

TOWNSHIP OF O'HARA

ALLEGHENY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF O'HARA, ALLEGHENY COUNTY, PENNSYLVANIA, PROVIDING AND REQUIRING LESSORS TO PREPARE AND FILE OCCUPANCY REPORTS WITH THE TOWNSHIP MANAGER, SETTING TIMES FOR FILING AND THE CONTENT OF REPORTS AND FURTHER SETTING PENALTIES FOR VIOLATION AND/OR FALSIFICATION

WHEREAS, Township Council has determined that the effective provision of municipal services and collection of township taxes and fees by the Township requires knowledge of the identity of all persons residing within the Township; and

WHEREAS, historically it has been difficult for the Township to identify residents of the Township who do not own property in the Township;

NOW, THEREFORE, the Township Council of the Township of O'Hara hereby ordains as follows:

Section 1. TITLE. This Ordinance shall be known and may be cited as the "Status of Occupancy Report Ordinance."

Section 2. DEFINITIONS. For the purpose of interpreting the provisions of this Ordinance, the following words shall have the meaning or meanings hereby ascribed to them:

A. Lessor shall mean any person who for monetary or other consideration grants, permits or otherwise allows another person to use or occupy or exercise control over premises or any part thereof as a lessee, sublessee, licensee, invitee or concessionaire, whether or not he is the owner of the premises, and further shall also include any agent or other person authorized to collect rents on behalf of another person.

B. Person shall mean an individual, partnership, corporation, association or combination thereof, including those acting in a fiduciary or representative capacity, whether appointed by a Court or otherwise. Whenever used in any clause prescribing or imposing a penalty, the term person as applied to partnerships or associations shall include the partners or members thereof, and if applied to corporations, the officers thereof.

C. Premises shall mean a building or portion thereof suitable or adaptable for human occupancy for residential, commercial or other purposes. ;

D. Occupancy Report shall mean in writing, including forms supplied by the Township Manager, containing at least the following information legibly inscribed thereon:

(1) The names and current complete mailing addresses of any and all persons using, occupying or exercising control over premises owned by, subject to or in control of the lessor.

(2) The date upon which each person commenced such use, occupancy or exercise of control over the premises of the lessor.

(3) The date upon which any person previously identified in an Occupancy Report terminated the use, occupancy or exercise of control over the premises of the lessor and the forwarding or other last known address of that person.

(4) The name, current address and telephone number of the lessor.

(5) A statement by the lessor verifying the contents of the report duly executed and acknowledged by the lessor.

Section 3. OCCUPANCY REPORTS. Each lessor shall file an Occupancy Report in the office of the Township Manager on or before March 31. Each lessor shall file an Occupancy Report in the office of the Township Manager within thirty (30) days after each and every change of occupancy of each premises by any lessee, sublessee, licensee, invitee or concessionaire. Such supplementary reports may be limited to the change made. The lessor shall be required to file occupancy reports for all properties which he owns or controls regardless of whether or not a lessee pays rent in the form of monetary compensation.

Section 4. SEVERABILITY. If a final decision of a court of competent jurisdiction holds any provision of this Ordinance applied to any circumstances to be illegal or unconstitutional,

the other provisions of this Ordinance or the application of such provisions to other circumstances shall remain in full and effect. It is hereby declared as the legislative intent, that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

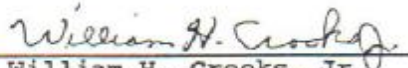
Section 5. PENALTY FOR VIOLATION OR FALSIFICATION. Any lessor who fails to file any required occupancy report or who makes any false or fraudulent report or who fraudulently omits required portions of a report shall, by such conduct, violate the provisions of this Ordinance.


Any person convicted of a violation of this Ordinance shall be subject to a fine or not less than \$50 and not more than \$300 and, in default of payment of such fine, shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding thirty (30) days. In the case of partnerships or associations, the fine and penalty may be imposed upon any of the partners or members thereof, and in the case of corporations, upon any of the officers thereof, in lieu of the corporation itself. Each month or portion thereof subsequent to the required filing date that a lessor fails to file a return shall constitute a separate violation.

ORDAINED AND ENACTED this 10th of December 1991 by Council vote of 7 to 0 .

TOWNSHIP OF O'HARA

ATTEST:


William H. Crooks, Jr.
President of Council


Mary Jane Kuffner
Township Manager

First Reading	<u>Brayton - Palombo</u>	<u>5 - 0</u>	<u>11/12/91</u>
Second Reading	<u>McCloskey - Banachoski</u>	<u>7 - 0</u>	<u>12/10/91</u>
and Adoption			
Codification		Advertised	12/18/91

TENANT REPORT

RETURN TO: TOWNSHIP OF O'HARA
325 FOX CHAPEL ROAD
PITTSBURGH, PA 15238

INSTRUCTIONS: This form should be used to file TENANT REPORTS as required by Township of O'Hara Ordinance No. 922.

ANNUAL REPORT - Must be filed on or before March 31 each year. Use one copy of this report for each rental unit. Occupants of each rental unit shall be reported at least once per year.

SUPPLEMENTAL REPORT - Must be filed within thirty (30) days of each and every addition and/or change of tenant within a premise.

LESSOR: _____

ADDRESS: _____

PHONE: _____

RENTAL UNIT ADDRESS: _____

				Complete When Tenant Moves Out	
Tenant's Name	Unit #	Social Security #	Date Tenancy Initiated	Date Tenancy Terminated	Forwarding Address of Tenant

Violation of Ordinance No. 922 carries a fine of not less than \$50 and not more than \$300 and in default of payment of such fine, individual shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding thirty (30) days.

Signature of Rental Manager or Lessor

Date