

**ORDINANCE NO. 2007-01  
OF THE BOROUGH OF CLARKS SUMMIT**

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

The Clarks Summit Borough Council hereby ordains as follows:

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

**Section 2. Definitions and Interpretations.** As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

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, regarding any parcel of real estate located in the Borough of Clarks Summit, leased or available for lease as a dwelling unit.

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 thirty (30) days from the effective date of this ordinance, each landlord shall submit to the Borough Manager, a report from supplied by the Borough Manager, which includes the following information:

1. List of the dwelling units owned by the landlord, located within the Borough of Clarks Summit limits, whether occupied or not occupied;
2. Address of each dwelling unit;
3. Brief description of each dwelling unit;
4. Whether or not said dwelling unit is inhabited or utilized by tenants;
5. Names of the tenant or tenants utilizing the aforementioned dwelling 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 Clarks Summit by agreement of sale, by deed, or by any other means, shall, within thirty (30) days thereafter, report to the Borough Manager the information and data set forth in section 3 above, and on forms to be provided by the Borough Manager.

**Section 5. Reports of Changes in Use or Occupancy.** After the effective date of this ordinance, each and every landlord of residential dwelling units within the Borough of Clarks Summit shall report to the Borough Manager on a report form to be supplied by the Borough Manager, any change in the use or occupancy of any dwelling unit owned by such landlord. The reported change shall include the name or names of new tenants of such dwelling 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. 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.

**Section 6. Duties of the Borough of Clarks Summit Manager.** The Borough Manager, under the authority of this ordinance, shall:

1. Maintain on file at the Borough of Clarks Summit office, the names of the landlords owning dwelling units in the Borough of Clarks Summit, said list to include the names of the current tenants of said dwelling units;
2. Maintain a supply of forms for landlords to use in making reports to the Borough Manager 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), and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

**Section 8. Repealer.** All ordinance or parts of ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed.

**Section 9. Severability.** If any sentence, clause, section, or part 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, sections or parts of this ordinance. It is hereby declared as the intent of Clarks Summit Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 10. Effective Date.** This ordinance shall become effective immediately upon passage.

**Section 11. Authority.** This ordinance is enacted by the Council of the Borough of Clarks Summit under the authority of the Act of Legislature, February 1, 1966, P.L. 191965) No. 581 Section 1005, as amended 1979, November 2, P.L. 458, No. 94, 53 P.S. Section 46005, et seq. known as the Borough Code and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

Approved the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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DONALD J. MOYER, III  
Clarks Summit Borough President

ATTEST:

\_\_\_\_\_  
VIRGINIA KEHOE  
Clarks Summit Borough Manger

\_\_\_\_\_  
HAROLD P. KELLY, Mayor  
Clarks Summit Borough

Passed by Clarks Summit Borough Council the 7th day of March, 2007, receiving the affirmative votes of \_\_\_\_\_

negative votes of \_\_\_\_\_