

**HONESDALE BOROUGH
WAYNE COUNTY, PENNSYLVANIA
ORDINANCE NO. 724**

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE CODE OF THE BOROUGH OF
HONESDALE, CHAPTER 163, RENTAL PROPERTY, BY MOFIFYING THE DEFINITION
OF RESIDENTIAL UNIT AND CLARIFYING THE UPON THE SALE INSPECTION
REQUIREMENT**

WHEREAS, the Borough of Honesdale (hereinafter Borough) has enacted certain and various Ordinances governing Rental Residential Units located within Honesdale Borough, the same as codified in the Code of the Borough of Honesdale at Chapter 163; and,

WHEREAS, included in the foregoing legislation is Section 163-3 which provide for definitions germane to the Ordinance; and,

WHEREAS, it has come to the attention of the Borough that this Ordinance as originally enacted and as recently amended requires expansion and clarification of its definition's provisions.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, and the same is enacted and ordained, by the Borough Council of Honesdale Borough, Wayne County, Pennsylvania, as follows:

A. Chapter 163, Rental Property, is hereby amended as follows:

1. At Section 163-3 Definitions, the existing definition of Residential Unit is hereby stricken and is hereby redefined as:

RESIDENTIAL RENTAL PROPERTY – Any structurally enclosed area including or intending to include sleeping facilities. (2)

2. Subsection 163-4 C (b) is hereby amended as follows:
“Notwithstanding this “upon-sale” inspection requirement, if an inspection of a residential rental unit by the Borough under the Chapter has been conducted within the preceding twelve (12) months, that residential rental unit would exclude from an “upon-sale” inspection.

B. Survival Clause: Any and all other provisions of Chapter 163 of the Code unaffected by this Amendment shall remain in full force and effect.

C. Inconsistencies: Any ordinance or part(s) thereof inconsistent herewith are hereby repealed or simultaneously amended.

D. Savings Provisions: Should any section, subsection, clause, provision or other portion of this Ordinance or any other similar ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance, the Borough Council of Honesdale Borough having adopted this ordinance as if such invalid proportions had not been included therein.

E. Effective Date: This Ordinance shall become effective five (5) days after the adoption thereof.

ENACTED AND ORDAINED into law by the Borough Council of Honesdale Borough,
Wayne County, Pennsylvania, by a vote of 7 to 0 this 21st day of
FEBRUARY, 2023.

Honesdale Borough Council

Michael Angelo
Council President

ATTEST:

Judith Poltanis
Judith Poltanis, Secretary

Approved, this 28th day of February 2023, by the Mayor of Honesdale Borough,
Wayne County, Pennsylvania.

Attest:

Judith Poltanis
Judith Poltanis, Borough Secretary

Derek Williams
Derek Williams, Mayor

I hereby certify that the foregoing ordinance was duly enacted,
and approved as set forth at the regular meeting of the
Honesdale Borough Council held on FEBRUARY 21 2023.

Judith Poltanis
Judith Poltanis, Borough Secretary