

ORDINANCE NO. 2019-5

**AN ORDINANCE OF THE BOROUGH OF WINDBER, PENNSYLVANIA
AMENDING ORDINANCE NO. 2019-3, TO PROVIDE FOR THE
REGISTRATION OF TENANTS RESIDING IN RESIDENTIAL RENTAL
HOUSING LOCATED WITHIN THE CORPORATE BOUNDARIES OF THE
BOROUGH OF WINDBER**

WHEREAS, the Borough of Windber ("Borough") is a community in the State of Pennsylvania is facing the challenges of providing safe, available and affordable housing for current and future residents; and

WHEREAS, Borough Council recognizes the need for an organized residential rental registration program for residential rental units within the Borough to provide an efficient and timely system of communication regarding code enforcement, fire and safety, and law enforcement for the health, safety and welfare of all residents of the Borough; and

WHEREAS, the Borough Council desires that all residential rental units within the Borough be registered with the Borough Codes Enforcement Officer.

WHEREAS, it is the desire of the Borough Council to adopt enforcement measures and penalties to encourage compliance with this ordinance for the health, safety and welfare of all residents of the Borough of Windber.

NOW, THEREFORE, BE IT ORDAINED BY THE WINDBER BOROUGH COUNCIL REQUIRING REGISTRATION OF RESIDENTIAL RENTAL HOUSING NOW IN EXISTENCE OR HEREAFTER CREATED OR CONSTRUCTED IN THE BOROUGH OF WINDBER.

Section I Reporting of Occupancy

Registration of residential tenants required upon occupancy. Any person, firm or corporation owning or managing property located within the Borough of Windber, Somerset County, Pennsylvania upon leasing or renting such property shall furnish the name, address and phone number of the tenant or tenants within ten (10) days from the date of execution of the lease or in the event no written lease is executed, then within ten (10) days from the date of occupancy of the said property by the tenant or tenants.

Annual registration of residential tenants required. On or before June 1, 2019 and annually thereafter on or before February 1. Registration of tenants is not required when tenant occupancy is less than fifteen (15) days.

Section II Reporting of Departure

Within fourteen (14) days if any occupant departs any premises subject to this ordinance. The Owner shall report such departure to the Windber Borough Codes Enforce Officer in writing, including the name of any departing tenant and the new address of such tenant, if known

Section III Transient Occupancy

Excluded from the reporting requirements of this Ordinance is transient occupancy in a hotel, motel or similar lodging.

Section IV Compliance

Verification of compliance with this Ordinance shall be the responsibility of the Windber Borough Codes Enforcement Officer.

Section V Failure to Register - Penalties

Owners who fail to submit a tenant roster as required will be in violation of the provision of this title and shall be subject to the penalties (or fines) as set forth below:

1) Any person who violates any provision of this chapter and who has received notification from the Code Enforcement Officer shall be subject to a civil penalty (or fine) of \$500.00 for the first violation and a civil penalty (or fine) no more than \$1,000.00 for each daily violation thereafter.

This Ordinance shall be in full force and effect beginning on April 10, 2019

ADOPTED BY THE WINDBER BOROUGH COUNCIL, on this 9th day of April, 2019, by a vote of _ ayes and _ nays.


Mike Bryan, Council President

ATTEST:




Mayor