

ORDINANCE NO. 2022 - 662

AN ORDINANCE OF THE BOROUGH OF LEHIGHTON,
CARBON COUNTY, PENNSYLVANIA
REGULATING ROOMING AND BOARDING HOUSES

The Borough Council of the Borough of Lehighton hereby ordains as follows:

Section 1. Definitions:

1. **Boardinghouse.** Any residential building containing space which is let by the Owner or Operator to 3 or more persons for the purpose of living and sleeping only, where meals are prepared and served in a common Dining Room by the Owner or Operator.

2. **Boarder, Roomer or Lodger.** A person who pays consideration for residence in a dwelling, which residence is not a condition of employment in such dwelling.

3. **Rooming House.** Any residential building containing space which is let by the owner or operator to three (3) or more persons for the purpose of living and sleeping, but not for cooking or eating purposes.

4. **Room and Unit.** Any room or group of rooms in a Rooming House or Boardinghouse which form a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Section 2. Permit Required. No person, firm, association, corporation, or other entity who operates a rooming house or boardinghouse shall occupy or let to another for occupancy any space in any rooming house or boardinghouse unless a permit for such use has been issued by the Borough Official designated by Borough Council to issue such permits. At the time of this Ordinance Borough Council hereby designates the Code Official as the Borough Official.

Section 3. Application for Permit; renewal.

A. 1. Application for permits shall be made to the Borough Official on forms furnished by such official. The Applicant shall include:

- (1) The name and address of the owner, and the operator, if the person is not the Owner.
- (2) The location of the rooming house/boardinghouse by street and number.

- (3) The number of rooming/boarding units and beds available for occupancy and the number of persons who may be accommodated in accordance with the provisions of the applicable Borough code; and
- (4) Such other information as the Borough Official may require.

B. The License shall expire at the end of the calendar year in which it was issued and shall be renewed annually.

Section 4. Basis of permit issuance.

The Borough Official or designee shall issue a permit upon reasonable proof that:

A. The rooming house or boardinghouse complies with the International Property Maintenance Code Edition adopted by Borough Council. (See Lehighton Borough Code Chapter 171)

B. Such rooming house or boardinghouse possesses a zoning permit for such purposes as issued by the Zoning Officer of the Borough of Lehighton.

C. Such rooming house or boardinghouse meets the standards of any applicable statutes of the Commonwealth of Pennsylvania, specifically including the International Building Code and International Fire Code.

D. The rooming house or boardinghouse owner or operator possesses a current hotel tax license issued by the County of Carbon.

E. The Building is equipped with a Key Lock Box (see Lehighton Borough Code Chapter 130)

Section 5. Right to a Hearing.

If the Borough Official refuses to issue a permit, the Applicant shall be promptly notified in writing and shall have the right to request a hearing before the Borough Council.

Section 6. Permit and renewal fees.

A. The initial fee for a permit shall be \$200.00 plus \$20.00 for each bed available for roomers or boarders within each rooming or boarding unit within the rooming house or boarding house. This fee may be amended from time to time by resolution of Borough Council.

B. No reduction shall be made for fractional yearly permits, and such permits shall be renewed annually at the beginning of each successive calendar year at the same rate as herein established for the initial permit fee or as amended by Resolution of Borough Council.

Section 7. Display of permit; transferability.

The permit shall be posted in a conspicuous place in the office or public hall of the rooming house or boardinghouse. No transfer of a permit shall be made, and new owners and operators shall notify the Borough Official within 5 days of any transfer of ownership of any rooming house or boardinghouse.

Section 8. Responsibility for heat supply.

A. The owner or operator of any rooming house or boardinghouse shall be responsible to supply heat to all habitable space of the rooming house or boardinghouse in accordance with the International Property Maintenance Code (Chapter 171 of the Lehigh Borough Code).

B. Portable heating devices shall not be permitted in a rooming house/boardinghouse.

Section 9. Early fire detection devices.

In all rooming houses or boardinghouses: (a) an early fire detection device (smoke detector and carbon monoxide detector) shall be installed in the cellar or basement(s) and on every floor level of the building, and in every common hall adjacent to sleeping areas and shall be interconnected or wired in series, that is, shall be wired directly to the building's power supply, and shall each sound an alarm when one is activated, and (b) one hard wired smoke detector shall be installed in each sleeping space.

Section 10. Violations/License Suspension.

Whenever, upon inspection of any boardinghouse or rooming house, the inspecting officer finds that conditions or practices exist which are in violation of any of the provisions of the International Property Maintenance Code and any rules, regulations, codes, ordinances related to the use and occupancy, or adopted pursuant thereto, or in violation of any section or chapter of the

Lehighton Borough Code, the inspector shall give notice in writing to the operator of such rooming house or boardinghouse that unless such conditions or practices are corrected within a reasonable period, to be determined by the inspector, the operator's rooming facility license will be suspended. At the end of such period the inspector shall reinspect such rooming house and boardinghouse, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing to the operator that the license has been suspended.

Section 11. Hearing.

Any operator whose license to operate a rooming facility or boardinghouse has been suspended, or who has received notice from the inspector that his license will be suspended unless existing conditions or practices at his rooming facility are corrected, may request, and shall be granted a hearing on the matter before Borough Council as a local agency appeal. If no Petition for such hearing is filed within ten (10) days following the date on which such license was suspended, the operator shall immediately cease operation of the rooming facility.

Section 12. Penalties.

Any person who violates any provisions of this chapter shall be subject to the following penalties.

- A. First violation a fine of \$200.00, or thirty-days imprisonment or both.
- B. Second violation a fine of \$500.00, or sixty-days imprisonment or both.
- C. Third and each subsequent violation a fine of \$1,000.00, or ninety days imprisonment or both.
- D. Each day that a violation occurs shall be considered a separate violation.

This Ordinance was adopted by the Borough Council of the Borough of Lehighton in
lawful session duly assembled on January 3 2022.

BOROUGH OF LEHIGHTON


GRANT HUNSICKER, President

ATTEST:


BRENDA KREITZ, Secretary

Examined and approved this day of 2022.


CLARK RITTER Mayor