

Chapter 11

Housing

Part 1

Registration and Inspection of Rental Dwelling Units

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Part 1**Registration and Inspection of Rental Dwelling Units****§11-101. Purpose.**

The purpose of this Part is to promote the health, safety, and welfare of the residents of the Borough of Millbourne by establishing requirements and procedures for the registration and inspection of all rental dwelling units and by establishing penalties for violations thereof.

(Ord. 407C, 8/20/2001)

§11-102. Definitions.

Dwelling unit—one or more rooms used for living and/or sleeping purposes arranged for occupancy by one family or by one or more person(s) located in the Borough of Millbourne. This definition shall include all units of multi-family dwellings and all one-family dwellings when not occupied by the owner.

Landlord—a lessor, owner, or person who acts as agent for a lessor or owner of any part or parcel of real estate or improvements thereon located in the Borough of Millbourne.

Person—any individual, partnership, association, firm, or corporate entity.

Rental unit status report—a form as specified by and available from the Borough of Millbourne.

Tenant—a person, who has the use either separately or with others of any dwelling unit located in the Borough of Millbourne and owned by another person for a period in excess of 30 days.

(Ord. 407C, 8/20/2001)

§11-103. Registration by Landlord.

Every landlord must submit a complete and accurate Millbourne Borough Rental Unit Status Report for each dwelling unit to the Borough Manager on the occasion of any or all of the following:

- A. On or before January 1 of each calendar year commencing January 1, 2002.
- B. Within 10 days of any vacancy.
- C. Within 10 days of any change in ownership in whole or in part.
- D. Within 10 days of any change in tenant(s).

(Ord. 407C, 8/20/2001)

§11-104. Registration Fees.

There shall be no fee charged for registration as required by §11-103 hereof.

(Ord. 407C, 8/20/2001)

§11-105. Inspection of Dwelling Units.

1. All dwelling units shall be inspected by the Millbourne Borough Code Enforcement Officer or designee subsequent to the receipt of a completed rental unit status report.

2. The landlord shall be responsible to provide access to the dwelling unit for inspection in a timely manner.

3. The inspection requirement may be waived in the sole discretion of the Code Enforcement Officer if an inspection has been conducted within the 90 days preceding the triggering event.

4. The inspection shall confirm compliance with all applicable statutes and ordinances including, but not necessarily limited to, requirements:

A. Each dwelling unit has the required smoke detectors in proper working order and that all multiple dwelling units have properly marked fire exit routes, fire exit signs, and emergency lighting.

B. All windows operate properly with no broken, cracked, or missing glass; have appropriate screening installed; and are in satisfactory condition.

C. All stairways both interior and exterior are unobstructed and clear of all trash and debris and that all stairways with three or more stairs have appropriate handrails installed.

D. All doors, including garage doors, are in proper working order.

E. All elevators are in operating condition and display a current certificate of inspection and capacity.

F. All porches, balconies, and decks are in safe condition, in good repair, and have appropriate railings installed.

G. Each dwelling unit complies with the applicable parking requirements of the current Zoning Ordinance [Chapter 27], except if the unit was functioning in its current use prior to the requirements of the current or prior Zoning Ordinance [Chapter 27].

H. All parking lots, driveways, and parking spaces are in good paved condition and free of all debris.

I. No cars, trucks, motorcycles, motorbikes, or other motor vehicles are on the property with expired tags and/or inspection and/or emission stickers and that no fuel driven motors of any type are stored inside any dwelling unit.

J. Curbs, sidewalks, steps, stairways, and walkways are in good condition and repair.

K. Gutter and downspouts are in good condition and repair and that neither they nor any sump pump is connected to the sanitary sewer.

L. All central heating devices, hot water heating devices, and plumbing fixtures are in safe and proper working order.

M. All fencing is in good repair.

N. All lawn areas are trimmed so that the height does not exceed 6 inches, and that all trees, hedges, and bushes are properly trimmed.

O. The property is clear of all debris.

P. All electrical outlets and switches are in safe and proper working order and that GFI outlets are installed where required.

Q. All exterior walls are in good repair.

R. Each dwelling unit displays exterior address numbers both in front and rear at least 4 inches in height and located between 4 feet and 7 feet of the ground level.

S. All dwelling units exceeding two stories above grade shall provide a minimum of two independent exits.

(*Ord. 407C, 8/20/2001*)

§11-106. Certificate of Inspection.

1. Every landlord must have a current, valid certificate of inspection for each dwelling unit.

2. The Code Enforcement Officer shall issue a certificate of inspection to the landlord of each dwelling unit which is deemed to be satisfactory as a result of any inspection.

3. In the event that a dwelling unit is deemed to be unsatisfactory as a result of any inspection, the Code Enforcement Officer shall provide written notice of any unsatisfactory condition(s) to the landlord.

4. Any landlord receiving a report of any unsatisfactory condition from the Code Enforcement Officer shall correct any and all such condition(s) within 30 days of the date of notice or other period as prescribed by the Code Enforcement Officer and shall make arrangements with the Code Enforcement Officer for a reinspection and shall pay the required reinspection fee within said 30 days, except during calendar year 2002, when the time period shall be 60 days.

5. Any notice of unsatisfactory condition(s) shall be signed for at the time of inspection by the Landlord or shall be sent to the landlord by certified mail, return receipt requested at the address of record as known to the Millbourne Borough Tax Collector and time calculations will be made from date of mailing.

(*Ord. 407C, 8/20/2001*)

§11-107. Inspection Fees.

1. It shall be the responsibility of the landlord to submit the required inspection fee with each rental unit status report.

2. The inspection fee, in an amount as established, from time to time, by resolution of the Borough Council each dwelling unit. [*Ord. 447*]

3. Any reinspection fee as required by §11-106.5 shall be in an amount as established, from time to time, by resolution of the Borough Council for each dwelling unit. [*Ord. 447*]

(*Ord. 407C, 8/20/2001; as amended by Ord. 447, 5/20/2015*)

§11-108. Violations.

It shall be a violation for any landlord of a dwelling unit in Millbourne Borough to:

- A. Fail to comply with any provisions of §11-103.
- B. Fail to comply with the provisions of §11-105.2.
- C. Fail to comply with the provisions of §11-106.1 or §11-106.4.
- D. Fail to comply with the provisions of §11-107.

(Ord. 407C, 8/20/2001)

§11-109. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 407C, 8/20/2001; as amended by Ord. 447, 5/20/2015)