

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 136 OF THE CITY CODE GOVERNING HOUSING STANDARDS TO PROVIDE FOR A NEW PARAGRAPH Q TO SECTION 136-9 REQUIRING THE DESIGNATION OF A RESIDENT AGENT RESPONSIBLE FOR MAINTENANCE OF RENTAL PROPERTY IN THE CITY OF COATESVILLE WHERE THE PROPERTY OWNER RESIDES OUTSIDE OF THE COUNTY; AND AMENDING SECTION 136-13 LEASING LICENSES TO REQUIRE UNDER SUBSECTION "C" THAT A NEW RENTAL APPLICATION IS NECESSARY WHENEVER THERE IS A CHANGE OF TENANCY AND THAT ALL TENANTS ARE TO BE LISTED ON FORMS MADE AVAILABLE BY THE CODES DEPARTMENT SO THAT THE CITY IS AWARE OF THE TENANTS AT THE PROPERTY AND THE STATUS OF THE LICENSE APPLICATIONS.

WHEREAS, the City of Coatesville (hereinafter the "City") is a Third Class City operating by means of a Home Rule Charter and situate in Chester County, Pennsylvania; and,

WHEREAS, the purpose of this ordinance is to require and establish a designated resident agent responsible for maintenance of rental property in the City of Coatesville; and,

WHEREAS, it is determined that a rental resident agent will promote the common good by providing information that will be helpful in assisting with law and code enforcement throughout the community; and,

WHEREAS, it has also been determined that it is necessary to regulate and inspect when there is a change of tenancy and keep track of the tenants and the number thereof in any rental property; and,

WHEREAS, it is not the intention of the City to intrude upon contractual relationships between tenants and landlords. The City does not intend to intervene as an advocate of either party, or to act as an arbiter, or to hear complaints by landlords or tenants which are not specifically and clearly related to the provisions of this Article.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COATESVILLE, AS FOLLOWS:

- I. Section 136 - 9 "Responsibilities of owner and occupants" is amended by the addition of the following subsection "Q" reading in its entirety as follows:**

"Q. In cases where the owner of a rental dwelling resides outside of the Chester County, Pennsylvania, the owner shall designate a resident agent who shall reside within Chester County, Pennsylvania. That registered agent's name, street and mailing address, and

telephone number must be included on the application for a leasing license and on all other documents filed with the City. The registered agent shall be jointly and severally responsible with the owner for:

- i. The upkeep and maintenance of the premises;
- ii. Compliance with this Chapter and all other Codes regulating the premises; and
- iii. Acceptance of service of process and of all notices under this Chapter or any other relevant Codes.
- iv. Maintaining a current register of all tenants and other persons with a lawful right of occupancy in a rental dwelling - identifying said parties by rental unit with name and address and date of residency.”

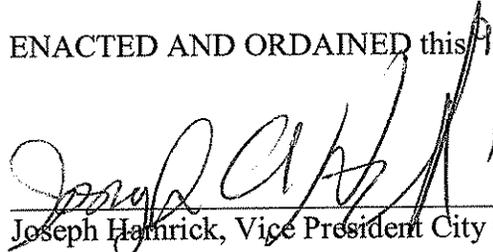
II. Section 136-13(c) “leasing License” is amended by the following subsection (c) replacing the existing subsection (c) to read in its entirety as follows:

“The Codes Department shall, upon a new application for a license, immediately inspect the dwelling and, in the event that said dwelling is in compliance with this Code, the Codes Department shall issue the license. At such time as there is a change of residency, such change shall require the need for a re-inspection and at all times, the list of residents shall be supplied to the Codes Department identifying by names all residents within the apartment and their dates of residency in accordance with the duties of maintaining a current register as required by Section 136-9.Q.”

III. If any portion of the Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then the portion and only that portion of this Ordinance, which is deemed to be unconstitutional, illegal or unenforceable shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

IV. This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 11 day of April, 2012.

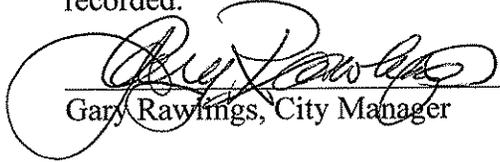

Joseph Hamrick, Vice President City Council

ATTEST:


Gary Rawlings, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the day of
, 2012, and was duly enacted by the Council of the City of Coatesville, Chester County,
Pennsylvania on the day of , 2012, that the vote upon the said Ordinance has been
recorded in the Minutes of the City Council and that the Ordinance has been fully
recorded.



Gary Rawlings, City Manager