

**MUDDY CREEK TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 59**

AN ORDINANCE REQUIRING THE OWNER OR OWNERS OF RESIDENTIAL OR COMMERCIAL RENTAL PROPERTY WITHIN THE TOWNSHIP TO REGISTER RENTAL PROPERTY AND TENANT INFORMATION WITH THE TOWNSHIP AND PROVIDE PERIODIC AND ANNUAL UPDATED REGISTRATION INFORMATION, ESTABLISHING FEES FOR REGISTRATION OF RENTAL PROPERTY AND TENANTS, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Board of Supervisors seeks to insure a more uniform collection of local taxes;

WHEREAS, to insure a more uniform collection of local taxes the Board of Supervisors recognizes the need for the timely and accurate registration of rental properties and rental property tenants within the Township;

WHEREAS, the Board of Supervisors has determined that the most efficient system of obtaining information regarding rental properties and rental property tenants is to require the rental property owner (or owners) to register the properties and tenants with the Township.

NOW, THEREFORE, is hereby ordained and enacted as follows:

SECTION 1: PURPOSE. The purpose of this Ordinance is to require the timely and accurate registration of rental properties and rental property tenants to assist the Township's tax offices to maintain accurate and complete tax records.

SECTION 2: INITIAL REGISTRATION REQUIREMENTS.

A. Each and every owner (or owners) of residential or commercial rental property within the Township (including but not limited to apartments, condominiums, duplexes, houses, mobile homes, office buildings, and merchandise marts) that is rented or leased on or before December 31, 2008, shall initially register building and tenant information with the Township, on forms provided by the Township, on or before January 31, 2009.

B. Each and every owner (or owners) of residential or commercial rental property within the Township (including but not limited to apartments, condominiums, duplexes, houses, mobile homes, office buildings, and merchandise marts) that is rented or leased after January 1, 2009, shall initially register building and tenant information with the Township, on forms provided by the Township, within thirty (30) days of the building/unit being rented or leased.

C. The initial registration report shall include, at a minimum, the following information:

- (1) Tax parcel number of the lot on which the building is located;
- (2) Name, address, and telephone number of the owner(s) of the rental property;
- (3) If a property manager has been selected, the name, address, and telephone number of the property manager;
- (4) Street address of each rental unit;
- (5) Total number of units available for rent or lease in each building;
- (6) Name, mailing addresses, social security number, telephone number, and employer's name, mailing address, and telephone number of all persons over the age of eighteen (18) occupying a residential rental unit; and
- (7) Name, mailing address, and telephone number of any business occupying a commercial rental unit.

SECTION 3: PERIODIC UPDATING OF PROPERTY AND TENANT INFORMATION. After the initial registration has been filed with the Township pursuant to Section 2 above, each and every owner (or owners) is required to file updated reports, on forms provided by the Township, registering any change in the ownership, rental property manager status, or occupancy of any rental or leased unit (new occupants moving in and/or prior occupants moving out of rental units) within thirty (30) days of the effective date of the change.

SECTION 4: ANNUAL REGISTRATION REQUIREMENTS. After the initial registration has been filed with the Township pursuant to Section 2 above, each and every owner (or owners) is required to file annual registration reports, on forms provided by the Township, whether or not any change in ownership, rental property manager status, or occupancy have occurred since the last report was filed, by January 31st of each calendar year.

SECTION 5: FEES.

- A. The Board of Supervisors shall prescribe reasonable fees for the initial and annual registration requirements promulgated by this ordinance. The fee schedule shall be set and may be revised from time to time by resolution of the Board of Supervisors and shall be available for public inspection in the Township office.
- B. No fee shall be charged for periodic updating of property and/or tenant information.

SECTION 6: PENALTIES FOR VIOLATIONS. Any individual, person, firm, partnership, association, or corporation convicted before a District Judge for violation of any of the provisions or requirements of this ordinance shall be fined not less than Three Hundred Dollars (\$300.00) and not more than One Thousand Dollars (\$1,000.00), plus attorney fees and costs. Each offense shall be considered a separate offense and shall be subject to a separate fine. Each separate offense shall be considered a continuous offense for thirty (30) days after the owner (or owners) was required to file an initial, update or annual report. An offense which continues for more than thirty (30) days shall be considered a separate offense for each thirty (30) day period that the owner (or owners) continues to fail to file the required information with the Township.

SECTION 7: REPEALER.

- A. This ordinance repeals Ordinance Number 31 in its entirety.
- B. The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this ordinance shall not affect any act done or liability incurred, nor shall they affect any suit of prosecution pending or to be instituted to enforce any of the repealed ordinance or regulation.

SECTION 8: SAVINGS CLAUSE. If any section, clause, or sentence of this ordinance is found to be unconstitutional, illegal, or invalid, such unconstitutionally, illegality, or invalidity shall not affect or impair the remaining sections, clauses, or sentences of this ordinance.

SECTION 9: EFFECTIVE DATE. This ordinance shall become effective five (5) days after enactment.

Duly presented and ENACTED AND ORDAINED into law at a regular meeting of the Board of Supervisors of Muddy Creek Township, Butler County, Pennsylvania, held this 8<sup>th</sup> day of September, 2008.

MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS

ATTEST:

Dixie L. Christy  
Dixie L. Christy  
Township Secretary  
(SEAL)

Dale R. Kerr  
Dale R. Kerr, Chairman

Eric Saunders  
Eric Saunders

Sean Gramz  
Sean Gramz