

864 RENTAL UNIT AND TENANT REGISTRATION

864.01 DEFINITIONS

As used in this chapter:

- (a) "Business unit" means a parcel of real estate, with or without improvements located thereon and utilized by any person or persons for any commercial activity or purpose.
- (b) "Dwelling unit" means one or more rooms used for living and sleeping purposes, arranged for occupancy by one or more persons.
- (c) "Landlord" means a lessor, or a person who acts as agent for a lessor, of any parcel of real estate located in the Township, or a lessor, or person who acts as agent for a lessor, of any improvements on real estate or buildings located in the Township.
- (d) "Person" means any individual, partnership, association, firm or corporation.
- (e) "Rental unit" means a business unit or a dwelling unit.
- (f) "Tenant" means a person who has the use, either by himself or herself or with others, of a dwelling unit or business unit owned by a person other than himself or herself, for a period exceeding 30 days.

864.02 REPORTS BY LANDLORDS

Within 30 days of the effective date of this chapter, and on an annual basis thereafter, on or before November 10th of each year, covering the immediately preceding period of October 1st through September 30th, each landlord shall submit the following information, in writing, to the Township Secretary, on a form available at the Township Office:

- (a) A list of all dwelling units and business units owned, operated or controlled by the landlord and located within the Township, whether occupied or unoccupied;
- (b) The address of each dwelling unit or business unit;
- (c) A brief description of each dwelling unit or business unit, including the number of rooms, approximate square footage and facilities located therein;
- (d) A statement as to whether or not said dwelling unit or business unit is inhabited or utilized by a tenant or tenants; and
- (e) The names of the tenant or tenants utilizing the aforementioned dwelling units or business units, if any, and their respective addresses.

864.03 REPORTS BY NEW LANDLORDS

After the effective date of this chapter, any person who becomes a landlord of any parcel of real estate, improvement on real estate or building located in the Township shall, within thirty days of becoming a landlord, file a report as required by Section 864.02.

864.04 REPORTS OF CHANGES IN USE OR OCCUPANCY

After the effective date of this chapter, each and every landlord of property within the Township shall report to the Township Secretary, on a form available at the Township Office, any change in the use or occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the name or names of new tenants of such dwelling unit or business unit, the date when such change was effected, and the forwarding address of the prior tenant or tenants, if known. In the event that a dwelling unit or business unit becomes vacant, such change shall be reported. Said report shall be filed not later than 30 days after any such change should occur. 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 in excess of 30 days.

864.05 DUTIES OF TOWNSHIP SECRETARY

The Township Secretary shall be responsible for the following:

- (a) Maintaining a file at the Township Building setting forth the names of all landlords owning, operating or controlling dwelling units or business units in the Township and a list of the current tenants of said dwelling units and business units.
- (b) Maintaining a supply of forms necessary for the reports as required herein.
- (c) Notifying the Chief of Police and the Fire Chief of the address and description of any dwelling unit or business unit that is vacant, unoccupied or not in use.

864.99 PENALTY

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of fifty dollars (\$50.00) for any initial offense and a fine of one hundred twenty-five dollars (\$125.00) for any second or subsequent offense(s) occurring within a 24 month period. In addition, any such violator shall be obligated to pay the costs and expenses of prosecution, including, but not limited to, reasonable attorney's fees.

1426.01 INSTALLATION AND MAINTENANCE OF ADDRESS NUMBERS

The owners of all residential and commercial properties located within the Township shall install and maintain the current address number on the **front** of said residential or commercial structure and, in addition, shall install and maintain the current address number on the **back** of residential and commercial structures if said structures are located on a lot which abuts an alley. The numbers, as required herein, shall be in conformity with the provisions of Section 1426.02.

1426.02 SPECIFICATIONS; TIME FOR INSTALLATION

- (a) Address numbers shall be no less than three inches in height, shall be plainly visible from the street and/or alley, and shall be securely installed.
- (b) Address numbers, as required herein, shall be installed within ninety days of the effective date of this chapter.

1426.03 ENFORCEMENT

Enforcement of this chapter shall be within the jurisdiction and control of the Code Enforcement Officer.

1426.04 NOTICE OF VIOLATION

If a property owner should fail to install address numbers as required herein, or fail to properly maintain the same, said property owner shall be given written notice sent to his or her last known address, by first class mail, advising him or her that unless said address numbers are properly installed and/or maintained within ten days of the date of the notice, he or she shall be deemed to be in violation of this chapter and subject to the penalties set forth in Section 1426.99.

1426.99 PENALTY

Whoever violates any of the provisions of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day a violation continues subsequent to the required ten-day notice.

1448.10 STORAGE OR PARKING OF JUNK OR ABANDONED VEHICLES

- (a) The Board of Commissioners finds that the storage and parking of wrecked, junked, stripped or abandoned motor vehicles on private property, which vehicles are in the nature of rubbish, junk or unsightly debris, constitute a nuisance and are detrimental to the public health, safety, morals and welfare.
- (b) For the purpose of this section the following words shall be defined as follows:
 - (1) "Abandoned vehicle" means any vehicle which has been left unattended or neglected by the owner or which outwardly appears to have no apparent owner or person in possession, or which has no legal registration plate.
 - (2) "Junk vehicle" means any vehicle which:
 - A. Is not complete and in operating condition; or
 - B. Does not bear a current registration plate.

A vehicle shall not be considered a "junk vehicle" if the owner can produce a valid and unexpired permit for said vehicle issued pursuant to Section 1286.25(h).
 - (3) "Vehicle" means personal property in or on which any person or thing is or may be carried, including, but not limited to, an automobile, car, jeep, bus, truck, wagon, coach, boat or trailer.
- (c) Any junk vehicle or abandoned vehicle parked on public or private property, highways or roadways in the Township of Lawrence Park for a period of more than five days shall be deemed to be a public nuisance and dangerous to the health, safety and welfare of children and other people in the Township of Lawrence Park and the community at large.

- (d) If a violation of this section is found to exist by the Township Police Department and/or the Code Enforcement Officer, then the Police Department and/or the Code Enforcement Officer shall notify the owner of the property on which the motor vehicle is stored or parked, or the owner of the motor vehicle, or both, of the violation, and order the owner of said motor vehicle, within five days thereof, and the owner of the property on which the motor vehicle is stored or parked, within thirty days thereof, to remove the motor vehicle. The Township Police Department and the Code Enforcement Officer shall have concurrent jurisdiction for the purposes of enforcement of this section.
- (e) Notice shall be given by personal service or by registered mail to the last known address of the violator. In the event that, on diligent search, the address of either the property owner or motor vehicle owner cannot be ascertained, the posting of the said notice or copies thereof on the real property, motor vehicle, structure or area immediately adjacent thereto shall constitute sufficient notice.
- (f) Within ten days after receipt of the notice, the party or parties affected may request a hearing with the Board of Commissioners by filing a written request with the said Commissioners.
- (g) If a hearing is not requested, then the parties affected shall proceed to remove or have removed the motor vehicle or vehicles in question from the property in question in accordance with the notice and order.
- (h) On proper request, a hearing on the matter shall be given forthwith, and where more than one party is involved, it shall be the duty of the party requesting the said hearing to notify all other parties affected or interested of the time and place of the hearing.
- (i) If the violation complained of shall not have been remedied within the period as required by the order, the Board of Commissioners shall, through its own agents, contractors and/or employees, remedy the violations by removing the said vehicle or vehicles and charge the costs thereof to the real property owner on whose property the vehicles are located. Said cost shall, after a proper demand and refusal or a failure to pay after 30 days, constitute a lien in the said realty which shall be filed by the Township Solicitor. If the vehicle is located on public property, all costs of removal and storage shall be charged to the owner of the vehicle.
- (j) Nothing in this section shall prevent the Board of Commissioners or duly authorized officials from removing from private property without notice any attended or unattended motor vehicle, the presence of which constitutes a hazard or threat to the life, health, safety, welfare and morals of the citizens of the Township and which is imminently dangerous and which, in the opinion of the Board of Commissioners or authorized officials, constitutes a nuisance which gives rise to the existence of emergency conditions.

1448.11 YARD AND SIDEWALK MAINTENANCE REQUIREMENTS

- (a) Maintenance of Property Required. All persons, firms or corporations, owning, occupying or in any manner controlling any property within the Township of Lawrence Park shall keep, maintain and repair the same in a manner consistent with the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township of Lawrence Park and its inhabitants.

(b) Vegetation; Rubbish; Unsafe Buildings; Sidewalks. It shall be unlawful for any person, firm or corporation owning any property within the Township of Lawrence Park:

- (1) To permit any grass, weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of six inches, to emit any unpleasant or noxious odor, to conceal any filthy deposit or to create or produce pollen.
- (2) To permit any rubbish, junk, ashes, garbage, debris, filth, refuse materials or dangerous or noxious substances, of any kind whatsoever, to accumulate thereon or to be kept outside, except in a solid, animal proof container with a lid.
- (3) To permit the deterioration of any structure located thereon so as to become dangerous, unsafe and unusable for its intended purpose or actual use. Any structure which constitutes a fire hazard to itself or to any surrounding structures, which provides harborage for rats, vermin, or other animals, or which in any manner creates a hazard to the health, safety and welfare of its inhabitants, or of the neighborhood, shall be declared a deteriorated structure under this subsection.
- (4) To neglect to keep the sidewalk or any portion of the premises paved or used as a sidewalk or public walk immediately in front thereof or otherwise located thereon in good order and repair, and at all times free and clear of all snow, ridges, valleys, holes, cuts or other obstructions to safe and convenient passage. The following shall be minimum standards under this subsection in interpreting and determining whether or not a sidewalk or public walk is being maintained in a proper manner in accordance with this subsection or shall be determined to be in violation of the terms thereof:
 - A. Cracks must be less than one-half inch wide.
 - B. Ramp angle must be less than one inch per four inches.
 - C. Depressions and steps in and adjacent to sidewalks must be less than one-half inch in height.
 - D. Walks must be continuous; no missing sections shall be allowed.
 - E. Tree limb clearance over sidewalks must be a minimum of seven and one-half feet.

(c) Violations. Any violation of subsection (b) hereof is hereby declared to be unlawful and detrimental to the health and safety of the inhabitants of the Township of Lawrence Park, and is hereby prohibited.

(d) Correction by Township: Interference with Township.

- (1) If the owner shall fail to correct a violation and to otherwise comply in all respects with the provisions of this section, the Township may make the necessary corrections. The costs thereof, together with a penalty of ten percent, shall be collected from the owner or from the property in the manner provided by law for the collection of Municipal claims or by action of assumpsit.

- (2) No person shall interfere in any manner with necessary corrections made or to be made by the Township.
- (e) Remedies not Exclusive. The methods of correction of any violation of this section which may constitute a nuisance shall not be exclusive, and relief by bill in equity or by other appropriate proceeding may be sought at the discretion of the Board of Commissioners.
- (f) Snow and/or Ice Removal. In regards to snow removal, snow or ice removed from sidewalks and/or driveways shall not be placed, shoveled or blown onto public rights-of-way, including streets and alleys.

**1448.085 INSPECTION OF RENTAL PROPERTIES PRIOR TO OCCUPANCY;
PERMITS; FEES.**

- (a) Owner's Duties. It shall be the duty of every owner to keep and maintain all rental units and premises in compliance with all applicable codes and provisions of all other applicable state laws and regulations and local ordinances, and to keep such property in good safe condition. This section shall not be construed as diminishing or relieving, in any way, the responsibility of the occupants or their guest for their conduct or activity, nor shall this section be construed so as to require the owner to indemnify or defend occupants or their guests when any such action or proceeding is brought against the occupant based on the occupant's conduct or activity. The owner shall maintain the premises with regard to lawn mowing and snow and ice removal, if applicable, and shall reply promptly to reasonable complaints and inquiries from tenants. All rental units shall be equipped with not less than one operable smoke alarm on each floor of each residential unit.
- (b) Tenant's Duties. The tenant shall comply with all obligations imposed upon tenant by this code, all applicable codes and ordinances, and all applicable provision of state law.
- (c) Health and Safety Regulations. The tenant shall dispose of from his or her rental unit, all rubbish, garbage, recycling and other waste in a clean and safe manner.
- (d) Residential Use. The tenant shall occupy or use his or her rental unit as a residence in compliance with this title.
- (e) Inspection of Premises. The tenant shall permit inspections by the Code Enforcement Officer of the premises at reasonable times upon reasonable notice. The Code Enforcement Officer may inspect premises with the owner's approval at any reasonable time.
- (f) Inspections by Code Enforcement Officer. Upon receiving notice from the Code Enforcement Officer, the owner shall take action within 48 hours, or cause the necessary action to be taken, to abate the offending condition and eliminate the violation.