

BOROUGH OF WEST NEWTON
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 1987- 2

AN ORDINANCE OF THE BOROUGH OF WEST NEWTON,
WESTMORELAND COUNTY, PENNSYLVANIA, PROVIDING THAT
ALL OWNERS OF REAL PROPERTY IN THE BOROUGH OF WEST
NEWTON SHALL PROMPTLY NOTIFY THE BOROUGH SECRETARY,
IN WRITING, OF CHANGES IN POSSESSION AND/OR
OWNERSHIP OF REAL PROPERTY IN THE BOROUGH TO
FACILITATE PROPER BILLING FOR AND PROVIDING OF
MUNICIPAL SERVICES

WHEREAS, the Council of the Borough of West Newton, acting in the public interest, is desirous of providing for the orderly and efficient administration of Municipal Services in the Borough, including, but not limited to police, fire, garbage and sewage; and

WHEREAS, insofar as possible, the Council of the Borough of West Newton is desirous of collecting the appropriate fees and charges for said services, if any, from the users of said services; and

WHEREAS, the Council of the Borough of West Newton is desirous of contacting new residents moving into the Borough to provide them with information concerning Borough officials, ordinances, and availability of Borough services.

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Town Council of the Borough of West Newton, Westmoreland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. All owners of real property located in the Borough of West Newton, including owners who rent or lease dwellings of any type, including apartments, duplexes, single rooms, and single family homes, shall notify the Borough Secretary of the Borough of West Newton, at the Borough Office located at 112 South Water Street in the said Borough, of all changes in possession or ownership of the premises within fifteen (15) days after the change or changes are made.

Section 1A. The said owner(s) or their designated agent(s) or managers shall notify the Borough Secretary in writing of the said change of possession or ownership by providing the following information: Name of former owner(s), tenant(s) or renter(s); Location and mailing address of premises including apartment number, if any; Name of new owner(s), tenant(s) or renter(s); Date of termination of former owner(s), tenant(s), or renter(s); Date new owner(s), tenant(s) or renter(s) to assume possession; Whether or not tenant(s) or renter(s) are responsible for any payment of garbage, sewage or other municipal services under terms of rental agreement; Name of person furnishing information.

Section 1B. The said information to be provided in

accordance with this Ordinance may be in the form of a brief letter addressed to the Borough Secretary to be mailed to or delivered to the Borough Office.

Section 1C. For purposes of this Ordinance, a change in possession of rental premises occurs when a prior tenant or renter terminates his or her lease or rental agreement and a new tenant or renter enters into a lease or written agreement with the Owner, designated agent or manager. A change in ownership of real property occurs on the date of execution of a deed or articles of agreement used in lieu of a deed.

SECTION 2. Giving of the required notice of change of possession as provided herein shall not relieve the property owner from liability for payment for provision of municipal services as provided by various ordinances of the Borough nor shall it affect the power of the Borough to file liens according to law.

SECTION 3. Nothing contained in this Ordinance shall affect the validity of other Ordinances of the Borough of West Newton relating to provisions of Municipal Services and payment therefor.

SECTION 4. Any person, firm, partnership or corporation who or which shall violate or fail to comply with any of the

provisions of this Ordinance shall be guilty of a summary offense, and upon conviction thereof before the appropriate District Justice, shall be sentenced to pay a fine of not less than FIVE AND NO/CENTS (\$5.00) DOLLARS and not more than THREE HUNDRED AND NO/CENTS (\$300.00) DOLLARS for each offense, plus costs of prosecution. In default of payment of the fine and costs as assessed, such person, the members of such firm or partnership, or the officers of such corporation, shall be liable to imprisonment in the appropriate jail or detention center for a period not to exceed thirty (30) days.

SECTION 5. If any sentence, clause or 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 or sections or parts of this Ordinance. It is hereby declared as the intent of the Council of the Borough of West Newton that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part hereof, not been included herein.

SECTION 6. All Ordinances, or parts of Ordinances, inconsistent herewith, are hereby repealed.

SECTION 7. This Ordinance shall take effect immediately.

ORDAINED AND ENACTED this 6TH day of March, 1987.

BOROUGH OF WEST NEWTON

BY: Armand N. Luzzi
Armand N. Luzzi, President of Council

ATTEST:

Mary K. Willis
Mary K. Willis, Secretary

EXAMINED AND APPROVED by me this 6th day of March, 1987.

George Thuransky
George Thuransky, Mayor