

BOROUGH OF SHARPSVILLE-CODE OFFICE
APPLICATION FOR LICENSE
\$20.00 FEE

1. Name of Applicant: _____

Address: _____

Telephone: _____ / _____
Home Business/Cell

2. Address of dwelling or dwelling units that applicant seeks a license for:

3. Name(s) of person(s) occupying the dwelling or dwelling unit:

4. If applicable, the name, address, telephone number of the local agent as provided in Section 4 of Ordinance #1027:

5. Name, address, telephone number of all owners of the premises sought to be licensed if different or additional to the applicant:

6. If applicable, the name, address and telephone number of the alternative inspector as provided in Section 9 (B) (viii) of Ordinance 1027: **(the inspector must be approved by the Code Officer *PRIOR* to inspection—this does not apply to self-certification).**

Signature of Applicant

Date of Application

FOR BOROUGH USE ONLY:

Code Inspection on file:	_____ Yes	_____ No
Registered/Licensed Inspector:	_____ Yes	_____ No
Self Inspection Certification on file:	_____ Yes	_____ No
Tenant's sign-off on file:	_____ Yes	_____ No
Tenant Registration/Certification on file:	_____ Yes	_____ No

Code _____ Utility _____ Fire _____ Police _____

**Richardson Inspection Services, LLC.
2879 Mercer Butler Pike Grove City, PA 16127
(724) 406-0031**

**Rental Inspection Standards from the 2009 International
Property Maintenance Code
Revised 7/25/13**

**SECTION 302
EXTERIOR PROPERTY AREAS**

302.1 Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.7 Accessory structures.

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**SECTION 304
EXTERIOR STRUCTURE**

304.2 Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

Revised 7/25/13

304.4 Structural members.

All structural members shall be maintained free from deterioration , and shall be

capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls.

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features.

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions.

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies.

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers.

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

Revised 7/25/13

304.12 Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing.

All glazing materials shall be maintained free from cracks and holes.

All glazing in hazardous locations shall be tempered or otherwise protected.

304.13.2 Openable windows.

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.15 Doors.

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways.

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

SECTION 305

INTERIOR STRUCTURE

305.2 Structural members.

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces.

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

Revised 7/25/13

305.5 Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 402 LIGHT

402.1 Habitable spaces.

All spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

SECTION 403 VENTILATION

403.1 Habitable spaces.

Every habitable space shall have at least one operable window.

403.2 Bathrooms and toilet rooms.

Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

403.5 Clothes dryer exhaust.

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

SECTION 404 OCCUPANCY LIMITATIONS

404.4.2 Access from bedrooms.

Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Revised 7/25/13

[P] SECTION 502 REQUIRED FACILITIES

502.1 Dwelling units.

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition.

503.4 Floor surface.

In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

[P] SECTION 504
PLUMBING SYSTEMS AND FIXTURES

504.1 General.

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

505.4 Water heating facilities.

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed from the valve to a point 6 inches above finish floor and maintained on water heaters.

SECTION 602
HEATING FACILITIES

602.2 Residential occupancies.

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Exceptions:

SECTION 603
MECHANICAL EQUIPMENT

603.1 Mechanical appliances.

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

Revised 7/25/13

SECTION 604
ELECTRICAL FACILITIES

604.2 Service.

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

604.3 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation,

deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION 605 ELECTRICAL EQUIPMENT

605.2 Receptacles.

Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets.

Every laundry area, bathroom, kitchen counter, basement and exterior area shall have ground fault circuit interrupter protection.

605.3 Luminaires.

Every habitable space, hall, interior stairway and toilet room shall have at least one electric luminaire.

SECTION 607 DUCT SYSTEMS

607.1 General.

Duct systems shall be maintained free of defects or obstructions and shall be capable of performing the required function.

[F] SECTION 702 MEANS OF EGRESS

702.3 Locked doors.

All means of egress doors shall be readily operable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.

Revised 7/25/13

702.4 Emergency escape openings.

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

[F] SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or

control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

704.2 Smoke alarms and carbon monoxide detectors

Single- or multiple-station smoke alarms shall be installed and maintained in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit , including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Carbon monoxide detectors are required outside of bedrooms if the dwelling has fuel fired appliances and/or an attached garage.

INTERIOR CHECKLIST

DATE: _____ INSPECTOR: _____
 ADDRESS: _____ APT # _____
 TENANT NAME: _____

<u>EXTERIOR PROPERTY AREA</u> (302.1)			<u>OCCUPANCY LIMITS</u> (404.4.2)		
Sanitation			Access (no captive bedrooms)	YES	NO
Clean & Sanitary Condition	YES	NO			
<u>EXTERIOR STRUCTURE</u> (304.2-304.16)			<u>REQUIRED FACILITIES</u> (502.1-503.4)		
			Bathtub/Shower/Sinks/Toilets (safe & functional)	YES	NO
Protective Treatment	YES	NO	Floor Surface (safe, clean & non-absorbent)	YES	NO
No peeling paint, holes, etc.	YES	NO			
Address posted	YES	NO	<u>PLUMBING</u> (504.1-505.4)		
Structural Support	YES	NO	General (safe, sanitary & functional)	YES	NO
Foundation Sound & Tight	YES	NO	Water Heating (safe & functional)	YES	NO
Exterior Walls	YES	NO			
Roof & Spouting (sound, tight & working)	YES	NO	<u>HEATING FACILITIES</u> (602.2)		
Decorative (sound, tight & safe)	YES	NO	Heating (capable of maintaining 68° temp)	YES	NO
Overhangs & Extensions (sound, tight & good repair)	YES	NO			
Stairways, porches, decks & balconies (good repair)	YES	NO	<u>MECHANICAL EQUIPMENT</u> (603.1)		
Chimneys, stacks, towers (good repair)	YES	NO	Fireplaces, Fuel Burning, Water Heating, Cooking (safe & functional)	YES	NO
Handrails, Guards (firm, supportive)	YES	NO			
Windows, doors (sound, tight & good repair)	YES	NO	<u>ELECTRICAL FACILITIES</u> (604.2-604.3)		
Glazing (windows safe & tight)	YES	NO	Service (Usage & need of service no less than 60 amperes)	YES	NO
Doors (good condition, locking)	YES	NO	Electrical Hazards (safe & functional)	YES	NO
Basement Entry (sound & tight)	YES	NO			
			<u>ELECTRICAL EQUIPMENT</u> (605.2-605.3)		
<u>INTERIOR STRUCTURE</u> (305.2-305.6)			Receptacles (2 in every living space)	YES	NO
Structural Members (sound & supportive)	YES	NO	Lights (one working in every living space)	YES	NO
Interior Surfaces (clean, sanitary, sound)	YES	NO			
Stairs & Floors (sound, good repair)	YES	NO	<u>DUCT SYSTEMS</u> (607.1)		
Handrails (firm & supportive)	YES	NO	General (working & functional)	YES	NO
Interior Doors (working & secure)	YES	NO			
			<u>EGRESS/EXIT</u> (702.3-702.4)		
<u>LIGHTING</u> (402.1)			Doors (doors readily open from within)	YES	NO
Living Spaces (natural or artificial light working)	YES	NO	Emergency Escape (safe, functional means of escape)	YES	NO
<u>VENTILATION</u> 403.1-403.5)			<u>FIRE PROTECTION</u> (704.1-704.2)		
			General (working, functional detection, suppressing controlling)	YES	NO
Living Space (working window)	YES	NO	Smoke Alarms(in & outside each sleeping rooms & one on each floor)	YES	NO
Bathrooms (working window or exhaust fan)	YES	NO	Carbon Monoxide Detector (outside bedrooms)	YES	NO
Dryer Vent (working dryer vent)	YES	NO			

ORDINANCE NO. 1134

AN ORDINANCE OF THE BOROUGH OF SHARPSVILLE AMENDING SECTION 5(A)(v) AND SECTION 13 OF ORDINANCE 1027, THE BOROUGH'S NON-OWNER OCCUPIED/RENTAL LICENSING ORDINANCE ESTABLISHING A NEW LICENSING FEE AND A NEW LICENSE DURATION PERIOD.

BE IN ENACTED AND ORDAINED, and it hereby enacted and ordained by the authority of the Council of the Borough of Sharpsville, as follows:

Section 1. Section 5(A)(v) of Ordinance 1027 is hereby amended to increase the license fee from \$3.00 per license to \$20.00 per license each time that an application for a license is made;

Section 2. Section 13 of Ordinance 1027 is hereby amended to extend the duration for the validity of a license from three years from the date of issuance to five years from the date of issuance;

Section 3. Section 5 (B) (vi) of Ordinance 1027 is hereby amended to require that if the Borough inspector is required to perform a follow up inspection after the initial inspection, that all follow up inspections following the initial inspection shall be paid for by the Landlord at the cost of \$45.00 per inspection.

Section 4. Statutory Construction-All other portions, sections and parts of Ordinance 1027 and any and all amendments thereto shall, unless specifically amended by this ordinance remain in full force and effect. All ordinances or parts thereof that conflict or are inconsistent herewith are repealed to the extent necessary to give this Ordinance full force and effect. If any section or portion of this Ordinance is judicially invalidated for any reason that portion shall be deemed a separate and independent provision and such ruling shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date-This Ordinance shall become effective upon passage.

ORDAINED AND ENACTED by Council this 9th day of July, 2014.

BOROUGH OF SHARPSVILLE


John D. Alfredo, President of Council

ATTEST:



Kenneth P. Robertson, Borough Secretary

Examined and approved by me this 9th day of July
2014



Alex J. Kovach, Mayor

ORDINANCE NO. 1085
BOROUGH OF SHARPSVILLE

AMENDMENT TO NON-OWNER
OCCUPIED/RENTAL LICENSING ORDINANCE

AN ORDINANCE OF THE BOROUGH OF SHARPSVILLE, MERCER COUNTY, PENNSYLVANIA, AMENDING ORDINANCES 1027 AND 1031, THE BOROUGH OF SHARPSVILLE'S NON-OWNER OCCUPIED/RENTAL LICENSING ORDINANCES.

BE IT ENACTED AND ORDAINED, by the Council of the Borough of Sharpsville, Mercer County, Pennsylvania, it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The Borough of Sharpsville enacted Ordinance 1027, known as the Borough Non-Owner Occupied/Rental Licensing Ordinance on February 10, 1999. It amended Ordinance 1027 by enacting Ordinance 1031.

SECTION 2. Section 9 of Ordinance 1027 sets forth licensing and inspection provisions which required, among other things, inspections of each dwelling or dwelling unit which the Borough received an application for a license for purposes of determining the condition of the dwelling or dwelling unit.

SECTION 3. Ordinance 1027, specifically Section 9(B)(i) entitled Inspections, was amended by Ordinance 1031 to add a \$35.00 inspection fee to Section 9(B)(i) of Ordinance 1027.

SECTION 4. The purpose of this Ordinance is to amend the amount of the inspection fee increasing it from \$35.00 to \$45.00 per inspection and shall be enacted to effectuate that purpose only.

SECTION 5. This Ordinance shall also authorize Council to, from time to time, increase or decrease the inspection fee as Council determines in their discretion by way of resolution which shall be enacted by Council at a public meeting.

SECTION 6. 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.

SECTION 7. This Ordinance shall become effective immediately upon passage.

ENACTED AND ORDAINED into Law by the Council of the Borough of Sharpsville, this 10th day of May, 2006.

ATTEST:

By: Michael G. Wilson
Michael G. Wilson, Borough Secretary

BOROUGH OF SHARPSVILLE

Alex J. Kovach
Alex J. Kovach, President of Council

Examined and approved by me
This 10th day of May, 2006.

Kenneth P. Robertson
Kenneth P. Robertson, Mayor

ORDINANCE - 1031

BOROUGH OF SHARPSVILLE
AMENDMENT TO
NON-OWNER OCCUPIED/RENTAL LICENSING ORDINANCE

AN ORDINANCE OF THE BOROUGH OF SHARPSVILLE, MERCER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 1027, THE BOROUGH OF SHARPSVILLE NON-OWNER OCCUPIED/RENTAL LICENSING ORDINANCE.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Sharpsville, Mercer County, Pennsylvania, by the authority of the same as follows:

SECTION 1. The Borough of Sharpsville enacted Ordinance 1027, known as the Borough Non-Owner Occupied/Rental Licensing Ordinance at the February 10, 1999, meeting.

SECTION 2. Section 9 of Ordinance 1027 sets forth licensing and inspection provisions which requires, among other things at Section 9(B), inspections of each dwelling or dwelling unit for which the Borough receives an application for a license for purposes of determining the condition of the dwelling or dwelling unit.

SECTION 3. Ordinance 1027, Section 9(B)(i) entitled Inspections shall be amended to read as follows:

The Code Enforcement Officer or his designee shall, upon receipt of an application for a license, schedule the dwelling or dwelling unit as soon as possible for inspection. Said inspection shall hereinafter be referred to as the "initial inspection". The cost for the initial inspection, if done by the Borough of Sharpsville Code Enforcement Officer, shall be \$35.00. Upon the expiration of each license, the dwelling or dwelling unit shall be subject again to an initial inspection at the cost of \$35.00.

SECTION 4. The purpose of this Ordinance is to add a \$35.00 inspection fee to Section 9(B)(i) and shall be enacted to effectuate that purpose only.

SECTION 5. Repeal and Severability - 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.

SECTION 6. Effective Date - This Ordinance shall become effective immediately upon passage.

ENACTED AND ORDAINED this 14TH day of APRIL, 1999.

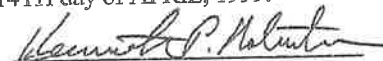
BOROUGH OF SHARPSVILLE

ATTEST:


Borough Secretary

By: 
President of Council

Examined and Approved by me this
14TH day of APRIL, 1999.


Mayor

ORDINANCE - 1027

BOROUGH OF SHARPSVILLE
NON-OWNER OCCUPIED/RENTAL LICENSING ORDINANCE

AN ORDINANCE OF THE BOROUGH OF SHARPSVILLE, MERCER COUNTY, PENNSYLVANIA, MAKING IT UNLAWFUL FOR ANY OWNER, AGENT, LESSOR, LANDLORD OR OTHER PERSON TO RENT, LEASE, SUBLET, ASSIGN A LEASE OR LET SPACE BE OCCUPIED BY ANOTHER OR OTHERS AS A DWELLING WITHOUT FIRST APPLYING FOR A LICENSE TO SO RENT, LEASE, LET, SUBLET, OR ASSIGN A LEASE WITH THE OFFICE OF THE CODE ENFORCEMENT OFFICER OF THE BOROUGH OF SHARPSVILLE AND ONLY AFTER RECEIVING CERTIFICATION FROM THE CODE ENFORCEMENT OFFICER AFTER INSPECTION THAT THE PREMISE IS SUITABLE FOR OCCUPANCY.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Sharpsville, Mercer County, Pennsylvania, by the authority of the same as follows:

SECTION 1. Preface - The Borough of Sharpsville has recognized an increase in non-owner occupied and rental properties within the Borough. As a result, the Borough is desirous of taking measures to insure that properties offered for rent or occupancy within the Borough are safe, healthful and habitable.

SECTION 2. Short Title - This Ordinance shall be known as the Borough Non-Owner Occupied/Rental Licensing Ordinance.

SECTION 3. Application - The provisions of this Ordinance shall supplement local laws, ordinances, or regulations existing in the Borough of Sharpsville or those of the Commonwealth of Pennsylvania. Where a provision of this Ordinance is found to be in conflict with any provision of a local law, ordinance, code or regulation or those of the Commonwealth of Pennsylvania, the provisions which are more restrictive or which establishes a higher standard shall prevail.

SECTION 4. Definitions -

- (a) **Dwelling** - A building or roofed structure, consisting of one or more rooms which are enclosed by one or more walls, for the shelter, housing, residency, occupancy and/or for living or sleeping purposes of one or more persons.
- (b) **Dwelling Unit** - A structure consisting of one or more rooms which are enclosed by one or more walls, for the shelter, housing, residency, occupancy and/or for living or sleeping purposes of one or more persons.
- (c) **Landlord** - An owner, lessor, sub-lessor, person or persons or one who acts as an agent for the owner, lessor, sub-lessor, person or persons, of any parcel of real estate located in the Borough of Sharpsville upon which a dwelling or dwelling unit is located and which said dwelling or dwelling unit is one that is occupied or will or may be offered or made available for occupancy by a person or persons other than the owner of the dwelling or dwelling unit.
- (d) **Tenant** - A person who has a right to occupy or use or is occupying or using, a dwelling or dwelling unit owned by a person other than himself, for a period exceeding twenty (20) days.
- (e) **Person** - Any individual, partnership, association, firm, corporation, entity or estate.

SECTION 5. Reports by Landlords - Within thirty (30) days from the effective date of this Ordinance, every landlord as defined herein shall submit to the Borough Secretary a report form supplied by the Borough which includes the following information:

- (a) List of the dwelling or dwelling units owned by the landlord located within the Borough of Sharpville whether occupied or not occupied;
- (b) Address of each dwelling or dwelling unit;
- (c) Whether or not said dwelling or dwelling unit is occupied by a person and if so, the names of each persons.

SECTION 6. Reports by Persons upon Becoming Landlords - After the effective date of this Ordinance, any person who becomes a landlord as defined herein of a dwelling or dwelling unit located within the Borough of Sharpville by agreement of sale, deed or by any other means whatsoever, shall, within thirty (30) days thereafter, report to the Borough Secretary all of the information in Section 5 above and on forms to be provided by the Borough of Sharpville. Any Person who becomes a Landlord as defined herein after the effective date of this ordinance shall be subject to the requirements of this ordinance. They shall comply with the same immediately upon becoming a landlord.

SECTION 7. Reports or Changes in Use or Occupancy - After the effective date of this Ordinance, each and every landlord as defined herein, of a dwelling or dwelling unit within the Borough of Sharpville shall report to the Code Enforcement Officer on a report form to be supplied by the Borough Secretary, any changes in the use or occupancy of a dwelling or dwelling unit. The reported change shall include the name or names of the new tenants and/or occupants of such dwelling and the date when such change was affected. If the dwelling was used or utilized by a person as a dwelling and then becomes vacant, this change shall also be reported within ten (10) days after the dwelling has become vacant or has a change in occupancy.

SECTION 8. Duties of the Borough Secretary - The Borough Secretary shall:

- (a) Maintain a file at the Borough Building containing the names of landlords owning dwelling or dwelling unit that are non-owner occupied or available for non-owner occupancy in the Borough. Said list shall contain the names of current tenants of every dwelling or dwelling unit;
- (b) Maintain a supply of forms for landlords to use in making reports to the Borough Secretary as required by this Ordinance;
- (c) Notify the chief of police and/or any fire chief of the Borough of the addresses of any dwelling or dwelling unit that are vacant, unoccupied or not in use.

SECTION 9. Licensing and Inspections - No landlord as defined herein, shall allow a dwelling or dwelling unit to be occupied by a person, persons or tenant as defined herein, other than the record owner of the dwelling or dwelling unit unless the landlord holds a valid, current license as prescribed by this Ordinance and issued by the Code Enforcement Officer for the specified named and/or numbered regulated dwellings.

(A) Procedure for Licensing -

- (i) On or before February 28, 1999, every landlord as defined herein, shall apply for a license as required by this Ordinance. Every landlord as defined herein shall thereafter, re-apply for a license on or before January 31st of the third year in which the landlord owns a dwelling or dwelling unit which is being rented, leased or is non-owner occupied or is vacant but is or will be made available for rent, lease or non-owner occupancy.
- (ii) If, on or after February 28, 1999, any person as defined herein comes into possession by any means whatsoever, or acquires a legal or equitable ownership interest in a dwelling or dwelling unit that is occupied by a tenant as defined herein or by a person or persons who are not the owners of said property, shall make application for a license as prescribed by this Ordinance within thirty (30) days from the date that they come into possession or acquire a legal or equitable ownership interest in said dwelling or dwelling unit. The landlord shall thereafter be required to re-apply for a license on or before the anniversary date of the third year from the Landlords last application.
- (iii) Every landlord shall make a separate application to the Borough of Sharpville Code Enforcement Office for a license for each dwelling or dwelling unit owned. In the case of dwelling or dwelling units that have multiple units contained therein, including but not limited to, apartment complexes, duplexes, triplexes, residential care facilities, supervising care facilities, rooming houses or any or all combinations thereof, each separate unit contained therein that is occupied or available for occupancy by someone other than the owner shall be considered a dwelling or dwelling unit as defined herein and shall require its own separate license.
- (iv) Every landlord applying for a license shall complete the application form as provided by the Borough of Sharpville and shall supply such information as required by the Borough, including but not limited to:
 - (a) The name, address and telephone number of the owner or owners of the premises;
 - (b) The name, address and telephone number of the local agent, if applicable, as provided for in Section 4 of this Ordinance, if applicable;
 - (c) The address of the dwelling or dwelling unit;
 - (d) The number of units in each building;

A drawing of the floor plan of the dwelling and/or dwelling units contained therein if the dwelling or dwelling unit consists of multiple units.

- (f) The form shall also state in a conspicuous place, in a conspicuous manner and in bold type that the Landlord, by making application to the Borough for a license, consents to the Borough Code Officer entering the Landlord's rental Unit(s) to complete the inspection as required by this ordinance.

- (v) Every landlord shall pay a license fee in the amount of \$3.00 per license each time that an application for a license is made.

Upon receipt of the fully completed licensing application form payment of the fee, the Code Enforcement Officer or his designee shall, within ten (10) days, issue a license to the owner or responsible local agent, except in the event that the dwelling or dwelling unit has been determined by the Code Enforcement Officer to be in violation of this Ordinance. The license shall be valid for a period of three years from the date of issuance unless it is revoked or suspended pursuant to this ordinance. Upon the expiration of three years, the license shall expire and the dwelling(s) or dwelling unit(s) shall not be occupied by a tenant as defined herein unless the landlord re-applies for a new license as required by this ordinance. At least thirty days prior to the expiration of the license, the Borough shall notify the landlord of the same and that the landlord must schedule a time and date for a new "initial inspection" as defined herein.

- (vii) Every dwelling or dwelling unit shall, after the landlord's application for a license, be subject to the inspection provisions contained herein. Every landlord shall comply with and satisfy all requirements of this Ordinance and any other requirements that the Borough may require from time to time.
- (viii) Every license shall at all times be maintained in a conspicuous place inside the dwelling or dwelling unit and available for inspection by Borough Officials.

(B) Inspections -

- (i) The Code Enforcement Officer or his designee shall, upon the receipt of an application for a license, schedule the dwelling or dwelling unit as soon as possible for inspection. Said inspection shall hereinafter be referred to as the "initial inspection."
- (ii) The Code Enforcement Officer is hereby authorized and directed to make inspections to each dwelling or dwelling unit and each unit contained therein which the Borough receives an application for a license to determine the condition of the dwelling or dwelling unit, its rooms and premises in order that the Code Enforcement Officer may perform such duties necessary for safeguarding the health and safety of the occupants of the dwelling or dwelling units and of the general public. For the purpose of making such inspections, the Code Enforcement Officer is hereby authorized to enter, examine and survey during normal business hours, all dwelling or dwelling units contained therein, establishments and premises. The owner or occupant of every dwelling or dwelling unit, contained therein, shall give the Code Enforcement Officer access to such dwelling or dwelling unit and its premises at all reasonable times for the purposes of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of the dwelling or dwelling unit or its premises at all reasonable times for the purposes of making such repairs or alterations that are necessary to effect compliance with the provisions of this Ordinance.

It shall be the responsibility of every landlord to provide access to each dwelling and/or dwelling unit for every inspection scheduled by the Code Enforcement Officer whether the dwelling and/or dwelling unit is vacant or occupied.

- (iii) The Code Enforcement Officer shall, after the initial inspection, certify to the Borough that the dwelling or dwelling unit is in compliance with this Ordinance.

Unless otherwise provided herein after the initial inspection, the Code Enforcement Officer shall inspect each dwelling or dwelling unit no sooner than every third anniversary date following the initial inspection. This inspection shall also occur notwithstanding more frequent inspections which may be required in the investigation of complaints by tenants or reinspection of a dwelling or dwelling units that are not in compliance with this ordinance. It shall be unlawful for a landlord to transfer possession or occupancy of a dwelling or dwelling unit to a tenant without first notifying the Borough of Sharpville in writing of the landlord's intent to do so and thereafter complying with all other provisions of this ordinance including, but not limited to the inspection and licensing provisions.

If in the event that the Borough Code Enforcement Office receives a complaint from a tenant(s), the Code Enforcement Officer shall notify the Landlord or its responsible agent in writing that a complaint has been filed and that an inspection of the dwelling or dwelling unit is required. The notice shall contain the time and date of the scheduled inspection. The Landlord shall make the premises available for inspection. If, after the inspection the Code Enforcement Officer finds that the problem complained of exists and that it is a violation of this ordinance, Specifically Section 12, the landlord shall be ordered to correct the violation pursuant to the requirements of paragraph 9(v) and shall in addition thereto pay an inspection fee to the Borough in the amount of \$35.00. If the Landlord fails to bring the dwelling or dwelling unit into compliance within twenty days, the Landlord shall be subject to paragraph 9(vii) and all other provisions of this ordinance.

- (v) In the event that a dwelling or dwelling unit fails to pass any inspection required by this ordinance, the Code Enforcement Officer shall reinspect the dwelling or dwelling unit as soon as conveniently possible, but shall occur no later than twenty (20) days after the dwelling or dwelling unit is deemed to be in violation of this Ordinance. Until such time as the Code Enforcement Officer certifies that the dwelling or dwelling unit is in compliance with this Ordinance, the dwelling or dwelling unit shall not be leased for non-owner occupancy or made available for the same.
- (vi) If a dwelling or dwelling unit is inspected and is determined not to be in compliance with this Ordinance, the landlord shall not be charged any fees for the first reinspection. However, the landlord shall be required to pay \$15.00 for any second and/or subsequent reinspection that is necessary to ascertain if the landlord has taken the appropriate steps to bring the dwelling or dwelling unit into compliance with this Ordinance. No license shall be issued until the fee is paid in full by the landlord and the dwelling or dwelling unit is in compliance with this Ordinance.

If a landlord fails to keep scheduled appointments for any inspections, they shall be required to pay \$15.00 and no license shall be issued until the same is paid in full and the Code Enforcement Officer has certified that the dwelling or dwelling unit is in compliance with this Ordinance. Inspections shall be scheduled by the Code Enforcement Officer or his designee.

Alternative inspectors---Every Landlord as defined herein shall have the option of securing a license by having a qualified Inspector, other than the Borough Code Enforcement officer, certify that their dwelling(s) or dwelling unit(s) are in compliance with this ordinance, including but not limited to Section 12 as set forth below. The Landlord shall notify the Borough Code Enforcement Office in writing within thirty days of February 28, 1999 that they have elected an alternate inspector. The written notice shall designate the name, address, telephone number, qualifications of the alternate inspector and the date that the inspection is to occur. Thereafter, when the landlord re-applies for a new license on the third anniversary date from the issuance of the previous license, and the landlord elects to have the inspection done by an inspector other than the Borough Code Officer, the landlord shall notify the Borough Code Enforcement Office in writing not more than thirty days but not less than ten days prior to the expiration of the license of their election of an alternate inspector. All other provisions of this ordinance shall remain in full force and effect. The inspection, if done by an alternate inspector, shall be completed and submitted to the code enforcement office no more than sixty days from the date that the landlord makes application for a license. The Code enforcement office may at their discretion grant extensions of time for the submission of the written certification if the person requesting the extension does so in writing to the Code Enforcement Office, stating the reasons for the request and identifying when the certification will be submitted. After reviewing the written request, the Code Enforcement Office shall notify the Landlord in writing whether the extension has been granted. If the extension is not granted, the Code Enforcement shall state why. If the extension is granted, the notice shall provide the length of time in which the landlord has to submit the certification.

The alternate inspector chosen by the Landlord shall be approved by the Borough Code Enforcement Officer prior to the Inspector performing any inspections and shall have at least the following minimum requirements;

Be familiar with the provisions and requirements of the 1996 B.O.C.A. Property Maintenance Code, and;

- Be a Pennsylvania State certified engineer or;
- Be a Pennsylvania State certified Architect or;
- Be a **BOCA** certified property maintenance inspector or;
- Be approved by the Borough Code Enforcement Office.

If in the event the Landlord chooses to have an Inspector other than the Borough Code Enforcement Office inspect a dwelling(s) or dwelling unit(s), said Landlord shall be responsible for all fees charged or otherwise due and owing to the Inspector for any inspections that are required by this ordinance.

SECTION 10. Compliance Required - No person shall occupy as a tenant nor shall any landlord as defined herein lease to another for occupancy any dwelling or dwelling unit, which does not comply with the requirements of this Ordinance.

SECTION 11. Transfer of Ownership - A license required by this Ordinance shall be transferable. In the event of a transfer of ownership, whether it be legal or equitable, of a dwelling or dwelling unit regulated by this Ordinance, the license shall remain valid. It shall, however, be the responsibility of the new owner to notify the Code Enforcement Officer of said transfer within five (5) days from the date of said transfer.

SECTION 12. BOCA National Property Maintenance Code of 1996 - The BOCA National Property Maintenance Code of 1996 as published by the Building Officials and Code Administrators International, Inc. be and is hereby adopted as the Code of the Borough of Sharpville for the control and regulation of the dwelling or dwelling unit as herein defined and provided, in each and all of the regulations, provisions, conditions and terms of the BOCA National Property Maintenance Code are hereby referred to, adopted and made a part of this Ordinance as if fully set forth in this Ordinance, save and except such portions as may be deleted, modified or amended from time to time by the Borough of Sharpville. However, to the extent that any requirements or regulations of the BOCA National Property Maintenance Code of 1996 are inconsistent with any requirements or regulations of this Ordinance, it is the express intent of the Council for the Borough of Sharpville that the requirements and/or regulations of this Ordinance shall be controlling and shall supersede the BOCA National Property Maintenance Code of 1996 and this Ordinance shall apply. Three copies of the BOCA National Property Maintenance Code Fifth Edition, 1996, have been and are now filed with the office of the Borough Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. It shall be the duty of the Code Enforcement Officer, upon inspecting each dwelling or dwelling unit to insure that every dwelling or dwelling unit complies with the requirements of the BOCA National Property Maintenance Code of 1996.

SECTION 13. License Duration - Each license shall be valid for three years from the date of issuance.

SECTION 14. Designation of Responsible Agent - No license shall be issued to any person or landlord as defined herein for purposes of renting or making available or permitting a non-owner to occupy a dwelling or dwelling unit if the person or landlord resides outside the County of Mercer, unless such person or landlord provides to the Borough, the name, address and telephone number of an authorized designated responsible agent who shall be a person as defined herein and who shall reside or maintain a place of business within the County of Mercer. Such authorization to designate a responsible agent shall be in writing and signed by the owner and/or landlord and by the designated responsible agent. Said written authorization shall be filed with the Borough Manager. Designation of a responsible agent shall authorize the responsible agent to provide access to the property and to receive notices and communications necessary or deemed to be appropriate by the Borough under the terms of this Ordinance and to accept service of process of the initial and subsequent pleadings on behalf of the owner or landlord which may be necessary or deemed to be appropriate by the Borough for the enforcement of this Ordinance; provided, however, that nothing contained herein shall affect the right of the Borough to submit notices and communications directly to the landlord rather than the responsible agent, or to serve process of any initial and subsequent pleadings in any other manner permitted by law.

Any owner or landlord to whom a license has been issued who subsequently changes his place of residence and resides outside the County of Mercer or changes the designation of a responsible agent shall notify the Borough in writing within thirty (30) days after such change.

SECTION 15. Violations; License Revocation; Notice - It shall be unlawful for any landlord to permit occupancy of any dwelling or dwelling unit or offer any dwelling or dwelling unit for occupancy to a person who is not the record owner of the dwelling or dwelling unit unless the landlord has obtained a license in accord with the provisions set forth herein and said license has not been revoked or invalidated.

Whenever the Borough Code Enforcement Officer determines that a dwelling or dwelling unit is in violation of this Ordinance, it shall, within forty-eight hours of his determination, serve written notice by certified or registered mail return receipt requested, to the landlord or the landlord's designated agent stating that the dwelling or dwelling unit has not met the requirements of this Ordinance. The notice shall contain the following: (1) that unless the dwelling or dwelling unit comes into compliance within twenty days by correcting the violation, the dwelling or dwelling unit shall be deemed uninhabitable and the landlord's license will be revoked; (2) a description of the real estate sufficient for identification; (3) the specific reasons why the dwelling or dwelling unit is not in compliance setting forth the specific provisions of the BOCA Building Maintenance Code that the dwelling or dwelling unit is not in compliance with; (4) that the landlord has the right to file an appeal pursuant to Section 17 of this Ordinance.

If the certified or registered letter is returned showing that the letter was not delivered, a copy of the letter shall be posted in a conspicuous place in or about the dwelling or dwelling unit service of the notice in this manner shall constitute service upon the owner.

If the dwelling or dwelling unit is not brought into compliance or no appeal has been filed, the Code Enforcement Officer shall revoke the landlord's license and shall order the tenants to vacate the premises.

Section 16. Violation(s) that create immediate threat of harm - Upon inspection, if the Code Enforcement Officer determines that a violation creates an immediate threat to the life, health or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn the occupants in the event of fire or because the structure is so damaged, decayed, dilapidated, structurally unsafe or such faulty construction or unstable foundation, that partial or complete collapse is likely or there is an immediate threat of bodily injury to the occupants, the dwelling or dwelling unit will be deemed uninhabitable and the Code Enforcement Officer is authorized and empowered to order and require the occupants to vacate the dwelling or dwelling unit and the occupants shall be required to vacate the dwelling or dwelling unit immediately. The landlord's license will be immediately revoked until such time as the violation is corrected and the Code Enforcement Officer has reinspected the premises and certified the dwelling or dwelling unit as being in compliance with this Ordinance.

SECTION 17. Appeals - Any landlord whose license has been revoked or whose application for a license to operate has been denied or has received notice from the Code Enforcement Officer or the Borough of Sharpville that his dwelling or dwelling unit is not in compliance with this Ordinance may within twenty days from the postmarked date of the written notice of noncompliance, appeal to the Borough of Sharpville Code of Appeals Board by filing a petition for appeal on the form provided by the Borough of Sharpville. The cost of filing an appeal to the Code of Appeals Board shall be fifty dollars (\$50.00). This amount shall be paid upon filing the appeal. The appeal shall be filed in writing on a form to be provided by the Borough Manager.

SECTION 18. Penalties - Any person who shall violate any provision of this Ordinance shall be fined and required to pay not more than \$600 for each violation and/or for a term of imprisonment not to exceed thirty (30) days for each violation. Further, any person who is in default of any payment of any fine as required by a court of competent jurisdiction, may also be required to serve a term of imprisonment in lieu of the fine. Further, a person who shall violate any provision of this Ordinance may have their license revoked and may not be eligible for the annual renewal of their license. Any person who is required to pay any fine as prescribed by this Ordinance and has not paid the same, shall not be eligible for a renewal of their license.

SECTION 19. Repeal - All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 20. Severability - 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.

SECTION 21. Effective Date - This Ordinance shall become effective immediately upon passage.

ENACTED AND ORDAINED this 10TH day of FEBRUARY, 1999.


ATTEST:


Borough Secretary

BOROUGH OF SHARPSVILLE

By: 
President of Council

Examined and Approved by me this
10TH day of FEBRUARY, 1998.


Mayor