROVIDE FOR THE UNIFORM
AND EQUITABLE DISTRIBUTION OF THE TAX LEVIES
IN THE BOROUGH OF MILLERSBURG

AN ORDINANCE OF THE BOROUGH OF MILLERSBURG 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 SECRETARY OF THE BOROUGH; PROVIDING FOR DEFINITIONS, INTERPRETATIONS AND THE PURPOSES HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Millersburg Borough Council hereby ordains:

Section 1. Purposes. This ordinance is enacted to provide for the uniform and equitable distribution of the tax levies in the Borough of Millersburg and upon the inhabitants thereof and to promote the health, safety, morals and general welfare of the inhabitants of the Borough of Millersburg.

Section 2. Definitions and Interpretation. As used in this ordinance, the following terms shall have the meanings 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 commercial activity or purpose.

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 Millersburg, 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 Millersburg.

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 sixty (60) days from the effective date of this ordinance, each landlord shall submit to the Secretary of the Borough, a report form supplied by the Secretary of the Borough, which includes the following information:

1. List of the dwelling units and business units owned by the landlord, located within the Borough limits, whether occupied or not occupied;
2. Address of each dwelling unit and business unit;
3. Brief description of each dwelling unit or business unit;
4. Whether or not said dwelling unit or business unit is inhabited or utilized by tenants;
5. Names of the tenant or tenants utilizing the aforementioned dwelling unit or business unit, if any.

Section 4. Reports by Persons upon Becoming Landlords. After the effective date of this ordinance, any person who becomes a landlord of any parcel of real estate or any improvement on real estate or building located in the Borough of Millersburg by agreement of sale, by deed, or by any other means, shall, within sixty (60) days thereafter, report to the Borough Secretary the information and data set forth in Section 3 above, and on forms to be provided by the Borough Secretary.

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 Millersburg shall report to the Borough Secretary on a report form to be supplied by the Borough Secretary, any change in the use or occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the name or names of new tenants of such dwelling unit or business unit, the date when such change was effected, and the forwarding address of the old tenant or tenants if known. A landlord of a hotel, inn or boarding house shall not be required to report a person as a "tenant" until that person has resided in such landlord's establishment for a period exceeding thirty (30) 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 Borough Secretary. All reports required by this section shall be made within ten (10) days after a landlord has knowledge that such a unit has had a change in occupancy or has become vacant.

Section 6. Duties of the Borough Secretary. The Borough Secretary, under the authority of this ordinance, shall:

1. maintain on file at the Borough office, the names of the landlords owning dwelling units and business units in the Borough, said list to include the names of the current tenants of said dwelling units and business units;
2. maintain a supply of forms for landlords to use in making reports to the Borough Secretary as required by Sections 3, 4, and 5 of this ordinance.

Section 7. Penalties. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00).

Section 8. Effective Date. This ordinance shall become effective on December 8, 2005.

DULY ENACTED THIS 8th DAY OF December, 2005 BY THE COUNCIL OF THE BOROUGH OF MILLERSBURG.

ATTEST:

Low Bowman Jackson
Secretary

James A. Bullock
James A. Bullock, President
Millersburg Borough Council

Approved this 8th day of December, 2005.

By: Buonik. Mlusa
Mayor

LANDLORD REPORT FORM

SUBMISSION REQUIRED UNDER MILLERSBURG BOROUGH ORDINANCE No. 2-05

Millersburg Borough Ordinance No. 2-05 requires that all landlord/property owners who lease/rent any property within the Borough of Millersburg provide to the Borough, the address of such rental or lease property and the names and other information required on this form of the tenants of such rental or lease unit required under Section 5 of Millersburg Ordinance 2-05 shall be made within ten days of change of occupancy to include the unit number. A complete copy of the ordinance is available at the Millersburg Borough Office.

A SEPARATE FORM MUST BE SUBMITTED FOR EACH RENTAL OR LEASED UNIT.

LANDLORD / OWNER INFORMATION Requires both the company name and the principal if applicable

PROPERTY OWNER(S) NAME:	STREET ADDRESS	CITY , STATE, ZIP	FAC AND PHONE No.

ADDRESS OF RENTAL / LEASED UNIT

HOUSE NUMBER AND STREET	APARTMENT NUMBER

VACATING TENANT(S) INFORMATION

NAME(S) (including children)	FORWARDING ADDRESS	DATE VACATED
VOID		

NEW TENANT INFORMATION (including children) List additional names on reverse side of this form.

LAST NAME, FIRST MI	PHONE No.	DOB	EMPLOYER & ADDRESS OR SCHOOL ATTENDING
VOID			

The information requested above must be provided or the form will not be accepted. *Any one living at this address who is not listed on this form causes a violation of the Ordinance* and the landlord/owner could be prosecuted.

Send completed form to:

Borough of Millersburg
attn: Borough Secretary
101 West St.
Millersburg, PA 17061

I attest that the above information is true and correct to the best of my knowledge

Date submitted:

Landlord/owner signature

Landlord/owner signature