

ORDINANCE NO. 1090

AN ORDINANCE OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA, ENTITLED THE BOROUGH OF UNION CITY TENANT REGISTRATION ORDINANCE; REQUIRING LANDLORDS TO REPORT TENANT INFORMATION TO THE BOROUGH; ESTABLISHING A REPORTING PROCEDURE FOR RESIDENTIAL LANDLORDS AND CORPORATIONS AND PARTNERSHIPS OPERATING AS RESIDENTIAL LANDLORDS; REQUIRING REPORTS BY NEW LANDLORDS; PROVIDES FOR VIOLATIONS AND ESTABLISHING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING FOR A SAVINGS CLAUSE, REPEALER AND SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Whereas, the Borough Council (the "Borough Council") of the Borough of Union City, Erie County, Pennsylvania (the "Borough") finds that there are a large number of leased residences within the boundaries of the Borough which serve an increasingly transient population; and

Whereas, the Commonwealth of Pennsylvania adopted Act 32 of 2008 which created a system of consolidated collection of local earned income tax and eliminated the office of local income tax collector; and

Whereas, the Borough Council determines that, in order to increase the effective collection of earned income and other taxes from residents of the Borough that it is necessary to track those who are lessees or renters within the Borough; and

Whereas, the Borough Council finds that requiring landlords to register all lessees or renters with the Borough will increase the collection of local earned income tax and limit the need for Borough Council to consider future increases in current tax property tax rates to fund the increasing cost of local government; and

Whereas, the Borough Council finds that instituting this Tenant Registration Ordinance is in the best interests of the citizens and taxpayers of the Borough.

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Union City of the County of Erie, the following:

Section 1. Title

This Ordinance shall be known as the "Borough of Union City Tenant Registration Ordinance".

Section 2. Reporting Required

(a) All owners of property located within the Borough of Union City, Erie County, Pennsylvania (the "Borough") which is leased for residential occupancy, shall annually,

by January 2 of each year, report the name, house address, date of birth, of all lessees and tenants over 18 years of age to the Borough. Every owner of said leased unit shall be further required to submit a statement of the number of such rental units owned by him or her per building within the Borough.

(b) As tenants change from time to time during the course of the year, and between required reporting periods, the owner of such leased units shall report such change within thirty (30) days of each occurrence, regardless of the frequency of the occurrences.

Section 3. Place of Reporting/Form

(a) The reporting required by this Ordinance shall be made to the Borough Manager at the Borough Office within the Borough.

(b) The Borough Manager shall provide forms to be used by Landlords for the registration of tenants of leased property within the boundaries of the Borough.

Section 4. Requirements for Corporations and Partnerships

When the owner of leased property which is subject to this Ordinance is a corporation or a partnership, the owner shall designate in writing an authorized officer or agent who shall be required to make the reports mandated herein. The authorized officer or agent shall have full authority to act on behalf of the owner.

Section 5. Reports by Persons Becoming Landlords After the Effective Date

Any person who becomes a landlord of property for residential occupancy within the Borough after the effective date of this Ordinance shall, within thirty (30) days of the closing of a property or the first rental of a property, make such reports as required herein.

Section 6. Violations and Penalties

Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance, shall, upon conviction of a summary offense by a Magisterial District Justice, be fined not less than \$25.00 nor more than \$300.00 for each offense, and shall be ordered to pay to the Borough such fine with the costs of this action, and in default of payment thereof, be committed to the County Prison for a period not exceeding thirty (30) days.

Section 7. Savings Claus, Repealer

All other sections, parts and provisions of the Ordinance, the Plan, the Joinder Agreement, and any other ordinances of the Borough of Union City shall remain in full force and effect as previously enacted and amended. Any ordinances, rules or resolutions, or parts of ordinances, rules or resolutions, in conflict herewith shall be, and the same are hereby, repealed.

Section 8. Severability

The provisions of this ordinance are severable. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 9. Effective Date

The effective date of this Ordinance shall be upon passage.

ORDAINED and ENACTED this 10th day of September, 2013.

ATTEST:

Cindy Wells
Secretary

BOROUGH OF UNION CITY
[Signature]
President

APPROVED this 10th day of September, 2013.

BY: Robert D. Henry
Mayor

I hereby certify that the above is a true copy of the Union City Ordinance No. 1090 adopted by the Council of the Borough of Union City on September 10, 2013, and advertised in the Union Journal on September 5th, 2013.

Cindy Wells
Cheryl Capela, Borough Secretary

DULY ORDAINED AND ENACTED on the 10th day of September, 2013 by the Borough Council of the Borough of Union City, Erie County, Pennsylvania, in lawful session duly assembled and resigned pursuant to Resolution of Borough Council dated November 8, 2016.

ATTEST:

Cindy Wells
Borough Secretary
Date: 12/15/16

[Signature]
Vice President of Borough Council
Date: 12/15/16

APPROVED

Robert D. King
Mayor
Date: 12-15-16

I certify that the above is a true copy of the Borough of Union City, Erie County, Pennsylvania, Ordinance No. 1090 and, following proper advertisement, adopted by the Union City Borough Council on September 10, 2013.

Cindy Wells
Union City Borough Secretary