

## **ORDINANCE NO. 2022-01**

AN ORDINANCE OF THE BOROUGH OF LANGHORNE MANOR REQUIRING THE LICENSING OF PREMISES CONTAINING RENTAL UNITS; REGULATING THE ISSUANCE OF RENTAL LICENSES, PROVIDING FOR THE INSPECTION OF PREMISES CONTAINING RENTAL UNITS; SETTING FORTH RELATED MATTERS AND PRESCRIBING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED AND ENACTED and it is hereby ORDAINED and ENACTED, by the Council of the Borough of Langhorne Manor as follows:

### **ARTICLE I – Title**

This Ordinance shall be known and may be called the Borough Rental Unit Licensing and Inspection Ordinance.

### **ARTICLE II – Definitions**

#### **Section 2.01**

The meaning of the terms used in this Ordinance shall, unless the context specifically and clearly indicates otherwise, be as follows:

- (a) “The Borough” shall mean the Borough of Langhorne Manor, Bucks County, Pennsylvania, a political subdivision acting by and through its Borough Council or in appropriate cases by and through its code enforcement officer or other duly authorized representatives.
- (b) “Dwelling” shall mean any building or structure which is completely or partially used or intended to be used as living space.
- (c) “Dwelling Unit” shall mean a group of rooms located within a dwelling and forming a single living unit with facilities which are used or are intended to be used as living space.
- (d) “Operator” shall mean any person having charge, care, management or control of any rented dwelling or parts thereof.
- (e) “Owner” shall mean any person who alone, or jointly with others, holds legal or equitable title to any dwelling.
- (f) “Person” shall mean any individual, sole proprietorship, firm, partnership, association, corporation or other organization in the singular or plural, masculine, feminine or neuter thereof unless a contrary intent is clearly expressed.
- (g) “Premises” shall mean the lot or parcel of land containing a dwelling, including the yard, and building and structures thereon erected and appurtenant improvements.
- (h) “Rental Unit” shall mean any dwelling or part thereof which is leased, whether orally or in writing, by an owner or operator of any dwelling to any other individual.

## **ARTICLE III – *Licenses***

### **Section 3.01**

No person shall offer any premises, dwelling unit or rental unit for rent without first obtaining a rental license from the Borough.

### **Section 3.02**

The application for a rental license shall include the following:

- (a) Identification of premises by location and address or by such other description as will enable the code enforcement officer to locate the dwelling.
- (b) Identification of the owner by name, residence and business address. If the owner is a corporation, identification shall include the name and address of such corporation, together with a copy of the corporate registry statement filed of record with the corporation bureau of the Commonwealth of Pennsylvania either as a domestic corporation or a foreign corporation duly authorized to do business in the Commonwealth of Pennsylvania. A partnership filing for a rental license shall include the name, residence and business addresses of all partners.
- (c) Application for rental license shall include the name and address of an individual designated as the managing agent, which may not need be the owner, which individual shall be authorized to receive on behalf of the owner any notices, orders or summons issued by the code enforcement officer.
- (d) The application shall be signed by the owner or if the owner is a corporation, by two (2) officers on behalf of the corporation. The application shall also be signed by the managing agent, indicating his or her consent to the designation as managing agent for the premises.

### **Section 3.03**

The owner of each dwelling unit offered for rent in the Borough shall secure a rental license on an annual basis and shall reapply for a re-rental license each time a dwelling, dwelling unit or rental unit is offered for rental. If annual license has been obtained within sixty (60) days prior to a re-rental, the code enforcement officer may waive the issuance of a re-rental license.

### **Section 3.04**

All licenses issued under this Ordinance shall be issued to expire and shall expire on the 31<sup>st</sup> day of December next succeeding the date of issuance of the rental license or re-rental license.

## **ARTICLE IV – *Building and Fire Inspections***

### **Section 4.01**

The code enforcement officer shall, upon receipt of an application for a rental or a re-rental license, inspect the premises to determine whether the premises is in compliance with all applicable ordinances, codes and regulations of the Borough. The owner, operator, managing agent or other individual authorized by the owner shall be present at the time of inspection of the premises.

## **Section 4.02**

The code enforcement officer shall at the time of such inspection or within fifteen (15) days thereafter, notify the owner, operator or managing agent either by personal delivery to the individual attending the inspection or by regular mail to the owner or managing agent as to whether or not the premises inspected is in full compliance with the applicable ordinances, codes and regulations of the Borough and laws and regulations of the Commonwealth of Pennsylvania. If the inspection determines that the premises are not in compliance with the requirements of all applicable ordinances, codes and regulations of the Borough, the code enforcement officer shall issue a notice of violation and shall deliver same to the owner or managing agent and the owner shall cause the premises to be brought within full compliance within thirty (30) days after receipt of notice of violation. If the inspection determines that the premises are not in compliance with all applicable laws and regulations of the Commonwealth of Pennsylvania, the code enforcement officer shall notify the appropriate official or agency of the Commonwealth of Pennsylvania of the violation and request that appropriate enforcement action be taken by the Commonwealth of Pennsylvania.

## **Section 4.03**

Building inspections must be conducted every other year. Fire inspections must be conducted annually or when a new renter occupies a unit.

## **Section 4.04**

The owner shall, in the event that the code enforcement officer designates a violation to be a hazard or an immediate danger to the public health, safety or welfare, correct said violation within twenty-four (24) hours of receipt of notice of violation.

## **ARTICLE V – License and Inspection Fees**

### **Section 5.01**

Please see Langhorne Manor Borough Fee Schedule for all initial and re-rental license fees and inspection and re-inspection fees.

### **Section 5.02**

All license and inspection fees shall be paid to the Borough and all fees shall be submitted to the Borough secretary at the time of the application for initial license, annual license and re-rental license as well as inspection and re-inspection.

## **ARTICLE VI – Administration**

### **Section 6.01**

All notices required to be given by the Borough under the provisions of this Ordinance shall be duly given if hand delivered to or mailed by ordinary mail to the managing agent at the address of the managing agent set forth in the last designation of managing agent filed with the Borough under the provisions of this Ordinance.

## **Section 6.02**

Owner of premises may cause to be filed with the Borough, a notice of change of the managing agent of the premises. Such notice shall either by hand delivered to or mailed by certified mail, return receipt requested to the Borough secretary. The filing fee for change of the managing agent for a premises shall be \$100.00 and said fee shall be filed at the time of submission of the notice of change to the Borough.

## **Section 6.03**

No premises containing rental dwelling units shall be conveyed or transferred to any person after the effective date of this act unless the then current owner does simultaneously with said conveyance or transfer cause to be filed with the Borough a notice of change of ownership together with filing fee in the amount of \$100.00.

## **Section 6.04**

The code enforcement officer of Borough is hereby authorized and directed to administer and enforce the provisions of this Ordinance. The code enforcement officer is hereby authorized to conduct such investigations, inspections, surveys and examinations as may be necessary to determine compliance with the provisions of this Ordinance during all reasonable hours after presenting proper identification to the managing agent or other individual then in charge of a premises containing rental dwelling units.

## **ARTICLE VII – *Severability***

### **Section 7.01**

In the event any provision, section, or part of this Ordinance or the application of any of the provisions hereof shall be judicially determined to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, or parts of this Ordinance. It is the intent of the Borough that such remaining provisions, sections and parts of this Ordinance shall be and shall remain in full force and effect.

## **ARTICLE VIII – *Enforcement***

### **Section 8.01**

Any person to file an application for an initial license, annual license or re-rental license under the provisions of this Ordinance who fails to file said application shall upon conviction be punished by a fine not to exceed \$1,000.00, together with costs of prosecution of each case.

### **Section 8.02**

Any person who collects rents or authorizes a collection of rents with respect to any dwelling unit which is not licensed in accordance with the provisions of this Ordinance shall upon conviction be punished by a fine not to exceed \$1,000.00, together with costs of prosecution in each case.

### **Section 8.03**

Each violation of any of the provisions of this Ordinance and each day that a violation shall continue shall constitute a separate offense and shall be punishable and subject to the fines herein set forth as a separate offense.

### **Section 8.04**

Fines and costs imposed under the provisions of this Ordinance shall be enforceable and recoverable by the Borough in the manner provided under then applicable law.

### **ARTICLE IX – Declaration of Purpose**

The existence of rental dwelling units within the Borough which are substandard and which fail to comply with all applicable ordinances, codes and regulations of the Borough and all laws and regulations of the Commonwealth of Pennsylvania constitute a hazard and danger to the health, safety and welfare of the residents of the Borough and the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of said residents of the Borough.

### **ARTICLE X – Repealer**

All Ordinances or parts of Ordinances inconsistent with this Ordinance shall be and the same are hereby expressly repealed.

### **ARTICLE XI – Effective Date**

This Ordinance shall be effective immediately upon adoption.

**ORDAINED** and **ENACTED** this \_\_\_\_ day of May, 2022.

ATTEST:

COUNCIL FOR THE BOROUGH OF  
LANGHORNE MANOR

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Barbara Ferraro, Secretary

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Dawn L. Seader, President

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Robert Byrne, Mayor