

BOROUGH OF JESSUP

ORDINANCE NO. 5-2019

**AN ORDINANCE OF THE BOROUGH OF JESSUP, LACKAWANNA COUNTY,
PENNSYLVANIA AMENDING ORDINANCE NO. 5-2011 ESTABLISHING A
REGISTRATION PROGRAM FOR RESIDENTIAL RENTAL PROPERTIES;
REQUIRING ALL OWNERS OF RESIDENTIAL RENTAL PROPERTIES TO
DESIGNATE AN AGENT; PRESCRIBING DUTIES AND OBLIGATION OF OWNERS,
AGENTS, AND OCCUPANTS; ESTABLISHING FEES FOR THE COSTS
ASSOCIATED WITH THE REGISTRATION OF RENTAL PROPERTIES;
PRESCRIBING PENALTIES FOR VIOLATION AND ESTABLISHING
ENFORCEMENT PROCEDURES THEREFORE**

The Borough of Jessup hereby enacts and ordains the following:

I. Amendment to Section 2(e) of Ordinance No. 5 of 2011

Section 2(e) of Ordinance No. 5 of 2011 is amended as follows:

DISRUPTIVE CONDUCT – Means any form of conduct, action, incident, or behavior perpetrated, caused, or permitted by an occupant, person or visitor of a Rental Unit that is so loud, offensive, riotous or that otherwise disturbs other persons of ordinary sensibility in their peaceful enjoyment of their premises such that a report is made to law enforcement complaining of such conduct, action, incident or behavior. This specifically excludes any instances involving domestic violence. The Borough and its Police Department specifically works to combat domestic violence and encourages reporting of the same. It is not necessary that such conduct, action, incident, or behavior constitute a criminal offense, nor that any criminal charges be filed against any occupant, person or visitor in order for a person, occupant, or visitor to have perpetrated, caused or permitted the commission of the Disruptive Conduct, as defined herein. Provided, however, that no Disruptive Conduct shall be deemed to have occurred unless law enforcement shall have investigated and made a determination that such did occur, and keep written record, including a Disruptive Conduct Report or Police or Incident Report of such occurrence.

Amendment to Section 4(f) of Ordinance No. 5 of 2011

Section 4(f) of Ordinance No. 5 of 2011 is amended as follows:

It shall be the duty of the owner or agent, upon the receipt of Disruptive Conduct Reports from the Borough, to contact the occupants and remind them of their responsibility for their conduct and that under this Ordinance, occupancy of the rental unit can be closed for a period of up to six (6) months and citations issued. Disruptive Conduct Reports will not be issued when issues of domestic violence are involved. These issues shall be

handled in accordance with the existing domestic violence law. The Borough of Jessup and its Police Department work to combat domestic violence and it encourages all reporting of the same. Residents will never be charged under this ordinance for reporting allegations of domestic violence.

Amendment to Section 7(2) of Ordinance No. 5 of 2011

Section 7(2) of Ordinance No. 5 of 2011 is amended as follows:

Three (3) disruptive conduct reports or police reports are generated from any activity upon the premises in any one (1) year period. Disruptive Conduct Reports will not be issued when issues of domestic violence are involved. These issues shall be handled in accordance with the existing domestic violence law. The Borough of Jessup and its Police Department work to combat domestic violence and it encourages all reporting of the same. Residents will never be charged under this ordinance for reporting allegations of domestic violence.

II. Repeal and Severability

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not effect of impair any remaining provision, section, sentence, clause or part of this Ordinance. It is the intent of this Borough that such remainder shall be and shall remain in full force and effect.

III. Effective Date

This ordinance shall become effective immediately upon its being enacted and ordained.

Duly enacted and ordained this 6TH day of MAY, 2019 by the Borough of Jessup, Lackawanna County, in lawful session duly assembled.

Attest:


Secretary


Council President

Approved this 6TH day of MAY, 2019


Mayor

