

**FILE OF THE CITY CLERK**

**ADMINISTRATIVE ORDINANCE NO. 9 - 2010**

**ADMINISTRATION BILL NO. 9 - 2010**

**INTRODUCED – JUNE 22, 2010**

**ADOPTED BY COUNCIL – JULY 13, 2010**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING THE CODE OF THE CITY OF LANCASTER, CHAPTER 238 – REAL PROPERTY, ARTICLE 1 – REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES, SECTION 238-9 – RENTAL UNIT OCCUPANCY LICENSE, SUBPARAGRAPH H AND ADDING SUBSECTION “I” TO EXCLUDE RESIDENTIAL HEALTH CARE FACILITIES LICENSED BY THE COMMONWEALTH OF PENNSYLVANIA FROM THE LICENSING PROVISIONS OF THIS CHAPTER OF THE CITY CODE, AND AMENDING SECTION 238-10 – INSPECTIONS, SUBPARAGRAPH D TO PROVIDE THAT THE INSPECTIONS SET FORTH IN THAT SUBPARAGRAPH WILL BE AT THE DISCRETION OF THE CODE ENFORCEMENT OFFICIAL; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.**

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED** by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

**SECTION 1.** The Code of the City of Lancaster, Chapter 238-Rental Property, Article 1 – Registration of Residential Rental Properties, Section 238-9 – Rental Unit Occupancy License, Subpart H be and hereby is amended to read as follows:

“H. All property owned by the Housing Authority of the City of Lancaster which is inspected annually by that agency to assess compliance with Federal standards established by the US Department of Housing and Urban Development or State standards established by the Pennsylvania Housing Financing Agency shall be exempt from the licensing provisions of this Chapter. The Registration and Inspection provisions of this Chapter shall, however, remain applicable.” **The Housing Authority agrees to pay a \$200.00 registration fee for each of the following facilities: Church Street Towers, Farnum Street East highrise, Susquehanna Court development, and Franklin Terrace development. The Housing Authority shall pay a single \$200.00 registration fee to register all Housing Authority owned scattered site properties.**

**SECTION 2.** The Code of the City of Lancaster, Chapter 238 – Rental Property, Article 1 – Registration of Residential Rental Properties, Section 238-9 – Rental Unit Occupancy License be and hereby is amended by adding the following subpart I which shall read as follows:

“I. All properties possessing a current residential healthcare facilities license issued by the Commonwealth of Pennsylvania may apply to be exempt from the licensing fee provisions of this Chapter in the manner provided for by the City and shall receive said exemption upon submission of a formal request for exemption and a copy of the current residential healthcare facilities license issued by the Commonwealth of Pennsylvania. All other Registration, Licensing and Inspection provisions of this Chapter shall, however, remain applicable.”

**SECTION 3.** The Code of the City of Lancaster, Chapter 238 – Rental Property, Article 1 – Registration of Residential Rental Properties, Section 238-10 – Inspections, subparagraph D is amended to read as follows:

“D. In addition to the inspection referenced above, the Code Enforcement Official may also inspect units upon any of the following occurrences:

- (1) Prior to the initial occupancy of newly constructed units, newly erected units, or substantially rehabilitated units; and
- (2) Prior to the sale of any unit or the structure in which it is located.”

**SECTION 4.** All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

**SECTION 5.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

**SECTION 6.** This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 13<sup>th</sup> day of July, 2010, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

\_\_\_\_\_  
Janet E. Spleen, City Clerk

By: \_\_\_\_\_  
J. Richard Gray, Mayor