

CHAPTER 11

HOUSING

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## Part 1

## Real Estate Registry

§101. Real Estate Registry Established. For the purpose of procuring accurate information with reference to the ownership of real estate in the Borough of New Holland, there is hereby established a real estate registry in accordance with the provisions of the Act of Assembly July 10, 1947, P.L. 1621, §90. (Ord. 202, 10/2/1962, §1)

§102. Preparation of Registry, Books, Maps and Plans. The Borough Secretary shall cause to be made books, maps or plans showing the location and the name of the owner or owners of real estate in the Borough of New Holland, with blank spaces for the name of the owner of each lot, and with provisions for the names of future owners and the date of future transfer of title. The registry, books, maps and plans shall be carefully preserved and shall be so kept, by additions from time to time, as to show ownership of every lot or piece of real estate or subdivision thereof within the Borough of New Holland with succeeding transfer of title from the time of commencement of such registry. (Ord. 202, 10/2/1962, §2)

§103. Secretary Authorized to Make Further Search of Title. The Borough Secretary may cause a search to be made for any evidence of title not reported to him as herein required and which may be requisite for the completion of such registry books, maps and plans. (Ord. 202, 10/2/1962, §3)

§104. Duty of Persons Acquiring Title to Real Estate. Commencing January 1, 1963, it shall be the duty of every purchaser, devisee or person acquiring title to real estate in any manner to furnish to the Borough Secretary descriptions of their respective properties upon blanks to be furnished by the Borough and at the same time to have their deeds stamped as evidence of the registration thereof. (Ord. 202, 10/2/1962, §4)

§105. Duty of Sheriff and Recorder of Deeds. The Sheriff of Lancaster County shall present for registration the deeds of all properties within the Borough of New Holland sold by him at Sheriff's sale, and the Recorder of Deeds of Lancaster County shall not admit for record any deed for any property within the Borough of New Holland bearing a date subsequent to January 1, 1963, unless the same shall first have been duly stamped as herein provided. (Ord. 202, 10/2/1962, §5)

§106. Registry Clerk and Deputy Registry Clerk; Procurement of Necessary Materials and Forms. The Borough Secretary is designated to act as Registry Clerk, and he is authorized to appoint the Deputy Recorder of Deeds as Deputy Registry Clerk and to compensate the Deputy Registry Clerk at a rate to be approved by Council for his services under the provisions of this Part. The Borough Secretary is authorized to procure the materials for making the necessary books, maps and plans; to provide the forms for registering the transfers of title to real estate; and the necessary stamps to stamp transfers of title to real estate "registered." (Ord. 202, 10/2/1962, §6)

§107. Penalty. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. (Ord. 202, 10/2/1962, §7; as amended by Ord. 427, 12/28/1993)

Part 2

Licensing and Inspection of Residential Rental Units

§201. Purpose. The purpose of this Part and the policy of the Borough of New Holland shall be to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of owners and occupants relating to residential dwelling unit in the Borough, and to encourage owners and occupants to maintain and improve the quality of rental housing within the Borough. As a means to these ends, this Part provides for a systematic inspection program, registration and licensing of residential dwelling units, and providing of penalties for violation. (Ord. 511, 10/4/2005, §1)

§202. Definitions. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

DWELLING UNIT - any room or group of rooms located within a dwelling and forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking and eating.

HOTEL UNIT - any room or group of rooms located within a hotel or motel forming a single habitable unit used or intended to be used for living and sleeping only on a transient basis for a period of less than thirty (30) days.

LANDLORD - a lessor or persons who act as agent for the lessor, of any parcel of real estate located in the Borough of New Holland, or a lessor, or person who acts as agent for the lessor, of any improvements on real estate or any building located in the Borough of New Holland.

OWNER - any person holding fee simple, or equitable, title to any real estate located in the Borough of New Holland.

PERSON - any individual, partnership, association, corporation, or limited liability company.

RENTAL UNIT - any dwelling unit, hotel unit, or rooming house.

RENTAL LICENSE - any dwelling unit license, hotel unit license, or rooming house license.

ROOMING HOUSE - any dwelling, or part thereof, containing one (1) or more rooming units, in which space is let, but which unit does not constitute a dwelling unit as herein defined.

(Ord. 511, 10/4/2005, §2)

§203. Registration of Residential Dwelling Unit. All dwelling units, hotel units, and rooming houses, shall be registered with the Borough of New Holland. Registration of any dwelling unit, hotel unit, or rooming house shall be made in such form and manner in accordance with such instructions as may be furnished by the code official and shall include at least the following information:

A. The names, addresses and telephone numbers of the owner or owners of the premises.

B. The name, address and telephone numbers, business and home, of the local agent.

C. The address of the dwelling.

D. The type of dwelling.

E. The number of dwelling unit or units in each building.

F. Upon receipt of the fully completed registration form and the payment of the appropriate license fee, the Borough Manager or his designee shall, within thirty (30) days, issue a license to the owner or agent, except in the event that the property is in violation of this Part; then, in that event, the Code Enforcement Officer shall issue the necessary notice and order to abate the illegal or unsafe conditions to ensure compliance with this Part. The Borough Manager or his designee, after reinspection to ensure compliance with this Part, shall then issue a license to the owner or agent. Said license shall, at all times, be maintained on the property and be available for inspection by Borough officials. In the event that the owner fails to correct the violations within the period of thirty (30) days following the initial inspection or reinspection, then the Code Enforcement Officer shall file a complaint with the district justice for violation of this Part.

(Ord. 511, 10/4/2005, §3)

§204. Permit Required; Term; Inspection; Display of Permit.

1. No person shall let to another for occupancy any dwelling unit, nor operate a rooming house or hotel unit, or let to another for occupancy any room in a rooming house or hotel, unless he shall first apply for and obtain a permit issued by the Office of Code Enforcement of the Borough of New Holland.

2. Permit fees shall be in accordance with the fee schedules adopted by Borough Council from time to time.

3. Permits for a license for a dwelling unit license shall be issued to be effective as the date of issuance thereof, and shall continue in effect for three (3) calendar years. Upon expiration of any permit, a new permit shall be required for the further period of three (3) years.

4. Permits for rooming house license, or a hotel unit license, shall be issued to be effective as of the date of issuance thereof, and shall continue in effect for three (3) calendar years. Upon expiration of any permit, a new permit shall be required for a further period of three (3) years. [Ord. 518]

5. The owner of any premises on which is located a rental unit shall contact the New Holland Borough Codes Enforcement Office to schedule the required inspections. Inspections shall be performed by the Code Enforcement Officer(s).

6. Permit or permits issued for any rental unit shall be effective for the current owner of the premises on which the rental unit is located. Reinspection of a rental unit must be completed and the permit updated prior to re-occupancy under any new owner. A permit for a rental unit shall not be transferable upon change of ownership of the premises.

7. Every permit issued under this Part shall be maintained upon either upon the premises, or in the office of the owner or landlord of the premises. Upon not less than forty-eight (48) hours prior notice, the owner shall permit inspection of such permit by any person, Monday through Friday, from 8:00 a.m. to 5:00 p.m. [Ord. 518]

(Ord. 511, 10/4/2005, §4; as amended by Ord. 518, 3/7/2006, §§1, 2)

§205. Determination of Number of Units per Permit. For the purpose of determining the number of units or rooms to be included in a permit, the following definition shall apply:

A. Efficiency apartments and rented rooms used for purposes other than sleeping shall be considered a "dwelling unit."

B. Any apartment unit or room occupied by the owner-operator of a multiple-dwelling unit or rooming house shall be excluded from the total number of units or rooms.

C. All buildings which are owned by the same person and are under the same roof or connected by breezeways, passageways or similar connecting facilities, or which are constructed upon contiguous sites and operated and managed as one (1) complex of units, may be combined to determine the total number of units or rooms.

(Ord. 511, 10/4/2005, §5)

§206. Reports by Persons upon Becoming Landlords. A rental license shall not be transferred. After the effective date of this Part, any person who becomes the owner of any property in the Borough of New Holland which is regulated by this Part shall, within thirty (30) days of closing on the acquisition of title thereto, report to the Codes Enforcement Officer the information needed to correct or amend any permit issued. In the case a licensed rental unit is sold or transferred, the new owner shall seek a rental license for each rental unit, and shall have each rental unit inspected. Failure to seek a rental license for each rental unit within thirty (30) days of date of sale or transfer of ownership shall result in the revocation of the existing rental license. (Ord. 511, 10/4/2005, §6)

§207. Inspections. Prior to initial occupancy of a newly constructed rental unit, newly created residential rental unit, or substantially rehabilitated residential rental unit (as documented by a certificate of occupancy), the owner shall register with and make written application to the Code Enforcement Officer for a rental license as herein provided. Each such residential rental unit shall be subject to inspection by the Borough of New Holland as set forth in this Part. Inspections shall be scheduled by the Borough Office of Code Enforcement under the direction of the Borough Manager or his designee. The owner shall be responsible for the following:

A. Use the residential rental unit for no purpose other than as a residence.

B. Maintain the residential rental unit in a manner meeting all requirements for occupants of the structure set forth in any applicable building or property maintenance code presently existing or hereafter enacted by the Borough of New Holland.

C. Allow the Code Enforcement Officer to inspect the rental unit in accordance with this Part at reasonable times.

D. A fee will be charged for the initial inspection and for each reinspection, including any corrective inspection. The Code Enforcement Officer shall maintain a list of all rental units.

E. In the event that a rental unit fails to pass any inspection, the owner may request a reinspection thereof. Prior to any reinspection of a rental unit, the owner shall pay unto the Borough of New Holland a fee for reinspection services.

F. If the owner of any rental unit fails to keep a scheduled appointment for an inspection, that owner shall be billed for one (1) hour at the Code Enforcement Officer's hourly rate, times one and one-half (1.5).

G. Any rental unit existing and utilized as a rental unit on the effective date of this Part may continue to be rented and occupied, without interruption, until an inspection of the rental unit is made by the Code Enforcement Officer pursuant to this Part. The owner of any such rental unit shall have the burden of proof of the rental unit's use prior to the effective date of this Part.

(Ord. 511, 10/4/2005, §7)

§208. Designation of Local Agent. The owner of any property on which is erected a rental unit may register for each such residential unit or property a person or firm who shall serve as the agent for the owner. The agent shall be legally responsible for operating said rental property in compliance with the provisions of the codes and ordinances of the Borough of New Holland and Commonwealth of Pennsylvania and shall be responsible for providing legal access to the premises for the purposes of conducting inspections necessary to assure compliance with said codes, ordinances and laws. In addition, any agent shall be designated and authorized by the owner to accept legal process on behalf of the owner as it relates to the premises. The foregoing notwithstanding, no owner may relieve himself, herself, or themselves of the responsibility for compliance with the provisions of this Part by appointing an agent, and the owner of the premises shall be legally responsible for compliance with the requirements of this Part. (Ord. 511, 10/4/2005, §8)

§209. Violations and Penalties.

1. It shall be a violation of this Part to commit or to permit any other person to commit any of the following acts:

A. Permit the occupancy of any rental unit on the premises by another, or to represent to the public such premises, or a part thereof, as for rent, lease or occupancy, unless said rental and/or rooming units are currently registered and licensed and said registration and license has not been revoked or invalidated.

B. To refuse to permit inspections required under this Part for a rental unit.

C. To violate any of the other provisions of this Part.



2. Any person who shall violate any provision of this Part shall be subject to the following penalties:

A. Upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00), plus costs of prosecution, and, in default of payment, to imprisonment for a term not to exceed thirty (30) days. Every day that a violation of this Part continues shall constitute a separate offense.

B. The Code Enforcement Officer shall deny and may revoke a rental license if the following occur within the licensed rental unit or on the premises:

(1) Failure to abate any violation of the Property Maintenance Code within the time specified in the notice of violation unless an appeal is pending.

(2) The Code Enforcement Officer shall forward written notice to the owner if the Code Enforcement Officer will deny, refuse to renew or revoke a license. The notification shall:

(a) Identify the rental unit.

(b) The grounds for denial, non-renewal or revocation, including the factual circumstances and the Section of this Part supporting such determination.

(c) Informing the owner of the right to appeal the denial, non-renewal or revocation of the rental license to Borough Council under this Part.

(3) The Code Enforcement Officer may reinstate a rental license if the owner or agent of the owner corrects the reason for the revocation of the rental license and has paid the rental license reinstatement fee.

(Ord. 511, 10/4/2005, §9)

§210. Appeals. All appeals from any decision of the Code Enforcement Officer for the denial or revocation of a rental license shall be taken to Borough Council. Such appeal shall be made in writing within ten (10) working days after such notice. The appeal shall be verified by an affidavit, shall state the grounds therefore and shall be filed with the Borough Secretary. The appeal shall be accompanied by the appeal fee, which shall be established by ordinance or resolution of Borough Council. The appellant or his representative shall have the right to appear and be heard, if such right is requested in the written appeal. Borough Council shall render a written decision, copies of which shall be provided to the Code Official and the appellant. (Ord. 511, 10/4/2005, §10)



## Part 3

## Residential Rental Unit Requirements

§301. Definitions.

BOROUGH - the Borough of New Holland, Lancaster County, Pennsylvania.

BOROUGH MANAGER - the individual appointed by Borough Council to manage the affairs of the Borough in accordance with applicable law.

CODES or CODE - any Federal, State, or local code, statute, or ordinance adopted, enacted or in effect in and for the Borough including, but not limited to, the Code of Ordinances of the Borough, the Borough Maintenance Code [Chapter 5, Part 2], the Borough Licensing Ordinance [Chapter 11, Part 2], and this Part.

COUNTY - the County of Lancaster, Pennsylvania.

DISRUPTIVE CONDUCT - any act by an occupant of a residential rental unit or by a person present at a residential rental unit involving public drunkenness; consumption of an alcoholic beverage in public; public urination or defecation; the unlawful depositor of trash or litter on public or private property; damage to or destruction of public or private property; the obstruction of public roads, streets, highways, parking areas, or sidewalks; interference with ambulance, fire, police, or emergency services; unreasonable noise as defined in any code; use of profane or obscene language or gestures; indecent exposure; fighting; quarreling; any other act defined as "disorderly conduct" in any code; commission of any crime; and any act prohibited by the ordinances or code of the Borough (or any other code) that otherwise injures the health, safety, or welfare of the residents of the Borough residing in the neighborhood or vicinity of the gathering. It is NOT necessary that such conduct, action, incident, or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused, or permitted the commission of disruptive conduct, as defined herein; provided, however, that no disruptive conduct shall be deemed to have occurred unless a police officer investigates and makes a determination that such did occur, keep written records (including an incident report) of such occurrences, and file an incident report with the Borough. The occupant, owner and, if applicable, manager shall be notified of any such occurrences in writing by the Borough in accordance with this Part.

DISRUPTIVE VIOLATOR - any tenant or occupant of a residential rental unit who has been involved in three (3) disruptive conduct incidents in any twelve (12) month period documented by incident reports on file with the Borough or police departments providing police services to the Borough.

FAMILY - one (1) or more persons, related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, or a number of persons living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage.

HOTEL UNIT - any room or group of rooms located within a hotel or motel forming a single habitable unit used or intended to be used for living and sleeping only on a transient basis for a period of less than thirty (30) days.

INCIDENT REPORT - a written report of disruptive conduct to be completed by a police officer who actually investigates an alleged incident of disruptive conduct, which report shall be maintained by such officer's police department, who also should provide a copy such report to the Borough.

LICENSING ORDINANCE - a residential rental unit licensing and inspection ordinance also known as Borough Ord. 511 [Chapter 11, Part 2].

MANAGER - a person employed or retained by an owner to be responsible for one (1) or more residential rental units within the Borough.

MAINTENANCE CODE - the *International Uniform Property Maintenance Code of 2003* and regulations promulgated thereunder as the property maintenance code for the Borough, also known as Borough Ord. 512 [Chapter 5, Part 2].

NOTICE OF VIOLATION - a written notice advising and describing three (3) disruptive conduct incidents in any twelve (12) month period involving a disruptive occupant documented by incident reports, and notifying the owner or manager of their required duty to evict the disruptive occupant from a residential rental unit within thirty (30) days of the receipt of such notice of violation in accordance with this Part.

OCCUPANT - any individual over one (1) year of age living and sleeping in a residential rental unit or having actual possession of said residential rental unit including, but not limited to, tenants of a residential rental unit.

OWNER - the person who holds record title or the equitable owner under an agreement of sale of a property upon which a residential rental unit is erected or maintained. If more than one (1) person owns the residential rental unit as joint tenants, tenants in common, tenants by the entirety, or tenants in co-partnership, each such person shall be considered an owner and shall have all of the duties of an owner under this Part.

PERSON - an individual, unincorporated association, partnership, corporation, estate, trust, or any other legally recognized entity, including (without limitation) each of the individuals, members, and officers of any such entities.

PREMISES - any parcel of real estate within the Borough (including, without limitation, the land and all buildings and appurtenant structures) on which one (1) or more residential rental units are located.

RESIDENTIAL RENTAL LICENSE - a document issued by the Borough to the owner of a residential rental unit.

RESIDENTIAL RENTAL UNIT - a rooming unit; or a dwelling unit let for rent; or a residential unit occupied by any persons other than one occupied solely by the owner and members of the owner's family. Each individual townhouse dwelling, each individual apartment unit, each individual unit in a multifamily building, and each rooming unit shall be considered a separate residential rental unit. If a structure contains a rooming unit or if any portion of the structure is let for rent, it also shall be considered a residential rental unit whether or not the owner or a relative of the owner also resides in the structure. A residential rental unit shall not include a hotel unit or a hospital room utilized for medical services. A residential rental unit also includes dwelling units under lease-purchase agreements or long-term (greater than six (6) months) agreements of sale.

ROOMING UNIT - a portion of a dwelling unit including, without limitation, any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes. Granting of permission to use shared or common cooking facilities may be associated with the leasing of a rooming unit.

(Ord. 553, 1/3/2012, §1)

§302. Duties of Owners and Managers of Residential Rental Units.

1. It shall be the duty of every owner to:

A. Keep and maintain all residential rental units in compliance with all applicable codes.

B. Keep and maintain all premises in good and safe condition.

C. Be aware of, and to act to eliminate, disruptive conduct in all residential rental units.

D. Employ policies to and actually manage the residential rental units under his/her control in compliance with the provisions of this Part and all applicable codes.

E. Obtain and maintain a residential rental license for each residential rental unit in accordance with Borough codes.

F. Take all actions necessary to ensure that each residential rental unit is occupied by only one (1) family.

G. Require a written rental agreement for each residential rental unit, which agreement shall include, without limitation, the names of all permitted occupants.

2. If the owner has appointed a manager, the manager shall be jointly and severally responsible to fulfill all of the obligations set forth in this Part. No owner may relieve himself of the responsibility to perform the duties set forth in this Part by appointing a manager.

3. It shall be unlawful for any person to conduct, operate, or cause to be rented (either as an owner or manager) any residential rental unit within the Borough without having a residential rental license as required by applicable Borough codes.

4. It shall be the responsibility of every owner and manager to keep each residential rental license either in each respective residential rental unit or in the main office on-site with the residential rental unit.

5. If the owner has appointed a manager, the owner shall provide the Borough with the name, address, and normal and twenty-four (24) hour per day emergency phone numbers of the manager; and shall notify the Borough within fifteen (15) days of any change of the manager.

(Ord. 553, 1/3/2012, §1)

§303. Duties of Occupants of Residential Rental Units. Each occupant of a residential unit shall have the following duties:

A. Comply with all applicable obligations of this Part and all applicable codes.

B. Conduct himself/herself and require other persons including, but not limited to, guests on the premises and within their residential rental unit with their consent, to conduct themselves in a manner that will not disturb the peaceful enjoyment of adjacent or nearby dwellings by people occupying the same.

C. Not engage in nor tolerate (nor permit others on the premises to) damage to the residential rental unit, or engage in disruptive conduct or other violations of this Part, codes, Borough ordinances, or applicable State or Federal laws.

D. Use the residential rental unit for no purpose other than as a residence.

E. Maintain the residential rental unit in a manner meeting all requirements for occupants of structures set forth in the Maintenance Code.

F. Not allow persons other than those identified on the lease to reside in the residential rental unit.

G. Not allow the residential rental unit to be occupied by more than one (1) family.

(Ord. 553, 1/3/2012, §1)

§304. Disruptive Conduct.

1. Police officers shall investigate alleged incidents of disruptive conduct. The police officer conducting the investigation shall complete an incident report upon a finding that the reported incident constitutes disruptive conduct. The information filed in the incident report shall include, if possible, the identity of the alleged perpetrator(s) of the disruptive conduct, and the factual basis for the disruptive conduct described in the incident report. A copy of the incident report shall be hand delivered upon or mailed by ordinary United States First Class mail to the occupant, all other occupants of the same residential rental unit, the owner, and the manager (if any) within twenty (20) working days of the occurrence of the disruptive conduct.

2. After three (3) disruptive conduct incidents in any twelve (12) month period involving an occupant documented by incident reports, the acting Chief of Police or his designee shall (A) effect service of a notice of violation by hand delivery or any form of mail or delivery service providing a receipt for delivery, upon the owner, or manager (if any), within thirty (30) days of the end of the twelve (12) month period; (B) shall inform the owner, or manager (if any), of the availability of the police to assist as may be applicable with documentation or testimony necessary for the owner or manager to evict the disruptive violator from a residential rental unit; and (C) advise Borough Council of the foregoing action.

3. If the owner, or manager (if any), does not begin eviction action against a disruptive violator within thirty (30) days of receiving the written notice, the acting Police Chief or his designee shall advise Borough Council of such conduct, and Council may, on its own motion, or with or without such notice, direct the Borough Solicitor to take legal or other action to enforce this Part utilizing the police, the courts, or otherwise as determined by the Solicitor in the absence of specific directions from the Borough Council.

4. Within thirty (30) days of receiving a notice of violation, an owner or manager shall be caused to be delivered to the acting Chief of Police, or his designee, documents evidencing that the required eviction of a disruptive violator has begun. Failure to timely take such action may result in the immediate revocation of the residential rental license by the Borough. The residential rental unit involved shall not have its residential rental license reinstated until the reinstatement fee is paid and the disruptive violators have been evicted; a justice or judge of a court of competent jurisdiction has ruled in the disruptive violator's favor, or ruled in the owner's favor but has not ordered the eviction of the disruptive violator; or the disruptive violator has filed an appeal to higher court or declared bankruptcy, thereby preventing their eviction. A disruptive violator, upon eviction, shall not reoccupy the residential rental unit from which they were evicted, or any other residential rental unit on the same real property or in the same residential rental unit development, for a period of at least one (1) year from the date of eviction. This subsection is not intended to limit or inhibit the owner's and, if applicable, the manager's right to initiate eviction actions prior to the issuance of the third incident report in a twelve (12) month period.

5. Each incident report shall count against all occupants of a residential rental unit. More than one (1) incident report filed against the occupants of a residential rental unit in a twenty-four (24) hour period shall count as a single incident report for the purposes of this Part.

(Ord. 553, 1/3/2012, §1)

§305. Rule-Making Authority. Borough Council shall have all powers as may be necessary in the interest of public safety, health, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof; but such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in any code or violating approved practice involving public safety. (Ord. 553, 1/3/2012, §1)

§306. Violations, Penalties, and Liens.

1. Violations. It shall be a violation of this Part to commit, or to permit any other person to commit, any one or more of the following acts:

A. To lease, let, or allow the occupancy of a residential rental unit without obtaining a residential rental license.

B. To refuse to permit inspections required by applicable codes for a residential rental unit.

C. To fail to perform the duties established by this Part if such person is an owner or a manager of a residential rental unit.

D. To fail to perform the duties established by this Part if such person is an occupant of a residential rental unit.

E. To place false information on to or omit relevant information from an application for a residential rental license.

2. Penalty. Whoever violates any other provision of this Part shall upon a first offense be fined not more than one thousand dollars (\$1,000.00), imprisoned not more than thirty (30) days, or both; and shall pay all costs,

expenses, and attorney fees incurred by the Borough to enforce this Part. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

3. Additional Remedies. In addition to prosecution of persons violating this Part, the Rental Officer or any duly authorized agent of the Borough may take such criminal, civil, or equitable remedies in any court of record of the Commonwealth of Pennsylvania, against any person or property, real or personal, to effect the provisions of this Part.

4. Independent Remedies. The provisions of this Section and the provisions of this Part governing revocation, suspension, or nonrenewal of residential rental licenses shall be independent, non-mutually exclusive, separate remedies, all of which shall be available to the Borough as may be deemed appropriate. The remedies and procedures in this Part are not intended to supplant or replace to any degree the remedies provided in the Maintenance Code [Chapter 5, Part 2], Zoning Ordinance [Chapter 27], or any other code.

5. Liens. Should any owner, operator, or manager fail to perform actions required on a property under this Part and should the Borough perform any of such actions, the Borough shall be entitled to lien the property for its costs, expenses, and attorney fees in accordance with the Municipal Claims Act of the Commonwealth of Pennsylvania, applicable Pennsylvania law, and the ordinances and codes of the Borough of New Holland.

(Ord. 553, 1/3/2012, §1)