

## Chapter 92

### APARTMENT REGISTRATION

**[HISTORY: Adopted by the Borough Council of the Borough of North Wales 3-8-1972 by Ord. No. 428. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Property maintenance — See Ch. 159.

#### § 92-1. Title.

This chapter shall be known as the "North Wales Borough Apartment Registration Ordinance."

#### § 92-2. Purpose. [Amended 10-17-1972 by Ord. No. 435]

The purpose of this chapter is to establish a registry of apartment units, homes and rooms within the Borough of North Wales to aid the administration of Borough affairs.

#### § 92-3. Definitions and word usage. [Amended 10-17-1972 by Ord. No. 435]

A. The following terms, when used in this chapter, shall have the meanings herein set forth:

OWNER — Any person who, alone, jointly or severally with others, holds legal or equitable title to premises upon which and in which there is one or more apartment units.

PERSON — An individual, firm, partnership, association or corporation.

ROOM — A space included within a building occupied by one other than the owner or his immediate family.

B. Use of the masculine pronoun shall include the feminine and neuter.

#### § 92-4. Registration of apartment units, houses and rooms. [Amended 10-17-1972 by Ord. No. 435; 8-12-1977 by Ord. No. 528]

A. Every owner shall, between January 1 and January 31 of each year, register with the Borough on forms provided by the Borough, all apartment units, houses (other than those occupied by the owners exclusively), and rooms (provided, however, that with regard to rooms, registration shall be of those individuals who are not transient in nature and who occupy the rooms as permanent residents), situate in the Borough of North Wales, as of January 1 of the year of registration. An annual registration fee shall be paid in accordance with the schedule adopted and/or modified by resolution of the Borough Council. [Amended 11-22-1994 by Ord. No. 674; 10-10-2017 by Ord. No. 809]

B. Within 14 days of any change of either the identity of the lessee and/or ownership of the premises, the present owner, or in the case of transfer of ownership the new owner, shall

forthwith file an amended registration.

- C. The owner shall, at the same time, supply to the Borough his name and address or the name and address of an agent for the purposes of serving the owner with all materials as may be required pursuant to the provisions of the Borough Council or the ordinances of the Borough of North Wales.

**§ 92-5. Compliance with Property Maintenance Code.** [Added 1-27-1984 by Ord. No. 594; amended 11-22-1994 by Ord. No. 674]

All units referred to in § 92-4 shall comply with Chapter 159, Property Maintenance, and a written statement, which has been executed by the property owner and which certified such compliance, shall be provided to the Borough at the time of the annual registration.

**§ 92-6. Inspection and access to dwellings.**

The Zoning Officer is authorized and directed to conduct inspections from time to time to determine whether there has been compliance with the registration provisions of this chapter; provided, however, that no such inspection shall be made without prior notice to the owner and occupants thereof and shall not, without the consent of the occupants thereof, be made other than during normal business hours. For such purpose, and subject to the qualifications set forth herein, he is authorized, upon justification based upon a reasonable belief of the existence of a violation, to enter and examine any dwelling, yard or part of either at reasonable times, and every owner, operator or occupant shall provide him access thereto.

**§ 92-7. Zoning Officer's representatives.** [Added 1-27-1987 by Ord. No. 594]

The Zoning Officer is authorized to designate a representative who shall have the authority and directive provided to the Zoning Officer in § 92-6.

**§ 92-8. Consent to inspection and access to dwelling.** [Added 1-27-1987 by Ord. No. 594]

At the time of the annual registration, as a condition of such representation, each property owner shall execute a written statement authorizing and consenting to the inspection of the registered property by the Zoning Officer or his designated representative under the circumstances authorized and directed in § 92-6.

**§ 92-9. Violations and penalties.** [Amended 8-12-1977 by Ord. No. 528; 11-22-1994 by Ord. No. 674]

- A. Any person who shall violate the provisions of this chapter by failing to register as provided herein shall, upon conviction thereof before a District Justice, be sentenced to pay a fine of not more than \$600 and the costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than 30 days, provided that each day's continuance of such violation shall constitute a separate offense.
- B. Where the owner has been given notice personally, or by certified mail, which notice shall set forth the time, place and nature of the violation, no prosecution shall be instituted for 48 hours after said notice; and if during said forty-eight-hour period the offender shall voluntarily enter a plea of guilty and pay a fine of \$100 to the Borough Secretary for the

use of the Borough, no prosecution for such offense shall thereafter be brought.