

**HANOVER TOWNSHIP,
BEAVER COUNTY, PENNSYLVANIA
ORDINANCE NO. 82**

LANDLORD-TENANT REGISTRATIONS

AN ORDINANCE OF HANOVER TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA,

Title. This Ordinance shall be known as the “Hanover Township Landlord-Tenant Registration Ordinance”.

Definitions. The following words, terms and phrases, when used in this Ordinance, shall be defined as follows, unless the context clearly indicates otherwise:

AGENT OR MANAGER – means a person or individual over the age of eighteen (18) who has been designated under this Ordinance by the owner to perform duties related to a property within the Township.

ORDINANCES – means the Ordinances of Hanover Township, which includes all Ordinances of Hanover Township.

DWELLING UNIT – means any building or portion of a building used as a residence or sleeping place for one or more persons. The term included dwelling units which are rented to someone or is permitted to be occupied by someone other than the owner. An owner-occupied dwelling unit is specifically excluded for the purposes of this Ordinance.

FAMILY – includes one or more persons living in a single dwelling unit and functioning as a common household unit sharing household expenses and sharing joint use of the entire dwelling unit. If a dwelling is rented, in order to qualify as a family, there shall not be more than one lease agreement among the occupants. A family shall not include more than five (5) persons who are not “related” to each other.

INSPECTOR – means the Zoning Officer or Code Enforcement Officer.

LANDLORD – includes any property owner who has a tenant occupying a rental unit within a dwelling unit or a dwelling unit regardless of whether such person has signed a written lease for occupancy of that rental or dwelling unit.

LEASE FOR OCCUPANCY – means to permit possession or occupancy of a building or unit by a person who is not the legal owner of record by a written or oral lease agreement.

OCCUPANT – means a person age eighteen (18) or older who resides in a dwelling unit, such as a tenant, or any person (excluding visitors) who is allowed to reside in a dwelling unit by the resident or tenant.

OWNER – means one or more persons, jointly or separately, in who is vested all or part of the legal title to the dwelling unit, or all or part of the beneficial ownership and right to present use and enjoyment of the premises. For purposes of this Ordinance, an owner also includes a landlord.

OWNER-OCCUPANT – means an owner who resides in a dwelling unit on a regular permanent basis.

PERSON – includes any person, partnership, firm, association, corporation or other legal entity.

PREMISES/PROPERTY – means any land in the Township where a dwelling unit is located.

PROPERTY OWNER – includes any person, agent operator having a legal or equitable interest in a dwelling unit; or recorded in the official records of the Beaver County Recorder of Deeds Office as holding title to the dwelling unit; or otherwise having control of the dwelling unit, including a mortgagor and mortgagee, the heir(s) to the dwelling unit when the deed to the dwelling unit is still in the name of the decedent, the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of the dwelling unit by a Court of competent jurisdiction.

RENTAL UNIT – means a dwelling unit occupied or is intended or available to be occupied by one or more tenants.

TENANT – includes any person who occupies a rental unit within a dwelling unit regardless of whether such person has signed a written lease for occupancy of that dwelling unit.

TOWNSHIP – means Hanover Township, Beaver County, Pennsylvania.

ZONING OFFICER OR CODE ENFORCEMENT OFFICER – means the person appointed by the Township to enforce and administer the provisions of this Ordinance.

ZONING ORDINANCE – means the Hanover Township Zoning Ordinance.

Duties of Property Owner, Agent, and/or Manager. The duties of a property owner, agent and manager shall be to:

- (a) Accept service of notices issued by Hanover Township and the Hanover Township Zoning Officer or Code Enforcement Officer;
- (b) Permit inspections of dwelling and rental units;
- (c) Maintain dwelling and rental units in accordance with Hanover Township Ordinances;
- (d) Report the name, address, E-mail address and telephone number of the owner, agent and manager to the Hanover Township Secretary in writing upon registering the rental and dwelling units;
- (e) Maintain the premises in good repair, clean and sanitary condition in compliance with the Hanover Township Ordinances.

Inspections and Access. The Hanover Township Zoning Officer or Code Enforcement Officer is authorized to make inspections to determine whether dwelling units or rental units are in compliance with this Ordinance. For the purpose of making such inspections, the Zoning Officer or Code Enforcement Officer is permitted to enter all dwelling units and rental units and shall be free to have access thereto upon notice and during all reasonable times for the purpose of such inspections.

Registrations.

(a) **Initial Filing of Reports by Landlords.** Within sixty (60) days from the effective date of this Ordinance, every landlord must submit to the Hanover Township Secretary, a report on a form provided by the Township which includes the following information:

(1) Name, address, phone number and E-mail address of the landlord, and if the landlord is not a natural person, a description of the entity, including the name, address, phone number, E-mail address and title of the designated representative for that entity.

(2) Name, address, phone number and E-mail address of the agent or manager of the Landlord, if applicable.

(3) List of the dwelling and rental units owned by the landlord located within Hanover Township.

(4) A brief description of each unit, including the address of each unit, whether the unit is occupied or not occupied and a determination of whether the unit is habitable.

(5) Name, address, E-mail address and phone number of the tenant occupying the unit.

(b) **Filing of Reports by New Landlords.** After the effective date of this Ordinance, any person becoming a landlord by agreement, deed or other means, shall, within thirty (30) days thereafter, provide a report to the Hanover Township Secretary in accordance with the reporting requirements for an initial registration as provided herein.

(c) **Filing of Reports by Landlords for Change in Tenants or Vacancy.** After the period for reporting has expires under this section of the Ordinance and the landlord has complied with the reporting requirements of this section, every landlord shall thereafter file a report with the Hanover Township Secretary within thirty (30) days thereafter, where the tenant of a unit has changed or a unit has become vacant. The landlord must provide a report to the Hanover Township Secretary on a form supplied by the Township, which includes the following information:

(1) The name, address, E-mail address and phone number of the new tenant and the vacating tenant;

(2) The date of the change; and

(3) The forwarding address of the vacating tenant, if known by the landlord.

Notice of Violation. If it appears to the Zoning or Code Enforcement Officer or the Hanover Township Secretary that a violation of this Ordinance has occurred, the Zoning or Code Enforcement Officer shall initiate enforcement proceedings by issuing an Enforcement Notice to the property owner, agent or manager for the premises.

Service of Notices. All notices shall be sent to the property owner or agent or manager, if applicable, by regular first-class mail, postage prepaid and the Zoning or Code Enforcement Officer shall also post the notice at a conspicuous place on the premises which are subject to the violation and where the violation occurred. Notices may be sent to the property owner, agent or manager at the address stated on the most current registration application. For purpose of this Ordinance, any notice issued to the agent or manager shall be deemed given to the property owner.

Jurisdiction and Enforcement Remedies.

- (a) **Jurisdiction.** The District Judge shall have initial jurisdiction over proceedings brought under this Ordinance.
- (b) **Civil Enforcement Remedies.** Any person who has violated or permitted the violation of any of the provisions of this Ordinance shall, upon being found liable thereof in a civil enforcement proceeding commenced by the Zoning or Code Enforcement Officer, shall pay a judgment of not more than one thousand (\$1,000.00) dollars, plus all court costs, including reasonable attorney fees incurred by the Township as a result of the proceedings.
- (c) The remedy provided for under this section of the Ordinance shall be in addition to any and all other remedies available to the Zoning or Code Enforcement Officer or the Township for a violation of this Ordinance either in law or equity or under the Hanover Township Ordinances.

Fees.

- (a) **Registration Fees.** Fees for any registration required under this Ordinance shall be \$25.00 per rental unit.
- (b) **Changing of Fees.** The fees in this section may be changed by Resolution of the Hanover Township Board of Supervisors.

Applicability. This Ordinance shall only apply to Landlords or Property Owners situated within Hanover Township.

Severability. If any section, clause, provisions or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. Hanover Township reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

Repealer. All Ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistencies.

Effective Date. This Ordinance shall become effective immediately following its adoption.

ORDAINED AND ENACTED as an Ordinance of Hanover Township by the Board of Supervisors of Hanover Township this 13 day of April 2021.

HANOVER TOWNSHIP
BOARD OF SUPERVISORS


ATTEST:



Hanover Township Secretary

BY: 

George E. Roberts, Chairman



Samuel D. Eaton, Vice Chairman

Stephen J. Zalusky, Supervisor