

**BEAVER BOROUGH  
BEAVER COUNTY, PENNSYLVANIA  
ORDINANCE *869***

**AN ORDINANCE OF THE BOROUGH OF BEAVER, BEAVER COUNTY,  
PENNSYLVANIA, ESTABLISHING RULES AND REGULATIONS FOR  
DISRUPTIVE CONDUCT AT RESIDENTIAL RENTAL PROPERTIES**

**WHEREAS**, per the Borough Code at 8 P.S. section 3301.1, the borough council is authorized to enact Ordinances as may be expedient or necessary for the maintenance of the health, safety, morals, general welfare and cleanliness and the beauty, convenience, comfort and safety of the Borough and its residents;

**WHEREAS**, the Borough Council of the Borough of Beaver, Beaver County, Pennsylvania, (hereinafter "Borough Council") has passed a previous Rental Registration and Inspection Ordinance to establish rights and obligations of owners and occupants relating to residential rental units in the Borough, and to encourage owners and occupants to maintain and improve the quality of rental housing within the Borough;

**WHEREAS**, Borough Council has been informed through the Borough's Police Department there are a growing number of disturbances at residential rental units;

**WHEREAS**, Borough Council seeks to reduce the number of disturbances at residential rental units by passing this Ordinance by defining disruptive conduct and providing a mechanism for landlords to immediately evict tenants who otherwise by their actions are affecting the health, safety, morals, general welfare and cleanliness and the beauty, convenience, comfort and safety of the Borough and its residents.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Beaver, in lawful session duly assembled, and it is hereby ORDAINED AND ENACTED as follows:

**Section 1: DISRUPTIVE CONDUCT DEFINITION** - An act by an occupant of a residential rental unit or by a person present at a residential rental unit involving any of the following:

- a) Fighting or quarreling, or any other act defined as "disorderly conduct" in the Pennsylvania Crimes Code.
- b) Engaging in drunkenness or any other boisterous conduct which creates unseemly

noise which disturbs the peace.

- c) The unlawful deposit of trash or litter on public or private property.

**Section 2: POLICE OFFICER INVESTIGATION –** Beaver Borough's

Police officers shall investigate alleged incidents of disruptive conduct at residential rental locations within Beaver Borough. The police officer conducting the investigation shall complete a Disruptive Conduct Report upon a finding that the reported incident constitutes Disruptive Conduct for the purpose of this Ordinance. The information filed in the Disruptive Conduct Report shall include, if possible, the identity of the alleged perpetrator(s) of the Disruptive Conduct and the factual basis for the Disruptive Conduct described in the Disruptive Conduct Report. The Disruptive Conduct Report shall count against all Occupants of the Residential Rental Unit regardless if they are named in the Report or not. A copy of the Disruptive Conduct Report shall be given or mailed to the Occupant and mailed to the Owner of the Property or if applicable, the Property Manager, within ten (10) working days of the occurrence of the alleged Disruptive Conduct.

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 said person to have perpetrated, caused or permitted the commission of disruptive conduct, as defined herein; provided, however, that no disruptive conduct shall be deemed to have occurred unless a police officer shall investigate and make a determination that such did occur, and keep written records, including a disruptive conduct report, of such occurrences.

**Section 3: EVICTION AFTER THREE (3) DOCUMENTED**

**INCIDENTS** -- After three (3) documented Disruptive Conduct incidents for a residential rental in any twelve (12) month period, the Owner or if applicable, the Property Manager shall have seven (7) days from the date of the third Disruptive Conduct Report to begin eviction proceedings against the Occupant(s) under the Pennsylvania Landlord and Tenant Act of 1951. A copy of the documents filed associated with the eviction proceedings against the Occupant(s) of a residential rental unit must be forwarded to the Borough.

**Section 4: PENALTY** -- Failure to take such action as outlined in Section 3 will result in the immediate revocation of the Rental License issued by the Borough. In addition, any person who or which violates or fails to comply with any provision of this Ordinance, shall upon conviction, be sentenced to pay a fine of not less than \$300.00 and not more than \$1,000.00 plus costs for each such violation as set by the Magisterial District Judge. Such fine shall be in addition to any other fine which may be imposed under the provisions of any other ordinances of the Borough, Pennsylvania law, or federal law.

The Residential Rental Unit involved shall not have its Rental License reinstated until the disruptive Occupants have been evicted, the Magisterial District Judge has ruled in the Occupant's favor, the Magisterial District Judge has ruled in the Owner's favor but has not ordered the eviction of the Occupant(s), or the Occupant(s) have filed an appeal to a higher court or declared bankruptcy, thereby preventing their eviction.

**Section 5: REPEAL OF CONFLICTING ORDINANCES** -- Any ordinance or part of ordinance conflicting with such provisions of this ordinance is hereby repealed to the extent of such conflict.

**Section 6: EFFECTIVE DATE** -- This Ordinance shall be in full force and effect immediately upon and after its final passage.

ORDAINED AND ENACTED by the Members of Council of Beaver Borough, Beaver County, Pennsylvania, in public meeting this 10<sup>th</sup> day of September, 2024.


ATTEST:

  
Rebecca Phillips, Secretary

BEAVER BOROUGH COUNCIL

  
Sean Snowden, Council President

Read and approved by me, Thomas Hamilton, Mayor of the Borough of Beaver, this 10<sup>th</sup> day of SEPTEMBER, 2024.

  
Thomas Hamilton, Mayor

