

RESOLUTION NO. 3 - 2013

A RESOLUTION OF EAST STROUDSBURG BOROUGH COUNCIL ESTABLISHING FEES FOR INSPECTIONS REQUIRED UNDER CHAPTER 124, LICENSING AND INSPECTION OF RESIDENTIAL RENTAL PROPERTIES

WHEREAS, paragraph (2) (a) of Subsection B. (Registrations, Licenses, and Fees) of Section 124-5 (Registrations, Licenses, and Inspections) of Article I (Licensing and Inspection of Residential Rental Property of Chapter 124 of the East Stroudsburg Code, states that the annual fee for a Regulated Rental Unit shall be as provided for by Resolution of Borough Council; and

WHEREAS, paragraph (2) also states that if the annual fee is not paid by January 20, a penalty with an additional cost as provided for by Resolution of Borough Council shall apply; and

WHEREAS, the annual fee is intended to cover the costs of up to two (2) inspections of a Regulated Rental Unit in any four (4) year period; and

WHEREAS, paragraph (2) (c) of Subsection B. (Registrations, Licenses, and Fees) of Section 124-5 (Registrations, Licenses, and Inspections) of Article I (Licensing and Inspection of Residential Rental Property of Chapter 124 of the East Stroudsburg Code, states that if three (3) or more inspections are needed in any four (4) year period for a Regulated Rental Unit, then an additional fee as established by Resolution of Borough Council shall apply for each inspection after the first two (2); and

WHEREAS, paragraph (2) (d) of Subsection B. (Registrations, Licenses, and Fees) of Section 124-5 (Registrations, Licenses, and Inspections) of Article I (Licensing and Inspection of Residential Rental Property of Chapter 124 of the East Stroudsburg Code, states that the fee to reinstate a revoked and/or suspended Residential Rental License shall be as provided for by Resolution of Borough Council per Dwelling Unit or per rooming house building; and

WHEREAS, paragraph (2) (d) also states that a fee shall also be established by Resolution of Borough Council for the appeal of an action pursuant to this Chapter; and

WHEREAS, paragraph (2) (e) of Subsection B. (Registrations, Licenses, and Fees) of Section 124-5 (Registrations, Licenses, and Inspections) of Article I (Licensing and Inspection of Residential Rental Property of Chapter 124 of the East Stroudsburg Code, states that the fees provided in this Chapter may be revised from time to time by Resolution of Borough Council; and

WHEREAS, paragraph (2) (g) of Subsection B. (Registrations, Licenses, and Fees) of Section 124-5 (Registrations, Licenses, and Inspections) of Article I (Licensing and Inspection of Residential Rental Property of Chapter 124 of the East Stroudsburg Code, states that if any inspection is needed for a Regulated Rental Unit because the CEO was not able to enter the unit at the time the inspection had been scheduled with the Owner or Manager, then an additional fee will be charged as provided for by Resolution of Borough Council; and

WHEREAS, paragraph (4) (a) of Subsection E. (Appeals) of Section 124-6 (Failure to Register or Obtain a License, and Non-Renewal, Suspension of, or Revocation of License) states that a fee as provided for by Resolution of Borough Council shall be paid in advance by the person filing an appeal or requesting a hearing for each appeal to the Property Maintenance Board of Appeals; and

WHEREAS, Borough Council intends to initially establish the fees provided for under Chapter 124 of the East Stroudsburg Code and as referenced above;

NOW, THEREFORE, BE IT RESOLVED by East Stroudsburg Borough Council and it is hereby resolved as follows:

Section 1. The following fees are hereby established pursuant to Chapter 124 of the East Stroudsburg Code as indicated above:

Annual license fee per Regulated Rental Unit	\$ 70.00	per S. 124-5 B. (2) (a)
Annual license fee for residential complexes with Thirty (30) or more units, per Unit	\$ 50.00	
Additional Annual license fee per Unit, if not paid by Due Date	\$ 25.00	
Inspection Fee for 3rd or subsequent inspection	\$ 45.00	per S. 124-4 B. (2) (c)
Reinstatement Fee for suspended/revoked License	\$100.00	per S. 124-5 B. (2) (d)
Appeal fee for any action under this Chapter	\$150.00	per S. 124-5 B. (2) (d)
Additional fee for rescheduled Inspection	\$100.00	per S. 124-5 B. (2) (g)
Appeal to Property Maintenance Board of Appeals Plus cost for ordering a stenographic record	\$150.00	per S. 124-6 E. (4) (a) per S. 124-6 E. (5) (g)

Section 2. The fees provided above may be revised from time to time by Resolution of Borough Council.

RESOLVED AND ADOPTED at a regular meeting of Borough Council this 15th day of January, 2013.

BOROUGH OF EAST STROUDSBURG

Roger L. DeLarco, President of Council

ATTEST:

James S. Phillips, Secretary

Resolution Establishing Fees Pursuant to Chapter 124