

ORDINANCE NO. 1626

AN ORDINANCE OF THE TOWN OF GREENVILLE, MERCER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF GREENVILLE (ORDINANCE 1528), CHAPTER 409, THEREOF ENTITLED “RENTAL PROPERTY”.

BE IT ENACTED AND ORDAINED by the Council of the Town of Greenville, Mercer County, Pennsylvania, it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Chapter 409-7 “Terms and definitions” of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville is here by amended to update the Non-Owner Occupied definition, add the Primary Residence definition and delete the Non-Owner-Occupied Unit definition and delete the below defined Occupant definition to read as follows:

§409-7 Terms and difinitions. C.

NON-OWNER-OCCUPIED: A residential dwelling unit that is not the primary residence for the owner of record.

PRIMARY RESIDENCE: A person’s fixed, permanent, and principal residence for legal purposes.

DELETE:

NON-OWNER-OCCUPIED UNIT: A dwelling unit or rooming unit leased or rented to a person or persons.

OCCUPANT: Any individual living or sleeping in a building, or having possession of a space within a building.

SECTION 2: Chapter 409-8 “Rental License” A, of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville is hereby amended to read as follows:

§409-8 Rental License.

- A. License required. No owner shall lease, operate, rent, or allow to occupy any non-owner-occupied property in the Town of Greenville unless the required inspection process has been conducted, regardless of occupancy status, and without a written, signed lease with their tenants/occupants. Copies of signed leases for occupied properties shall be submitted at the time of application and upon any change in occupancy. Properties registered as vacant at the time of inspection shall submit a copy of their written, signed lease upon any change in occupancy.

- (1) In no case shall the existence of any agreement between the owner and occupant relieve the owner of any responsibility under this Ordinance or other Ordinances or

codes for property maintenance or inspection of the premises inclusive of Articles of Agreement, Land Contracts, or any other form of rent to own agreements.

- (2) No non-owner-occupied properties shall exist, no matter the occupancy status, without the minimum property insurance coverage of Homeowner's Coverage with Replacement Costs and Liability Coverage in the amount of \$100,000. Copies shall be provided annually with the Non-Owner-Occupied Property License and Inspection application.

SECTION 3: Chapter 409-8 "Rental License" C (1), of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville, is hereby amended to read as follows:

§409-8 Rental License, C.

(1) Notification of Inspection.

- a) The property owner or owner-designated representative shall schedule the inspection with the Town and complete all required inspections before the end of the expiration month of record.
- b) The property owner shall inform the current occupants of the scheduled inspection.
- c) Access to the dwelling unit for the purpose of conducting an inspection shall be the sole responsibility of the owner or the owner-designated representative.
- d) If the property is not inspected within the time frame set forth above, the non-owner occupied property license shall be suspended. The subject premises shall be vacated within 10 days of revoking the license, at the owner's expense, and shall not be offered to others for occupancy until the property is in compliance with this ordinance. The Town of Greenville reserves the right to file at the District Magistrate's office to obtain compliance.

SECTION 4: Chapter 409-8 "Issuance or Refusal" of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville is hereby amended to add an additional requirement, to read as follows:

§409-8 Rental License, D.

Issuance or refusal.

- (9) There are no outstanding garbage bills, and the service is current if occupied.
- (10) Copy of written lease agreement between property owner and tenant.

- (11) Copy of insurance coverage with a minimum Homeowner's Coverage with Replacement Costs and a minimum of Liability Coverage in the amount of \$100,000.

SECTION 5: Chapter 409-9 "Time for Application" of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville, is hereby amended to read as follows:

§409-9 Time for Application

- A. The Town of Greenville shall send a letter with a blank application 60 days before the NOOP License is set to expire making the property owner aware of the pending deadlines.
- B. Application process. Any property that is discovered by the Town that qualifies for a Non-Owner-Occupied Property License, the property owner shall submit all applications, schedule, and complete all required inspections to receive their license and set their expiration month of record.
- C. Annual application. Non-Owner Occupied Property License shall be valid for one year from the month of issuance and shall be renewed annually.
- D. Existing Non-Owner Occupied Properties. Concerning existing non-owner-occupied properties requiring renewed licenses pursuant to §409-2 herein, the property owner shall submit all applications, schedule, complete all required inspections, and comply with §409-8 (D) before the end of the expiration month of record.

SECTION 6: Chapter 409-10 "Failure to comply; violations and penalties" A of ARTICLE I, Rental Inspection and Licensing, of the Code of the Town of Greenville, is hereby amended to read as follows:

§409-10 Failure to comply; violations and penalties.

- A. Failure to comply. Any property owner who maintains any non-owner-occupied property or properties, who fails to comply with the requirements of this ordinance, abate the violations of an inspection report, or who knowingly remits any false or fraudulent information, shall, by said conduct, violate the provisions of this article, and shall upon conviction be subject to a fine of not less than \$250 and not more than \$1,000; and, in default of payment of said fines and costs, shall be subject to a term of imprisonment of not to exceed 30 days. Each day that a violation continues shall constitute a fine of not less than \$25 and not more than \$100 to be calculated from the day of violation. All fines and penalties received by the Borough for enforcement of this Code shall be paid to the Treasurer of the Borough of Greenville.

SECTION 7: All other provisions of the said Code of Ordinances of the Town of Greenville, not inconsistent herewith shall remain in full force and effect.

ENACTED AND ORDAINED into law by the Council of the Town of Greenville this 12th day of December, 2022.

TALLY OF VOTES – YEAS _____ NAYS _____

Attest:

Town of Greenville

Jasson W. Urey
Town Manager

Linda Zuschlag
Deputy Mayor