

# Borough of Danville

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## Summary of the Residential Rental Registration Ordinance

In an effort to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of owners and occupants relating to the rental of residential rental units in the Borough of Danville and to encourage owners and occupants to maintain and improve the quality of rental housing within the community. Danville Borough has instituted a program to regulate and monitor property conditions in such housing. The following pages are a summary of the Residential Rental Registration Ordinance as it applies primarily to the tenants and occupants of residential rental properties. The full ordinance is available for inspection during normal business hours at the Danville Borough municipal office or online at [danvilleboro.org](http://danvilleboro.org). This program establishes accountability for property owners/landlords for most property conditions. The program also establishes some accountability for the conduct of tenants and their guests.

This program outlines standards for information to be contained in your rental agreement to insure clarification of who is responsible for specific provisions such as trash removal, lawn care, utility bills and other similar items. Please review your rental agreement to make sure you understand what your landlord is providing to you and what you are responsible for. Your landlord is most often the one accountable in the event of violations in these matters. If you neglect to maintain those aspects of the agreement that are your responsibility then your landlord may take action against you, up to and including charging you for fines they've incurred and evicting you from the property.

All residential rental properties are required to have a Rental Occupancy License before the landlord may enter into a rental agreement. Danville Borough will perform periodic inspections and investigate reasonable complaints under this program. As part of your rental agreement you are agreeing to allow entry, with reasonable notice, so that the Code Enforcement Officer may perform those inspections. Refusing entry may cause you and or your landlord to be subject to penalties under this program.

In addition to other forms of recourse available to landlords, you may be found in violation of this program for damages to your premises in excess of \$500.00

This program regulates Disorderly Conduct by tenants and their guests. If Danville Borough Police determines that an occupant's or an authorized guest's behavior constitutes disorderly conduct on multiple occasions then the landlord may be directed to evict the tenant from the property. Failure to abide by the requirements of this program may be cause for penalties and for a landlord to have his/her Rental Occupancy License withdrawn. If you are evicted from a property due to a disorderly conduct finding, you will be legally required to reveal that when asked by a new/potential landlord.

## **141.6. Occupant Duties.**

**1. General.** The occupant shall comply with all obligations imposed upon occupants by this Ordinance, all applicable codes and ordinances of the Borough of Danville and all applicable provisions of State Law.

### **2. Health and Safety Regulations.**

**A.** Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition.

**B.** Occupants shall deposit in containers and dispose of all rubbish, garbage and other waste and recyclable materials in accordance with applicable ordinances, laws and regulations.

**3. Residential Use.** The occupant shall, unless otherwise permitted by applicable law or ordinance, occupy or use his or her rental unit for no other purpose than as a residence.

**4. Compliance with Rental Agreement.** The occupant shall comply with all lawful provisions of the rental agreement entered into between owner and occupant. Failure to comply may result in the eviction of the occupant by the owner.

**5. Damage to Premises.** The occupant shall not intentionally cause, nor permit or tolerate others to cause, damage to the premises. Conduct which results in damages in excess of Five Hundred (\$500.00) Dollars shall be considered a violation of this Ordinance.

**6. Inspection of Premises.** The occupant shall permit inspections of any premises by the Code Enforcement Officer at reasonable times and upon 48 hours notice from the owner. Refusal to allow entry of the residential rental unit by the Code Enforcement Officer of the Borough of Danville to inspect the said unit shall be a violation of this Ordinance.

### **7. Conduct of Tenants, Occupants and Guests**

**A. Peaceful Enjoyment.** The occupant shall conduct himself or herself and require other persons including, but not limited to, guests on the premises and within his or her rental unit with his or her consent, to conduct themselves in a manner that will not disturb the peaceful enjoyment of the premises by others, and that will not disturb the peaceful enjoyment of adjacent or nearby dwellings by the persons occupying same.

**8. Reporting of Violation or Eviction.** All tenants who have been evicted due to violations of 141.6 Occupant Duties or otherwise found guilty of violations of 141.6, if asked shall advise their new landlord that they have been evicted from a residence for violating the terms and conditions of this ordinance.

## **DISORDERLY CONDUCT DEFINED:**

Disorderly Conduct shall be defined under this ordinance as:

- A. Engaging in fighting, threatening or other violent or tumultuous behavior
  
- B. Making unreasonable noise
  
- C. Using obscene language or obscene gestures
  
- D. Creating a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.
  
- E. Any activities declared illegal under the Pennsylvania Crimes Code (18 Pa.C.S.A. §101 et seq.) or Liquor Code (47 P.s. §1-101 et seq.), or the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §780-101 et seq.).

Any form of conduct, action, incident or behavior perpetrated, caused or permitted by any occupant or visitor of a residential rental unit that disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises such that a report is made to police. 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 a person to have perpetrated, caused or permitted the commission of disorderly conduct, as defined herein. Provided, however, that no disorderly conduct shall be deemed to have occurred unless the police shall investigate and make a determination that such did occur, and keep written records, including a Disorderly Conduct Report, of such occurrence.

## **PENALTIES AND FEES:**

- 1. Penalties.** Any owner, landlord or tenant of a residential unit which violates any provision of this chapter shall upon conviction thereof be sentenced to pay a fine of not less than \$100.00 and not to exceed \$300.00 for each and every offense. For any repeat of an offense within 1 year and upon conviction thereof, the fine issued on the prior offense may be doubled.
  
- 2. Re-inspections.** The fee established for performance of re-inspection shall be \$25.00.