

SCHUYLKILL TOWNSHIP
ORDINANCE NO. 91-5

AN ORDINANCE REQUIRING NOTIFICATION FROM ALL PERSONS MOVING INTO OR VACATING ANY RESIDENCE OR PLACE OF BUSINESS WITHIN SCHUYLKILL TOWNSHIP; PROHIBITING THE MOVING OF ANOTHER'S PROPERTY INTO OR OUT OF ANY PREMISES WITHOUT EVIDENCE THAT NOTIFICATION HAS BEEN GIVEN HEREUNDER; and PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF.

WHEREAS, under Article VII, Section 702, as amended, of the Second Class Township Code, the Board of Supervisors has the power to take all needful means for securing the safety of persons or property within the Township; and

WHEREAS, the Supervisors have determined that the interests of public safety require advance notice of the times and places when moving vans and other similar vehicles will be parking on or near the public streets for the purpose of loading and unloading; and

WHEREAS, the Supervisors deem it essential for the protection of property of the citizens of the Township and for the prevention of burglaries and related offenses for the police to have advance notice of the time and place of all legitimate movement of personal property; and

WHEREAS, the Board of Supervisors have the responsibility to prepare a budget annually and to levy certain taxes in relationship thereto, including certain taxes on individuals residing in or working in the Township; and

WHEREAS, in order to perform such duty effectively, the Supervisors deem it essential that they establish a procedure to insure the availability of an accurate list of taxables within the Township.

NOW, THEREFORE IN CONSIDERATION OF THESE PREMISES, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, as follows:

Section 1. The following words when used in this Ordinance shall have the meanings ascribed to them in this Section except where the context clearly indicates or requires a different meaning:

- A. "Person". Any natural person, partnership, Association, firm or corporation;
- B. "Moved or Moving". The act of effecting a change in the occupancy of any residence, or place of business, or the act of occupying a formerly vacant residence or place of business, or the act of rendering a residence or place of business vacant;
- C. "Residence". Any house, mobile home, apartment, or other dwelling unit designed for the use of one or more persons as a place of abode, excluding hotel rooms, motel units and other similar accommodations for transient persons;

D. "Place of Business". Any building or portion thereof used or useful for the purpose of housing any business, trade or other commercial activity, or for the purpose of housing any business office, professional office, or other similar activity.

Section 2. No person shall move into or vacate any residence or place of business within Schuylkill Township without first giving notice to the Township in the manner hereinafter provided.

Section 3.(A) Any person who shall move the property of any other person into or out of any residence or place of business when the notification required hereunder has not been given, shall be guilty of a violation of this Ordinance. For the purposes of this Ordinance, the receipt for payment of the Five (\$5.00) Dollar fee provided for hereinafter shall be conclusive evidence that notification has been given hereunder.

(B) All lessors or landlords who rent or lease any residence as defined in Section I of this Ordinance shall be responsible to give notice to the Township in the manner hereinafter provided within thirty (30) days prior to the moving in or moving out of a tenant or immediately upon gaining knowledge thereof.

Section 4. The notification required hereunder shall be given at the Municipal Building to the Township Secretary or

such other employee of the Township as shall be in charge of the Township Office, and such notification shall be given upon forms provided by the Township.

Section 5. The notification required under this Ordinance may be given by the owner of the premises, the person desiring to move, or by any person engaged to perform the moving service, and the person giving such notification shall be required to pay a fee of Five (\$5.00) Dollars for the purpose of defraying the costs of administering the requirements of the Ordinance.

Section 6. The Township Secretary or such other employee of the Township in charge of the Office to whom notification is given shall issue a receipt for the Five (\$5.00) Dollar fee and a record thereof shall be kept in the township records.

Section 7. The Chief of Police or such other officer as he shall delegate is hereby charged with the responsibility of reviewing daily the notifications filed pursuant to this Ordinance, and of informing the members of the police force thereof.

Section 8. The Township Secretary shall have the duty to notify the tax collector at least quarterly of the notifications filed under this Ordinance so that the tax collector may revise his or her records of taxables in reliance

thereon.

Section 9. Any person violating the provisions of this Ordinance, or furnishing false information on any application required by this Ordinance shall upon conviction thereof before the District Justice having jurisdiction thereof, be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and the costs of prosecution and in default of the payment of such fine and costs to undergo imprisonment in the County Jail for a period of not more than thirty (30) days or both.

ORDAINED AND ENACTED, this 4th day of DECEMBER, 1991, in lawful session duly assembled.

**BOARD OF SUPERVISORS OF
THE TOWNSHIP OF SCHUYLKILL**



Joseph Zelinsky, Chairman



Ronald Novack, Vice-Chairman



Andrew Fayash, Supervisor

ATTEST:



Henry P. Shoener
Township Secretary