

ORDINANCE NO. 23-5

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA AMENDING THE
TOWNSHIP OF HANOVER'S CODE OF CODIFIED ORDINANCES,
CHAPTER 136 RESIDENTIAL RENTAL PERMITTING AND
INSPECTION; SECTION 136-2 DEFINITIONS, TO AMEND CERTAIN
DEFINITIONS OF ITS ORDINANCE AND REPEAL ALL ORDINANCES
OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

WHEREAS, The Supervisors of Hanover Township, Northampton County, Pennsylvania (the "Board"), under the powers vested in them by the "Second Class Township Code" of Pennsylvania as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendments to the text of the Hanover Township Code of Codified Ordinances (the "Ordinances"); and

WHEREAS, the Board desires to amend the Ordinances by providing for amendments to its definitions to Residential Rental Inspection and Permitting within the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania as follows:

SECTION 1. Chapter 136 *Residential Rental Permitting and Inspections*; § 136-2 *Definitions*, is deleted in its entirety and replaced as follows:

"§ 136-2 Definitions.

As used in this Chapter, the following words shall have the following meanings. If a term is not defined in this chapter, but is defined in another existing Township ordinance, then that definition shall apply to this chapter.

AGENT

Any person designated by the owner of a residential rental unit who has charge, care or control of said residential rental unit.

CERTIFICATE OF COMPLIANCE

The certificate issued by the Code Official which evidences a satisfactory inspection under the provisions of this Chapter.

CODE OFFICIAL

The person or persons authorized by the Township to determine compliance with the provisions of this Chapter and to enforce the same. The Code Official shall include the Township Zoning and/or Property Code Officer as appointed or employed from time to time by the Township Board of Supervisors.

CODES

Any applicable parts of this Chapter, other codes or ordinances as adopted by the Township from time to time, statutes and any rules and regulations promulgated thereunder.

COMMON AREA(S)

In multiple-unit dwellings, space which is not part of a residential rental unit and which is shared with other occupants of the premises whether they reside in residential rental units or not. Common areas shall be considered as part of the premises for purposes of this chapter.

DWELLING UNIT

A unit including but not limited to a single residence, double houses, row houses, townhouses, condominiums, apartment houses, hotel units, motel units and conversion apartments. A dwelling unit shall also comprise units of independent-living facilities, assisted-living facilities, and dwelling units for memory-impaired individuals.

FEE

The fee required to be submitted with the permit application as set by resolution of the Township Board of Supervisors from time to time.

HOTEL UNIT or MOTEL UNIT

Any room or group of rooms located within a hotel or motel forming a single habitable unit used or intended to be used on a transient basis.

MULTIPLE-UNIT DWELLING(S)

A building containing two or more independent dwelling units, including, but not limited to, double houses, row houses, townhouses, condominiums, apartment houses hotels, motels, and conversion apartments. Multiple-dwelling units shall also include independent-living facilities, assisted living-facilities, and those facilities containing dwelling units for memory-impaired individuals.

NOTICE OF VIOLATION or NOV

A violation notice issued by the Code Official under this chapter.

OCCUPANT

An individual who resides in, but is not the owner of, a residential rental unit.

OWNER

Any person, agent, operator, firm, corporation, partnership, limited liability company, limited liability partnership, association, other entity, property management group, or fiduciary holding or having legal, equitable or other interest in any real property or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of such person's estate. When used in this chapter in a clause proscribing any activity or imposing a penalty, the term as applied to corporations, partnerships, limited liability companies, limited liability partnerships, associations, other entities, or property management groups shall include each and every member, shareholder, partner (limited or general), director, officer and other individual having an interest in the entity, controlling or otherwise.

PERMIT APPLICATION

The zoning permit application required by § 136-5 herein.

PREMISES

The real property on which a dwelling unit is located.

RESIDENTIAL RENTAL UNIT

A dwelling unit not occupied by the owner thereof.

TOWNSHIP

Hanover Township, Northampton County, Pennsylvania.

UNIT

A living area comprised of one or more rooms used for living, sleeping and habitation purposes and having its own kitchen and sanitation facilities, all arranged for occupancy by one or more persons.

ZONING PERMIT

A permit issued in accordance with § 136-5 of this chapter.”

SECTION 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 3. The provisions of this Ordinance shall be severable and if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision(s) not been included herein.

SECTION 4. This Ordinance shall become effective within five (5) days of enactment.

ENACTED AND ORDAINED at a regular meeting of the Board of Supervisors of the Township of Hanover, County of Northampton on this 24TH day of **OCTOBER, 2023.**

ATTEST:

By: Kimberly R. Lymanstall
KIMBERLY R. LYMANSTALL,
Secretary

**BOARD OF SUPERVISORS,
HANOVER TOWNSHIP,
NORTHAMPTON COUNTY,
PENNSYLVANIA**

By: _____

John N. Diacogiannis
JOHN N. DIACOGIANNIS,
Chairman