

**BOROUGH OF FORTY FORT
LUZERNE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022 – 4
(AMENDED RESIDENTIAL RENTAL UNIT OCCUPANCY ORDINANCE)**

**AN ORDINANCE AMENDING ORDINANCE NO. 2017-9, ALSO KNOWN AS THE
RESIDENTIAL RENTAL UNIT OCCUPANCY ORDINANCE, TO PROVIDE FOR THE
PROTECTION OF RESIDENTS AND PROPERTY OWNERS IN FORTY FORT
BOROUGH AND TO PROVIDE FOR MORE EFFICIENT ENFORCEMENT OF THE
RESIDENTIAL RENTAL UNIT OCCUPANCY ORDINANCE**

WHEREAS, the Borough of Forty Fort enacted its Residential Rental Unit Occupancy Ordinance (No. 2017-9) on November 6, 2017; and

WHEREAS, certain terms, conditions, and requirements of the said Ordinance are outdated and require an amendment to more efficiently and effectively enforce the same in order to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the Borough of Forty Fort has determined that it is in the best interest of the Borough to amend the Residential Rental Unit Occupancy Ordinance to conform to those aforementioned needs and for more effective enforcement by the Borough Code Enforcement Officer.

NOW THEREFORE, the Borough of Forty Fort, Luzerne County, Pennsylvania does hereby **AMEND, ENACT** and **ORDAIN** the Residential Rental Unit Occupancy Ordinance as follows. The amended terms are italicized for ease of reference.

§11-503 defines a **Residential Rental Unit** as “*Any structure within the Borough of Forty Fort which is occupied by someone other than the owner of the real estate as determined by the most-current deed. Each apartment within a building is a separate structure requiring an inspection and a license.*”

§11-504.13. **Inspections.** The owner shall permit inspections of any premises by the Code Enforcement Officer at reasonable times upon reasonable notice. The inspections shall be completed as follows:

- A. *The Code Enforcement Officer of the Borough of Forty Fort shall inspect all units once every two years and whenever a rental unit is vacated and before it is occupied by a new tenant and record the inspection on a written or electronic inspection report. The inspection report or a report of the findings of the inspection shall be provided to and shall be signed and dated by the owner of the residential rental unit or his or her manager. Inspections may be made by the Code Officer at any time within the said two-year period.*

§ 11-505. Occupant Duties.

1. General. The occupant shall comply with all obligations imposed upon occupants by this Part, all applicable codes and ordinances of the Borough of Forty Fort and all applicable provisions of state law.

2. Health and Safety Regulations.

A. The maximum number of persons permitted in any rental unit at any time shall not exceed the occupancy limitations set forth in the current edition of the International Property Maintenance Code.

All Ordinances or Resolutions or parts of Ordinances or Resolutions not consistent with this Amended Ordinance are hereby repealed insofar as the same affect this Amended Ordinance.

All other terms, conditions, and provisions of the Residential Rental Unit Occupancy Ordinance, No. 2017-9, shall remain in full force and effect unless inconsistent herewith.

This Ordinance shall take effect five (5) days from the date of adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK]

DULY ENACTED AND ORDAINED this 5th day of December, 2022, by the Council of the Borough of Forty Fort in lawful session duly assembled.

THE BOROUGH OF FORTY FORT:


THOMAS MURRAY, Council President

APPROVED:


BRIAN THOMAS, Mayor

ATTEST:


MICHELE PASCARELLA, Secretary