

BOROUGH OF ST. LAWRENCE  
BERKS COUNTY, PENNSYLVANIA

ORDINANCE No. 396

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, REQUIRING OWNERS OF ALL RESIDENTIAL AND COMMERCIAL RENTAL UNITS WITHIN THE BOROUGH TO REGISTER WITH THE BOROUGH MANAGER, AND SETTING PENALTIES FOR VIOLATION OF THE ORDINANCE

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of St. Lawrence, Berks County, Pennsylvania as follows:

**Section 1. Licensing of Residential and Commercial Rental Units.** No person shall occupy, allow to be occupied or lease to another person for occupancy any residential or commercial property within the Borough unless a license application has been properly completed and filed with the Borough Manager. Said license shall be renewed on an annual basis.

**Section 2. Manner of Licensing.**

(a) Application. Application for rental unit license shall be made on forms supplied by the Borough for this purpose, and shall include the following information:

(i) Name, address, and telephone number of property owner(s);

(ii) Name, address, and telephone number of a designated property manager who resides or has an office within fifty (50) miles of the Borough if the property owner lives more than fifty (50) miles from the Borough;

(iii) Street address of the rental property;

(iv) Number and type of units within the rental property (e.g., residential or commercial);

(v) Name, address, and telephone number of the person authorized to make repairs or order repairs to be made or services to be rendered to the property if the property is found to be in violation of municipal or state codes; and,

(vi) Names of all persons authorized by the property owner to reside in or occupy the property.

(b) Annual licensure. Except as provided in subsection (d) below, application for the annual license shall be made on or before December 15 of each calendar year for the period commencing January 1 and ending December 31.

(c) Every new owner of residential or commercial rental property within the Borough shall be required to furnish to the Borough Manager the information required in Subsection (a) within thirty (30) days of the date of purchase and thereafter as required by Subsection (c).

**Section 3. Information to be Provided by Landlords or Owners.**

(a) Every owner, landlord, manager or agent for an owner who rents or leases or offers for occupancy any property or portion thereof in the Borough to any tenant or occupant for a period of time in excess of thirty (30) days shall supply the following information to the Borough Manager.

(i) The dwelling unit/room unit/commercial unit number or street address;

(ii) The name or names of all tenants or occupants to occupy said property;

(iii) Contact information for the tenant(s) or occupant(s) of the property, which shall include the name, address, and telephone number of at least one adult over the age of eighteen (18) who resides in or occupies the property;

(iv) The mailing address of the dwelling unit, rooming unit, or commercial unit; and,

(v) The period of time for which the rental is made, and the actual move-in date and move-out date.

(b) The above information shall be provided to the Borough Manager within thirty (30) days of the rental, lease, sublease, or occupancy of any property in the Borough.

**Section 4. Failure to Designate Agent.** If the property owner resides outside of the Borough and fails to designate a local property manager or person authorized to

make or order to be made repairs for the property, or if the person so designated relocates to a place located in excess of fifty (50) miles from the Borough and the property owners fail to identify a local property manager or person authorized to make repairs moves from the Borough, the rental unit permit shall be suspended until such time as the property owner names a manager residing within fifty (50) miles of the Borough.

**Section 5. Penalties.**

(a) Initial Offense. Any person who violates any provision of the Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred Dollars and 00/100 (\$100.00) but not more than Six Hundred Dollars and 00/100 (\$600.00) and, in default of payment, to imprisonment for a term not to exceed thirty (30) days.

(b) Subsequent Offenses. Any person who violates any provision of this Ordinance and who shall have been convicted of an offense under this Ordinance within the immediate six (6) month period, shall upon conviction thereof, be sentenced to pay a fine of not less than Three Hundred Dollars and 00/100 (\$300.00) but not more than Six Hundred Dollars and 00/100 (\$600.00) and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

(c) Separate Offenses. A separate offense shall be deemed to have been committed for each and every calendar day during on or which a violation occurs.

**Section 6. Exemptions.** This Ordinance shall not apply to hospital units, nursing home units, retirement home units, or public/commercial storage units located within the Borough.

**Section 7. Definitions.** The following terms shall have the following meanings for purposes of this Ordinance:

(a) Residential Rental Unit - A room or rooms for one (1) or more person with independent living facilities providing for living, sleeping, cooking, and disposal of human waste. Residential units include, but are not limited to single family dwellings, two family dwellings or duplexes, multi-family dwellings, apartments, boarding houses, rooming houses, lodging houses, hotels, or tourist houses.

(b) Commercial Unit - An area rented or leased to a tenant or occupant for a business, commercial, or industrial use

(c) Person - Includes any natural individual, partnership, association, corporation, joint venture, receiver, executor, trustee, or personal representative or guardian appointed by court order.

(d) Borough - Borough of St. Lawrence, Berks County, Pennsylvania.

(e) Borough Council - The Borough Council of the Borough of St. Lawrence, Berks County, Pennsylvania.

**Section 8. Repealer.** All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

**Section 9. Severability.** In the event that any provision, section, clause, or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Ordinance, it being the intent of the Borough that such remainder shall be and remain in force and effect.

**Section 10. Effective Date.** This Ordinance shall become effective on the earliest date allowable under applicable law.

DULY ENACTED AND ORDAINED this 8<sup>th</sup> day of April, 2009.

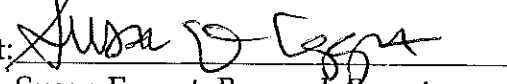
BOROUGH OF ST. LAWRENCE  
BERKS COUNTY, PENNSYLVANIA

By:



David Eggert, Vice President of Council

Attest:



Susan Eggert, Borough Secretary

Approved as an Ordinance this 8<sup>th</sup> day of April, 2009:

By:




Warren L. Lubenow, Mayor

MUNICIPAL CERTIFICATION

I, Susan D. Eggert, Borough Secretary of the BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance No.396 was advertised in the Reading Eagle, a daily newspaper of general circulation in the Borough of St. Lawrence, on March 28, 2009 and was duly enacted and approved as set forth at a Regular Meeting of the Borough Council held on April 8, 2009.

(Seal)

  
Susan D. Eggert, Borough Secretary

Date: April 8, 2009

**Proof of Publication of Notice in Reading Eagle**

Under Act No. 587, Approved May 16,1929.

Commonwealth of Pennsylvania, }  
County of Berks ss:

Jo Ann Gottschall, Assistant Secretary, READING EAGLE COMPANY, of the County and Commonwealth aforesaid, being duly sworn, deposes and says that the READING EAGLE established January 28, 1868 is a newspaper of general circulation published at 345 Penn Street, City of Reading, County and State aforesaid, and that the printed notice or publication attached hereto is exactly the same as printed and published in the regular edition and issues of the said READING EAGLE on the following dates, viz.:

**Reading Eagle**

**Saturday, March 28, 2009, A.D.**

Effective July 1, 2002 Reading Times Ceased Publication. The Reading Eagle will be a daily morning and Sunday edition.

Affiant further deposes that this person is duly authorized by READING EAGLE COMPANY, a corporation, publisher of said READING EAGLE, a newspaper of general circulation, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place, character of publication are true.

Copy of Notice or Publication

**NOTICE TO THE RESIDENTS OF THE BOROUGH OF ST. LAWRENCE**

The Borough Council of St. Lawrence, Berks County, Pennsylvania, hereby serves notice of its intention to adopt the following summarized Ordinance at its regularly scheduled meeting to be held on Wednesday, April 8, 2009 starting at 7:30 p.m. in the Borough Municipal Building, 3540 St. Lawrence Avenue, Berks County, Pennsylvania. The complete title and a summary of the proposed Ordinance are as follows:

**BOROUGH OF ST. LAWRENCE BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE No. 396**

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Copies of the full text of the ordinance may be examined without charge or obtained for a charge not greater than the cost thereof at the Borough Hall, 3540 St. Lawrence Avenue, Reading, PA 19606, at the Berks County Law Library, Berks County Courthouse, Sixth and Court Streets, Reading, PA 19601, and at the Reading Eagle, 345 Penn Street, Reading, PA 19601.

Allison A. Leinbach,  
Borough Manager  
Borough of St. Lawrence

Jo Ann Gottschall

Sworn to and subscribed before me this 28th day of March, 2009

Notary

**Statement of Advertising Costs**

**RENTAL UNITS REGISTER**

ST. LAWRENCE BOROUGH  
BOROUGH MANAGER  
3540 ST. LAWRENCE AVENUE  
READING, PA 19606

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL  
ANITA M. SEIFERT, NOTARY PUBLIC  
CITY OF READING, BERKS COUNTY  
MY COMMISSION EXPIRES DEC. 26, 2009

To READING EAGLE, DR.:

For publishing the notice or publication attached hereto on the above stated dates	\$199.80
Probating same	\$5.00
<b>Total</b>	<b>\$204.80</b>

**Publisher's Receipt for Advertising Costs**

The READING EAGLE COMPANY, publisher of the READING EAGLE, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid notice and publication costs and certifies the same have been duly paid.

READING EAGLE COMPANY, a Corporation

By