

TOWNSHIP OF SHAMOKIN
NORTHUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 1998-1

AN ORDINANCE OF THE TOWNSHIP OF SHAMOKIN, NORTHUMBERLAND COUNTY, PENNSYLVANIA, PROHIBITING DISCRIMINATION IN THE ADVERTISING, RENTAL OR SALE OF HOUSING; REQUIRING THE FILING OF THE STATUS OF OCCUPANCY OF ALL RENTAL UNITS WITHIN THE TOWNSHIP OF SHAMOKIN; SETTING FORTH THE DATE UPON WHICH OCCUPANCY OCCURRED, TOGETHER WITH THE DATE OF VACANCY THEREOF; PROVIDING THE METHODS OF ENFORCEMENT OF THE SAME; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

Be it ORDAINED and ENACTED by the members of the Shamokin Township Board of Supervisors, and it is hereby ORDAINED and ENACTED by and with the authority of the same as follows:

Section 1 - Short Title.

This Ordinance No. 1998-1 shall be known and may be cited as the "Housing and Rental Ordinance".

(A) Definitions.

The following words when used in this Ordinance shall have the meaning ascribed to them in this section except where the context clearly indicates or requires a different meaning:

- (1) "LESSEE" shall mean that person or persons who have the use of a rental unit of a Lessor and are responsible for the giving of any type of

consideration thereof, whether the same be monetary or of any other type.

- (2) "LESSOR" shall mean any person who grants a lease or otherwise permits the use of real estate or portion thereof as a rental unit for consideration, monetary or otherwise.
- (3) "LEASE" shall mean any agreement, whether written or oral, whereby any person is granted the use of a rental unit by the owner thereof as a place of occupancy or residence, other than a per diem basis.
- (4) "PERSON" shall mean any natural person, partnership, association, firm or corporation.
- (5) "RENTAL UNIT" shall mean any building, apartment, room, mobile home or other structure located within the Township of Shamokin, which is utilized by any person other than the owner thereof as a place of occupancy and for which consideration, whether monetary or otherwise, is paid therefor. Specifically included within the definition of "Rental Unit" is any parcel of real estate upon which are to be placed mobile homes by one other than the owner of real estate thereof, which mobile homes are utilized by the occupants as their residence.

(B) Purpose.

The members of the Board of Supervisors of Shamokin

Township have determined that certain residents of the Township of Shamokin reside in rental units, and are not, accordingly, set forth on the property roles of the Township. In order to establish full knowledge of the residents of the Township, so as to provide for fair housing, and so as not to have the Township incur a financial hardship, the Township of Shamokin desires to ascertain all members of its community.

(C) Prohibited Practice.

No person, firm, corporation, partnership or other entity which receives or expects to receive pecuniary gain from the advertising, rental or sale of real property within the Township of Shamokin shall:

- (1) Influence or attempt to influence any other person who purports or represents himself to be a prospective purchaser, occupant or tenant of real property to refrain from purchasing or renting real property by referring to race, sex, color, religion or national origin of occupants or prospective occupants of other real property in the neighborhood.
- (2) Influence or attempt to influence, by any words, acts or failure to act, any person who purports or represents himself to a prospective seller, purchaser, occupant, landlord or tenant of real property, in connection with the sale or rental of

real property, as so to promote or tend to promote the continuance or maintenance of racially segregated housing or so as to retard, obstruct or discourage tenants of racially segregated housing or so to retard, obstruct or discourage racially integrated housing on or in any street, block or neighborhood.

- (3) Discriminate against any person who purports or represents himself to be a prospective seller, purchaser or occupant, landlord or tenant of any real property by any influence, suggestion, act or failure to act, or accord any differential treatment among such persons, in connection with the sale or rental of real property or in the furnishing of information, services or facilities relative thereto, because of race, sex, color, religion or national origin of any person.

(D) Enforcement Of Equal Housing Provisions.

- (1) There is hereby created a Shamokin Township Equal Housing Opportunity Committee consisting of:
- (a) One member of the Board of Supervisors of Shamokin Township, to be chosen by the Board, who shall serve as Chairman.
 - (b) Two residents of the Township, not employed or serving in an office in the Township.
 - (c) All members of the said Committee shall serve

for the balance of the calendar year and be appointed thereafter for one year terms on a calendar year basis.

(2) The Shamokin Township Equal Housing Opportunity Committee shall:

- (a) Provide a means of communication and exchange of information between real estate brokers and salesman doing business in the Township of Shamokin, the officials of the Township, the Northumberland County Housing Authority and community organizations.
- (b) Confer and cooperate with real estate brokers and salesman, public officials and such associations designed to eliminate any unfair discriminatory or differential practices in connection with the advertising, sale or leasing of real estate.
- (c) If the necessary, periodically makes studies, prepare and disseminate educational material and make recommendations to local realtors, the Northumberland County Housing Authority, the Board of Supervisors and other groups as to methods for the elimination of discriminatory practices in connection with advertising, sale and lease of the real estate.

(d) Receive, investigate and seek to adjust all complaints of discriminatory practices in connection with the advertising, sale or leasing of real estate, and make recommendations to and assist the Northumberland County District Attorney in connection therewith.

(e) Furnish the Board with an annual report of the activities of the Committee due no later than the 30th day of January in the next succeeding year.

(E) Rental Reports.

(1) All lessors, within thirty (30) days after the effective date of this Ordinance, or in the case of rental units hereinafter acquired or hereinafter rented or becoming available for rental, within thirty (30) days after such acquisition, rental or availability for rental thereof, as the case may be, shall report to the Township Tax Collector in writing addressed to him or her at the Municipal Building of the Township of Shamokin, the number of rental units presently or hereafter rented or available for rental, a description (by address, unit, lot or apartment number) of said rental units, and the names of the Lessees at the time of said reports, together with a designation as to which respective rental unit

is occupied by each Lessee.

- (2) Any change in the status of the rental units, whether the same be the identity of the Lessee or the status of said rental unit from rented to vacant, or the termination of the utilization of said rental unit as such, from that shown in the report of the Lessor as required in Section 3 hereof shall be reported by the Lessor to the Township Tax Collector within ten (10) days after such change.
- (3) The Township Tax Collector shall prepare a form report entitled "Status Of Occupancy Report" which form shall include that information set forth above, together with such other pertinent information as may be required by the Board of Supervisors of the Township of Shamokin. The failure on behalf of the Lessor to obtain such form, however, shall not excuse or waive the obligation of the Lessor to provide that information required by this Ordinance.

Section 2 - Fines And Penalties.

- (A) Any persons, firm or corporation violating any of the provisions of this Ordinance, or any portion or subsection thereof, or fails to act in compliance with the aforesaid Ordinance shall, upon being found guilty thereof, be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Thousand (\$1,000.00)

Dollars for the first offense.

(B) Any person, firm or corporation found violating the provisions of this Ordinance or any portion or subsection thereof, for a second or subsequent offense, shall be sentenced to pay a fine of not less than Three Hundred (\$300.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.

(C) Where the violation continues from day to day, each day's continuance shall constitute a separate violation for purposes of imposition of the fines and penalties above-referenced.

Section 3 - Severability.

If any provision of this Ordinance, or any subsection thereof, is found to be illegal or invalid, such illegality or invalidity shall not affect or impair any of the remaining provisions of this Ordinance, or any subsections thereunder. It is hereby declared as the intent of the Township that this Ordinance would have been enacted if such illegal or invalid provision not been included herein, absent such stricken provision.

Section 4 - Effective Date.

This Ordinance is hereby declared to be urgent for the preservation for the peace, health, safety and comfort of the residence of the Township of Shamokin, and shall take effect and be in full force immediately after its passage.

Section 5 - Repealer.

All Ordinances or parts of Ordinances in conflict or inconsistent herewith shall be and the same are hereby repealed absolutely.

DULY ORDAINED and ENACTED this 9th day of December, 1998.

ATTEST:

Stephanie A McKinney
Secretary

TOWNSHIP OF SHAMOKIN

BY: Robert Ammerman
Chairman

Thomas R. Cox
Member

John J. Reigle
Member