

Borough of Newburg
Cumberland County, Pennsylvania

Ordinance No. 2013- 1

AN ORDINANCE OF THE BOROUGH OF NEWBURG, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH'S RENTAL PROPERTY ORDINANCE, NO. 2007-2 ENACTED AUGUST 6, 2007, 1) TO REQUIRE THE RENTAL PROPERTY OWNER TO DESIGNATE A RESPONSIBLE AGENT WHERE THE OWNER LIVES MORE THAN TWENTY MILES FROM THE PROPERTY, AND TO PROVIDE A CURRENT LISTING OF THE ADULT TENANTS; 2) TO ESTABLISH THE PENALTY FOR FAILURE TO PROVIDE A CURRENT TENANT LISTING; AND 3) TO PROVIDE THAT THE BOROUGH'S CODE ENFORCEMENT OFFICER MAY INSTITUTE ON BEHALF OF THE BOROUGH SUMMARY CRIMINAL PROCEEDINGS BEFORE A MAGISTERIAL DISTRICT JUDGE FOR VIOLATIONS OF THE ORDINANCE.

BE IT ENACTED AND ORDAINED by the Newburg Borough Council as follows.

Section 1. Section 3 of Ordinance No. 2007-2 is amended as follows by the revision of Paragraph E and the addition of Paragraph F.

Section 3. Owner's Duties

A...

B...

C...

D...

E. Where the residence of the rental unit owner is more than twenty (20) miles from the rental property, the owner shall designate a responsible agent with a residence or business office within ten (10) miles of the rental property to act on behalf of the owner and to accept service of process on behalf of the owner. The owner shall provide to the Borough the name, mailing address and telephone number of the owner and the designated responsible agent. For the purpose of this section, a post office box is not acceptable for the address of the owner and the designated responsible agent. The owner shall notify the Borough Office of any changes in the responsible agent or other contact information for the owner and responsible agent. The designation of a responsible agent shall be signed by both the owner and the responsible agent.

F. The owner or designated responsible agent shall provide to the Borough a listing of the occupants of the rental unit who are over 18 years of age. The listing shall include the occupant's name and mailing address. The owner or designated responsible agent shall notify the Borough within five business days of any changes in the listing, e.g. persons moving in, moving out.

Section 2. Section 11 of Ordinance No. 2007-2 is amended by the addition of Paragraphs F and G as follows.

Section 11. Penalties

A...

B...

C...

D...

E...

F. An owner shall be subject to a fine of two hundred and fifty dollars (\$250.00) for failure of the owner or their designated responsible agent to timely provide to the Borough a current listing of the adult occupants.

G. With the authorization of Borough Council, the Borough Code Enforcement Officer may institute on behalf of the Borough summary criminal proceedings before the local Magisterial District Judge for violations of this Ordinance.

Section 3. All other Newburg Borough ordinances or parts of ordinances inconsistent herewith are expressly repealed.

Section 4. In the event that any provision, section, sentence, clause or portion of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or portion of this Ordinance, it being the intent that such remainder shall remain in full force and effect.

Section 5. Savings Clause. In all other respects, the ordinances of the Borough of Newburg shall remain as previously enacted and ordained.

ENACTED AND ORDAINED by the Borough Council of the Borough of Newburg into law this 4TH day of March, 2013.

ATTEST:

BOROUGH OF NEWBURG

Debra Brown
Debra Brown, Borough Secretary

BY: Jessica LeGore
Jessica LeGore, President

Approved this 4 day of March, 2013.

Susan Stump
Susan Stump, Mayor
Borough of Newburg
CERTIFICATION

The undersigned hereby confirms that she is the duly appointed Secretary of the Borough of Newburg, Cumberland County, Pennsylvania, and that the foregoing Ordinance was duly advertised in The News Chronicle on February 12, 2013, a newspaper of general circulation, and was duly enacted by Borough Council at its regular meeting held on March 4, 2013 which meeting was duly called and at which time a quorum was present and acting throughout, and that said Ordinance has not been revoked or amended.

Dated: March 4, 2013
Debra Brown,

Debra Brown

