

ORDINANCE NO. 2 of 2025

AN ORDINANCE OF THE BOROUGH OF MANORVILLE, ARMSTRONG COUNTY, PENNSYLVANIA WITH REGARD TO, REQUIREMENTS FOR THE LICENSING AND INSPECTION OF RESIDENTIAL RENTAL UNITS AND PROVIDING FOR ENFORCEMENT AND PENALTIES.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Manorville, Armstrong County, Pennsylvania, as follows;

SECTION 1. PURPOSE AND SCOPE:

The purpose of this Ordinance and the policy of the Borough of Manorville shall be to protect and promote the public health, safety and welfare of its citizens; to establish rights and obligations of owners and occupants relating to residential rental units in the Borough; and to encourage owners and occupants to maintain and improve the quality of rental housing within the Borough. As a means to these ends, this Ordinance provides for a systematic inspection program, registration and licensing of residential rental units and penalties. In considering the adoption of this Ordinance, the Borough makes the following findings:

1. There is concern in the Borough with the failure of some property owners to properly maintain residential rental units.
2. Borough records indicate there is a greater incidence of problems with the maintenance and upkeep of residential properties which are not owner-occupied as compared to those that are owner-occupied.
3. Borough records indicate that violations of the Borough's Ordinances are generally less severe at owner-occupied units as compared to residential rental units.
4. Borough records indicate that there are a growing number of disturbances at residential rental units.

SECTION 2. DEFINITIONS:

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meanings indicated as follows:

BOROUGH - The Borough of Manorville, Armstrong County, Pennsylvania.

CODES COMPLIANCE OFFICIAL - A person designated by Borough Council to enforce this Ordinance, including performance of inspections, issuance of Residential Rental Licenses and issuance of citations.

CODES - Any state or local law, code or ordinance adopted, enacted or in effect in and for the Borough including, but not limited to, the Existing Structures and Property Maintenance Code, codified as the Code of Ordinances of the Borough of Manorville, Armstrong County, Pennsylvania.

COUNTY - The County of Armstrong.

DISRUPTIVE CONDUCT - Any act by an occupant of a residential rental unit or by a person present at a residential rental unit located within the Borough of Manorville involving public drunkenness, consumption of an alcoholic beverage in public, public urination or defecation, the unlawful deposit of trash or litter on public or private property; damage to or destruction of public or private property, the obstruction of public roads, streets, highways or sidewalks, interference with emergency or police services, unreasonable noise as defined by the Borough Noise Nuisance Ordinance, Noise Control, use of profane or obscene language or gestures, indecent exposure, fighting or quarreling, or any other act defined as Disorderly Conduct in the Pennsylvania Crimes Code or any act which otherwise injures or endangers the health, safety or welfare of the residents of the Borough residing in the neighborhood or vicinity of the gathering. It is necessary that such conduct, action, incident or behavior constitute a criminal offense, and that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct, as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a Police Officer shall investigate and make a determination that such did occur, and file the appropriate criminal charges as a result of such occurrences. The occupant and the owner and, if applicable, the manager shall be notified of any such occurrences, and the filing of charges in writing.

DISRUPTIVE CONDUCT REPORT - a written report of disruptive conduct to be completed by a Police Officer who actually investigates an alleged incident of disruptive conduct and which shall be maintained by the Codes Compliance Official or any designated borough official.

INSTITUTION AND INSTITUTIONAL FACILITY - An Organization founded and united for a specific purpose (such as education or health care) consisting of a building or complex of buildings where an Organization for the providing of a service of specific cause is

situated. This definition shall be applicable to any residential rental units owned or managed by the Armstrong County Housing Authority or to residential rental units under the Section 8 Program that are independently inspected.

INSTITUTIONAL FACILITY ROOM - A unit used as a residence and located in a structure owned and operated by an Institution for a common purpose such as without limitation an educational facility or a nursing or retirement care facility.

LICENSE/OCCUPANCY PERMIT- A combined License to use a residential property as a residential rental unit and occupancy permit to allow the residential rental unit to be occupied.

MANAGER - A person retained by an owner to be responsible for one or more residential rental units within the Borough.

OCCUPANT - Any person living and sleeping in a residential rental unit or having actual possession of said residential rental unit.

OWNER - The person who holds record title and/or the equitable owner under an agreement of sale of a property upon which a residential rental unit is erected or maintained. If more than one person owns the residential rental unit as joint tenants, tenants in common, tenants by the entirety, or tenants in co-partnership, each such person shall be considered an owner and shall have all the duties of an owner under this Ordinance.

OWNER'S FAMILY - The person who holds record title and/or equitable owner to include his or her spouse, son, daughter, owner's parents or owner's spouses' parents only.

PERSON - A natural individual, unincorporated association, partnership, corporation, estate, trust or any other legally recognized entity, and the members of such partnership and the officers of such entities.

PREMISES - Any parcel of real estate within the Borough, including the land and all buildings and appurtenant structures, on which one or more residential rental units are located.

PROPERTY MAINTENANCE CODE - The existing Structures and Property Maintenance Code of the Borough of Manorville enacted as adopted by Ordinance or set forth in the Code of Ordinances of the Borough of Manorville, Armstrong County, Pennsylvania, as it may be amended from time to time.

RESIDENTIAL RENTAL UNIT LICENSE - A document, issued by the Borough, to the owner of a residential rental unit.

RESIDENTIAL RENTAL UNIT - (1) a rooming unit or (2) a dwelling unit let for rent or (3) a residential unit occupied by any persons other than one occupied solely by the owner and members of the owner's family. Each individual townhouse dwelling each individual apartment unit, each individual unit in a multi-family building, and each rooming unit shall be considered a separate residential rental unit. If a structure contains a rooming unit or if any portion of the structure is let for rent, it shall be considered a residential rental unit whether or not the owner or a relative of the owner also resides in the structure. A residential rental unit includes dwelling units under lease-purchase agreements or long-term (greater than six (6) months) agreements of sale. A residential rental unit shall not include a hotel unit or a hospital room.

ROOMING UNIT - a portion of a dwelling unit including any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes. Granting or permission to use shared or common cooking facilities may be associated with the leasing of a rooming unit.

SECTION 3. DUTIES OF OWNERS AND MANAGERS OF RESIDENTIAL RENTAL UNITS:

1. It shall be the duty of every owner to:
 - A. Keep and maintain all residential rental units in compliance with all applicable codes, ordinances and provisions of all applicable state laws and regulations, including but not limited to the Borough Zoning Ordinance and Existing Structures and Property Maintenance Code.
 - B. Keep and maintain all premises in good and safe condition.
 - C. Be aware of, and act to eliminate disruptive conduct in all residential rental units.
 - D. Employ policies to and actually manage the residential rental units under his/her control in compliance with the provision of this Borough Ordinance and applicable state laws.

- E. Pay or ensure payment of all real estate taxes, sewer charges, water charges, and trash collection fees to insure that such vital utilities are provided.
- F. Obtain and maintain a Residential Rental License for each residential rental unit.
- G. Provide the Borough within ten (10) days of occupancy with the names, physical address and mailing address, if different, of all tenants of the residential rental unit and notify the Borough of changes in the occupancy of the residential unit within ten (10) days thereof.
- H. Provide trash and recyclable collection and disposal services information and instruct tenants of the method of trash and recyclable collection (e.g. curbside or dumpster and day of pickup).
- I. Take all actions necessary to ensure that each residential rental unit is occupied by only by the number of individuals who are permitted to inhabit the said unit pursuant to the lease agreement or by only the number of individuals who can safely occupy such a unit based upon the living, sleeping, eating, cooking and sanitation space. For the purposes of this provision, the number of persons occupying a residential rental unit shall not create conditions that endanger the life, health, safety or welfare of the occupants.
- J. Require a written rental agreement for each residential unit which shall include the names of all permitted occupants. Each Lease shall contain a provision and notice to the tenant(s) that if the Residential Rental License for the leased unit is revoked the owner shall have the right to terminate the Lease and evict the tenant with thirty (30) days written notice and that tenant agrees this procedure does not violate any part of the Landlord Tenant Act of Pennsylvania. Further, if the Lease is so terminated as a result of the Landlord not complying with the terms of this Ordinance, Landlord may be subject to suit by the tenant for damages.
- K. Retain a manager when this Ordinance requires that a manager be designated.

2. If the owner has appointed a manager, the manager shall be jointly responsible to fulfill all of the obligations set forth

in this Ordinance. No owner may relieve himself of the responsibility to perform the duties set forth in this Ordinance by appointing a manager.

3. It shall be unlawful for any person to conduct or operate or cause to be rented either as owner or manager any residential rental unit within the Borough without having a Residential Rental License as required by this Ordinance.

4. It shall be the responsibility of every owner and every manager to display the Residential Rental License in the residential rental unit. The Residential Rental License shall include the following information:

(a) The name, address and telephone number of the owner or manager.

(b) The date of expiration of the Residential License.

5. No Residential Rental License shall be issued to any Owner residing more than twenty (20) miles from the municipal limits of the Borough unless the owner provides the Borough with the name, mailing address and telephone number of a manager residing within twenty (20) miles of the municipal limits of the Borough, authorized to accept service of process on behalf of the owner. For the purpose of this section, a post office box is not acceptable for the manager's address. This designation shall not be valid unless signed by the owner and the manager designated to act on behalf of the owner. The owner shall notify the Borough within ten (10) days on any change in manager.

SECTION 4. DUTIES OF OCCUPANTS OF RESIDENTIAL RENTAL UNITS:

1. It shall be the duty of each occupant of a residential rental unit to:

A. Comply with all obligations of this Ordinance and all applicable Codes and Borough Ordinances, as well as all state laws and regulations.

B. Conduct himself/herself and require other persons, including, but not limited to, guests on the premises and within their residential rental unit with their consent to conduct themselves in a manner that will not constitute disruptive conduct nor disturb the peaceful enjoyment of adjacent or nearby dwellings by people occupying the same.

- C. Not engage in, nor tolerate, nor permit others on the premises to cause damage to the residential unit or engage in disruptive conduct, or other violations of this Ordinance, Codes, Borough Ordinances, or applicable state laws.
- D. Use the trash and recyclable collection if required to be provided by the owner pursuant to applicable Borough Ordinances or Regulations to include placing trash out for weekly pickup, unless weekly pickup is permitted under the applicable Borough Ordinances or Regulations.
- E. Use the residential rental unit for no purpose other than as a residence, unless the said unit has been approved for home occupation or other use approved by the applicable borough official or body.
- F. Allow the Codes Compliance Official or any designated borough official to inspect the residential rental unit in accordance with this Ordinance upon reasonable notice to the occupant. Inspection must take place at a reasonable times.
- G. Not allow persons other than those identified on the lease to reside in the residential unit.
- H. Not allow the possession of, serving to or consumption of alcohol by underage persons, nor allow the possession of, providing to or use of controlled substances by any person in a illegal fashion.

SECTION 5. RESIDENTIAL RENTAL UNIT LICENSING:

1. Within thirty (30) days after the enactment of this Ordinance, and upon the Borough of Manorville issuing a check list of inspection items to the owners and managers of residential rental units, the Codes Compliance Official or any designated borough official shall commence an inspection of all of the residential rental units and upon successful inspection the Codes Compliance Official or any designated borough official shall issue a License/Occupancy Permit. Following the initial inspection, the Codes Compliance Official or any designated borough official shall also inspect residential rental units upon a change in occupancy of the residential unit, upon receipt of complaints and for any other reasonable cause upon reasonable notice to the owner. Inspection must take place at a reasonable time.

2. The Codes Compliance Official or any designated borough official shall issue a License/Occupancy Permit if the owner provides the name, address and phone number of a manager (if applicable), pays the inspection fee, submits a complete and accurate occupant listing for the residential rental units by December 31 of each year. Real estate taxes, sewer fees and trash collection fees will be checked to determine if they are current and if they are not, collection will be commenced as provided by law.

3. The Codes Compliance Official or any designated borough official shall deny and may revoke a License/Occupancy Permit if the owner does not provide the names, address and phone number of a manager (if applicable), does not pay the inspection fee, does not correct a code violation within the time frame cited by the Codes Compliance Official or any designated borough official, and/or has not complied with any requirements of this Ordinance.

4. The Codes Compliance Official or any designated borough official shall forward written notice to the owner if the Codes Compliance Official or any designated borough official will deny, refuse to renew or revoke a Residential Rental License. The notification shall (1) identify the residential rental unit (2) the grounds for the denial, non-renewal or revocation, including the factual circumstances and the Section of this Part supporting such determination; and (3) inform the owner of the right to appeal the denial, non-renewal or revocation of the Residential Rental License to Borough Council under this Ordinance.

5. The Codes Compliance Official or any designated borough official may reinstate a Residential Rental License if the owner or manager corrects the reason for the revocation of the Residential Rental License has paid the proper fees and is otherwise in compliance with this Ordinance and all other Applicable rules, regulations, ordinances and laws.

6. Manorville Borough Council shall be authorized from time to time to establish by Resolution such fees as they determine are necessary to administer all provisions of this Ordinance.

SECTION 6. INSPECTION OF RESIDENTIAL RENTAL UNITS:

1. Prior to initial occupancy of newly constructed residential rental units, newly created residential rental units,

substantially rehabilitated residential rental units, or existing residential rental units, the owner or manager shall register with and make written application to the Borough for a Residential Rental License as herein provided. Such initial inspections will occur in accordance with a phased-in systematic inspection program to be prepared and made available upon request by the Codes Compliance Official or any designated borough official. A minimum of fifteen (15) days prior written notice shall be given for all initial inspections. The penalty for not allowing an inspection shall be denial of the Residential Rental License.

2. The Codes Compliance Official or any designated borough official may also inspect residential rental units upon a change in occupancy of the residential unit, upon receipt of complaints and for any other reasonable cause upon reasonable notice to the owner. Inspection must take place at a reasonable time.

3. If the Codes Compliance Official or any designated borough official, upon completion of the inspection, finds that the Residential Rental Unit(s) is/are not in compliance with all applicable codes, the Codes Compliance Official or any designated borough official shall issue notices and, if appropriate, commence enforcement actions under the procedures set forth in the Code which may include directing the Landlord to begin eviction proceedings against a tenants but only at the expiration of any designated time period set forth in this Ordinance, with no "cure" being accomplished. Notice provided to a manager shall be deemed notice provided to the owner. The following notices shall be issued to the owner of the residential rental unit or the manager:

A. If the Codes Compliance Official or any designated borough official finds violations warranting condemnation of the residential rental unit under the Property Maintenance Code, in addition to the remedies under the Property Maintenance Code, the Codes Compliance Official or any designated borough official shall:

- (1) Issue a ten (10) day Notice of Violation; and
- (2) If after ten (10) days from the date of the Ten (10) Day Notice of Violation, a re-inspection reveals that the violations are not corrected and arrangements satisfactory to the Codes Compliance Official or any designated borough official have not been made, the Residential Rental License for that unit shall

be revoked and if the unit is vacant, it shall remain vacant.

B. If the Codes Compliance Official or any designated borough official finds violations not warranting condemnation of the residential rental unit under the Property Maintenance Code, the Codes Compliance Official or any designated borough official shall issue a Thirty (30) Day Notice of Violation.

(1) If after thirty (30) days from the date of the Thirty (30) Day Notice of Violation, the first re-inspection reveals that all violations have not been corrected, a Thirty (30) Day Legal Action Warning shall be issued.

(2) If after thirty (30) days from the date of the Thirty (30) Day Legal Action Warning, the second re-inspection reveals that all violations have not been corrected, the Code Enforcement Official shall revoke the Residential Rental License for that Residential Rental Unit, and if the unit is vacant, it shall remain vacant.

(a) A fee will be charged for each re-inspection. The Codes Compliance Official or any designated borough official shall maintain a list of all residential rental units and their ownership that have been the subject of prosecutions during the previous five (5) years.

SECTION 7. DISRUPTIVE CONDUCT:

1. Local Police officers having jurisdiction shall investigate alleged incidents of disruptive conduct. The police officer conducting the investigation shall if deemed appropriate file the appropriate criminal charges with the appropriate authority. A copy of the Criminal Complaint or Citation shall be given or mailed to the occupant in the manner set forth in the Rules of Criminal Procedure, and a copy of the Criminal Complaint or Citation mailed to the owner and, if applicable, the manager and the designated borough official with ten (10) working days of the filing of the criminal charges.

2. The Criminal Complaint or Citation shall be prosecuted by the Police Department having jurisdiction and upon obtaining a

conviction for any of the crimes set forth in this Ordinance as Disruptive Conduct, notice shall be mailed to the owner and, if applicable, the manager within ten (10) working days of the conviction.

3. Upon receiving a copy of the Criminal Complaint or Citation, the designated borough official shall meet with the owner of the rental unit to review the allegation in the complaint or citation and if adequate steps have been taken to address future violations and those plans have been relayed to the occupant.

4. After three (3) police calls to a residential rental unit for disruptive conduct by the same occupant, the owner and, if applicable, the manager shall be notified that rental license for that rental unit has been revoked and will not be reinstated until the unit has been inspected upon a new occupant having been identified and that so long as the license is revoked the unit cannot be occupied.

SECTION 8. SALE OR TRANSFER OF RESIDENTIAL UNITS:

A residential Rental License shall not be transferred. In the case of licensed residential rental units that are sold or transferred, the new owner shall seek a Residential Rental License for each residential rental unit and have each residential rental unit inspected. Failure to seek a Residential Rental Unit License for each residential rental unit within thirty (30) days of the date of sale or transfer of ownership shall result in the revocation of the Residential Rental License.

SECTION 9. INSTITUTIONAL FACILITIES:

1. Institutional Facility Rooms shall be subject to the provisions of this Ordinance, subject, however to the provisions of this Ordinance.

2. If an Institutional Facility has in place a program of control and inspection for all of its rooms and desires to be exempt from the provisions of this Ordinance it may make application to Borough Council. In doing so, a representative of the Institution shall appear before Borough Council at a meeting thereof and shall establish to Council's satisfaction that it has in place an adequate program of control and inspection so as to itself assure compliance with the provisions and purposes of this

Ordinance. This exemption request application shall be forwarded to Borough Council together with the application fee for this purpose which shall be established from time to time by resolution of Borough Council.

3. Borough Council shall grant or deny such request for exemption based on its sound discretion.

4. If an exemption is granted, Borough Council shall have the absolute right to revoke same, if information is received that the Institution's program of control and inspection is not satisfactory to assure compliance with the provisions and purposes of this Ordinance.

5. If an exemption is granted, Borough Council shall be forwarded copies of the internal, or related third party, inspection reports from the exempted Institution in a timely manner as determined solely by Borough Council.

SECTION 10. APPEALS:

An appeal from any decision of the Codes Compliance Official or any designated borough official shall be taken to Borough Council. Such appeal shall be made in writing within ten (10) days after such decision has been made. The appeal shall be verified by an affidavit, shall state the grounds therefore and shall be filed with the Borough Secretary. The appeal shall be accompanied by the appeal fee which shall be established from time to time by this ordinance or by resolution of Borough Council. The appellant or his representative shall have the right to appear and be heard, if such right is requested in the written appeal. Borough Council shall make a decision on such appeal within ten (10) days of the Hearing. Borough Council shall render a written decision, copies of which shall be provided to the Codes Compliance Official and the appellant.

SECTION 11. VIOLATIONS AND PENALTIES:

1. Violations. It shall be a violation of this Ordinance to commit or to permit any other person to commit any of the followings acts:

A. To lease, let, or allow the occupancy of a residential rental unit without obtaining a Residential Rental License where required by this Part.

B. To refuse to permit inspections required under this Ordinance for a residential rental unit.

- C. To fail to perform the duties established by this Ordinance if such person is an owner or a manager of a residential rental unit.
- D. To fail to perform the duties established this Ordinance if such person is an occupant of a residential rental unit.
- E. To place false information on to or omit relevant information from an application for a Residential Rental Unit.
- F. To fail to comply with other provision of this Ordinance.

2. Penalties and Remedies.

- A. Allowing occupancy of a residential rental unit after the Residential Rental License has been revoked; A civil penalty not to exceed six hundred (\$600.00) dollars or a criminal fine not to exceed one thousand (\$1,000.00) dollars per residential rental unit for each month the violation exists. Each month the violation exists constitutes a separate violation.
- B. Failure to seek a Residential Rental License: The owner of manager shall be sent a Thirty (30) Day Notice of Violation, warning them of their failure to comply with the terms of this Ordinance. If they do not comply at the end of thirty (30) days, there shall be a fine of not less than five hundred dollars (\$500.00) dollars nor more than one thousand (\$1,000.00) dollars per residential rental unit for each month the violation exists. Each month the violation exists constitutes a separate violation.
- C. Whoever violates any other provision of this Ordinance shall upon a first offense be fined not more than One Thousand (\$1,000.00) Dollars or be imprisoned not more than thirty (30) days, or both.
- D. In addition to prosecution of persons violating this Ordinance, the Codes Compliance Official, or any duly authorized agent of the Borough, may take such civil or equitable remedies in any court of record of the Commonwealth of Pennsylvania, against any person or property, real or personal, to effect the provisions of this Ordinance.
- E. The provisions of this Section and the provisions of this Ordinance governing revocation, suspension or non-renewal of Residential Rental Licenses, shall be independent,

non-mutually exclusive, separate remedies, all of which shall be available to the Borough as may be deemed appropriate. The remedies and procedures in this Ordinance are not intended to supplant or replace, to any degree, the remedies provided to the Borough in the Property Maintenance Code, Zoning Ordinance or any other Code, law, rule or regulation.

- F. This Ordinance may be enforced by the Code Enforcement Officer appointed or designated by Manorville Borough or any local police department having jurisdiction in Manorville Borough or any individual or entity appointed or designated by Manorville Borough.

SECTION 12. REPEALER:

All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 13. SEVERABILITY CLAUSE:

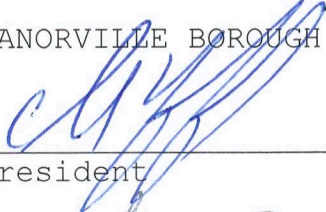
In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the Borough that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 14. EFFECTIVE DATE:

This Ordinance shall take effect and be in force from and after its enactment as provided by the laws of the Commonwealth of Pennsylvania.

ORDAINED AND ENACTED at a regular monthly meeting of the Manorville Borough Council held on the 7th day of April, 2025.

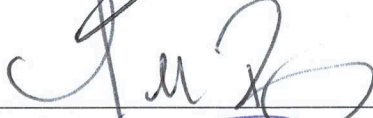
MANORVILLE BOROUGH COUNCIL

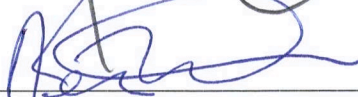


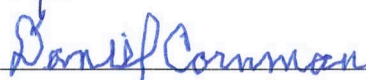
President



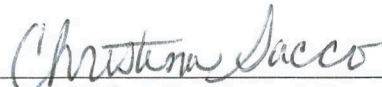








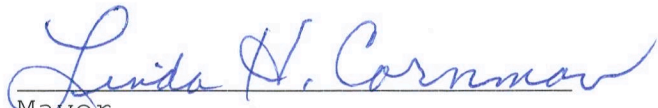
ATTEST:



Secretary
(SEAL)



APPROVED/VETOED this 7th day of April, 2025



Mayor