

ORDINANCE NO. 6 of 2020

**AN ORDINANCE OF NEWPORT TOWNSHIP, LUZERNE  
COUNTY, COMMONWEALTH OF PENNSYLVANIA  
AMENDING ORDINANCE NO. 7 OF 2006 TO REQUIRE THE  
APPOINTMENT OF AN AGENT OR PROPERTY MANAGER**

**WHEREAS**, Newport Township Commissioners adopted Ordinance No. 7 of 2006, which adopted the Registration of Rental Units within the Township of Newport, Luzerne County, Pennsylvania; and

**WHEREAS**, the Commissioners of Newport Township wishes to amend Ordinance No. 7 of 2006; and

**WHEREAS**, the Commissioners of Newport Township have determined that abandoned and blighted properties located within the Township pose a threat to health, safety and welfare of Township residents; and

**WHEREAS**, the Commissioners of Newport Township have determined that it is of significant import and in the best of public interest to have landlords or other property owners engaged and responsible for the conditions of the dwellings which they offer for rent and/or lease;

**NOW, THEREFORE**, it is hereby ORDAINED and ENACTED by the Commissioners of the Newport Township that;

**SECTION ONE. DEFINITIONS.**

(E.) AGENT - individual of legal majority who has been designated by the owner as the agent of the owner or manager of the property under the provisions of this Ordinance.

(F.) LANDLORD OCCUPANT – a landlord who resides in a dwelling unit on a regular permanent basis or who otherwise occupies a non-residential portion of the premises on a regular permanent basis.

(G.) PREMISES – any parcel of real property in the Township including the land and all buildings and structures in which one or more rental units are located.

(H.) RENTAL UNIT – a dwelling or rooming unit which is left for occupancy and is occupied by one or more tenants.

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**SECTION TWO.**

(G.) Appointment of Agent and/or Manager. Each landlord who is not an landlord occupant of a residential rental unit or who does not reside in the Township of Newport or within twenty (20) mile radius of Township limits, shall appoint an agent who shall reside in the Township or within a twenty (20) mile radius of Township limits.

(3.) When an individual registers the property with the Township of Newport in accordance with Ordinance Number 7 of 2006 the landlord and/or agent must provide proof of residency according to Section 3A. A valid Pennsylvania driver's license with the owner and/or agent's current address will provide satisfactory information as to the place of residency of the owner and/or agent.

(4.) The address provided to the Township by the landlord and/or agent responsible for managing and maintaining the property must be an actual physical address. No Post Office boxes will be accepted as proof of residency. If the landlord moves outside of the twenty (20) mile radius of Township limits, the landlord must notify the Township within thirty (30) days. Within those thirty (30) days the landlord must appoint an agent, notify the Township of the name of the new agent and the agent must provide proof of residency within thirty (30) days to the Township. If the appointed agent resigns or is removed from duty by the landlord for any reason, the landlord has thirty (30) days from the date of separation of services to appoint a new agent. The landlord must then notify the Township with the name of the new agent and the agent is responsible for providing proof of residency within those thirty (30) days to the Township.

(5.) The duties of the appointed agent shall be to receive notices and correspondence including service of process from the Township of Newport to arrange for the inspection of the residential rental units to do or arrange for the performance of maintenance, cleaning, repair, pest control, snow and ice removal and to ensure continued compliance of the premises with the current codes, buildings codes and zoning ordinance in effect in the Township of Newport as well as to arrange for garbage removal.

**SECTION THREE. VIOLATION.**

(D.) Any landlord found to be in violation of this Section shall pay a fine not to exceed \$300.00 and/or undergo confinement in the Luzerne County Correctional Facility for a period not to exceed thirty (30) days. Each day that a violation is continuing in this regard, shall be considered a separate offense.

**SECTION FOUR. ENFORCEMENT.**

Enforcement of this Ordinance may be instituted by the Township Police Department, the Township manger or the Township Code enforcement Officer.

**SECTION FIVE. EFFECTIVE DATE.**

This Ordinance shall become effective immediately upon approval.

**SECTION SIX. SEVERABILITY.**

If any provision, paragraph, word, section, or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.

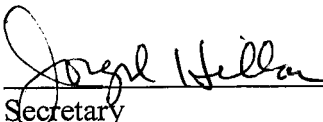
**SECTION SEVEN. VALIDITY.**

If any section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

**SECTION EIGHT. REPEALER**

Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

ENACTED AND ORDAINED by the Commissioners of Newport Township on this 6<sup>th</sup> day of July, 2020.

  
Secretary

NEWPORT TOWNSHIP

  
President of Commissioners

