

BOROUGH OF WIND GAP  
COUNTY OF NORTHAMPTON  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 374

AN ORDINANCE OF THE BOROUGH OF WIND GAP, NORTHAMPTON COUNTY, PENNSYLVANIA, REQUIRING LANDLORDS TO FILE REPORTS LISTING ALL RENTAL OR RENTABLE UNITS, TENANTS OR OCCUPIERS THEREOF, AND ANY SUBSEQUENT CHANGE THEREIN, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

The Borough of Wind Gap hereby ordains:

Section 1. Purposes. This Ordinance is enacted to provide for the uniform and equitable distribution of the tax levies in the Borough of Wind Gap and upon the inhabitants thereof and to promote the health, safety, morals and general welfare of the inhabitants of the Borough of Wind Gap.

Section 2. Definitions And Interpretation. As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

- a. "Business Unit". A parcel of real estate, with or without improvements located thereon, utilized by any person or persons for any commercial activity or purpose.
- b. "Dwelling Unit". One or more rooms used for living and sleeping purposes arranged for occupancy by one family or by one or more persons.
- c. "Landlord". A lessor, or person who acts as agent for the lessor, of any parcel of real estate located in the Borough of Wind Gap, or a lessor, or person who acts as

agent for the lessor, of any improvements on real estate or any building located in the Borough of Wind Gap.

- d. "Person". Any individual, partnership, association, firm or corporation.
- e. "Tenant". A person who has the use, either by himself or with others, of a dwelling unit or a business unit owned by a person other than himself, for a period exceeding thirty (30) days.

Section 3. Reports by Landlords. Within thirty (30) days from the effective date of this Ordinance, each landlord shall submit to the Borough Secretary a report, on a form supplied by the Borough Secretary, which includes the following information:

- 1. List of the dwelling units and business units owned by the landlord, located within the Borough of Wind Gap limits, whether occupied or not occupied;
- 2. Address of each dwelling unit and business unit;
- 3. Brief description of each dwelling unit or business unit;
- 4. Whether or not said dwelling unit or business unit is inhabited or utilized by tenants; and
- 5. Names of the tenant or tenants utilizing the aforementioned dwelling unit or business unit; if any.

Section 4. Reports By Persons Upon Becoming Landlords.

After the effective date of this Ordinance, any person who becomes a landlord of any parcel of real estate or any improvement on real estate or building located in the Borough of Wind Gap by Agreement of Sale, by Deed, or by any other means, shall, within thirty (30)

days thereafter, report to the Borough Secretary the information and data set forth in Section 3 above, and on forms to be provided by the Borough Secretary.

Section 5. Reports To Changes In Use Or Occupancy. After the effective date of this Ordinance, each and every landlord of property within the Borough of Wind Gap shall report to the Borough Secretary, on a report form to be supplied by the Borough Secretary, any change in the use or occupancy of any dwelling unit or business unit owned by such landlord. The reported change shall include the name or names of new tenants of such dwelling unit or business unit, the date when such change was effected, and the forwarding address of the old tenant or tenants, if known. A landlord of a hotel, inn or boarding house shall not be required to report a person as a "tenant" until that person has resided in such landlord's establishment for a period exceeding thirty (30) days. In the event that a dwelling unit or business unit was used or utilized by a tenant and then becomes vacant, this change shall also be reported to the Borough Secretary. All reports required by this Section shall be made within ten (10) days after a landlord has knowledge that such a unit has had a change in occupancy or has become vacant.

Section 6. Duties Of The Borough Secretary. The Borough Secretary, under the authority of this Ordinance, shall:

1. Maintain on file at the Municipal Building in the Secretary's Office, the names of the landlords owning

dwelling units and business units in the Borough of Wind Gap, said list to include the names of the current tenants of said dwelling units and business units.

2. Maintain a supply of forms for landlords to use in making reports to the Borough Secretary as required in Sections 3, 4 and 5 of this Ordinance.
3. Notify the Chief of Police and the Fire Chief of the Borough of Wind Gap of the address and description of any dwelling unit or business unit that is vacant, unoccupied and not in use.

Section 7: Penalties. Any person who shall violate any provision of this Ordinance shall upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred and 00/100 (\$300.00) Dollars, and/or to imprisonment for a term not to exceed ninety (90) days.

Section 8. Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 9. 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. It is hereby declared as the intent of the Borough of Wind Gap that this Ordinance would have been adopted had such

unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 10. Effective Date. This Ordinance shall become effective on October 5, 1992.

ORDAINED AND ENACTED into an Ordinance this 5th day of October, 1992.

BOROUGH OF WIND GAP

By: Tom Wills 10/5/92  
Tom Wills, President

ATTEST:

By: Doris Bruch  
Doris Bruch, Secretary

APPROVED this 5th day of October, 1992.

By: T. Bavaria  
T. Bavaria, Mayor

ATTEST:

By: Doris Bruch  
Doris Bruch, Secretary