

**CITY OF JEANNETTE**

**Westmoreland County, Pennsylvania**

**BILL NO. 05-01**

**ORDINANCE NO. 05-01**

**AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, PROHIBITING THE ISSUANCE OF ANY LICENSE OR PERMIT FOR THE OCCUPANCY, DEMOLITION, CONSTRUCTION AND/OR IMPROVEMENT OF ANY PROPERTY SUBJECT TO LICENSING OR PERMITTING WITHOUT THE PAYMENT OF OUTSTANDING TAXES, FEES FOR MUNICIPAL SERVICES, MUNICIPAL CLAIMS, FINES OR DEBT**

WHEREAS, the City of Jeannette, Westmoreland County, Pennsylvania has enacted various Ordinances and regulations, currently in the effect within the City, that require the issuance of licenses and permits subject to the individual requirements of same; and

WHEREAS, such permitting and licensing Ordinances and regulations, and amendments thereto, have been enacted by the Council of the City of Jeannette for the protection of the public health, safety and well-being; and

WHEREAS, those licensing and permitting Ordinances and regulations enacted and in effect within the City of Jeannette provide penalties for non-compliance with same; and

WHEREAS, the City imposes certain real property taxes and municipal service fees upon property owners associated with providing municipal services to such properties; and

WHEREAS, monies generated from real property taxes and municipal service fees are essential to the continuing operation of the City and its ability to provide municipal services to its residents for the protection of their health safety and well being on a continuing basis; and

WHEREAS, the ability to lease and/or occupy real estate and utilize municipal services is a privilege to property owners; and

WHEREAS, the Council of the City of Jeannette, in an effort to ensure its continuing ability to provide municipal services to property owners within the City for the continuing protection of their health, safety and well being, believe it is proper to deny and or withhold the issuance of licenses and/or permits to property owners subject to licensing or permitting under those various Ordinances and regulations of the City of Jeannette referenced above, until all outstanding and delinquent taxes, fees for municipal

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services and/or any other municipal claims, fines or debt of any nature or kind due and owing the City have been paid in full.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE CITY OF JEANNETTE HEREBY ORDAINS AND ENACTS AS FOLLOWS:

1. From and after the effective date of this Ordinance, no person, corporation, entity or firm shall be issued any license, building permit, occupancy permit, demolition permit or any other permit associated with construction, demolition, use and/or occupancy of any property in the City of Jeannette subject to such licensing or permitting under any Ordinance or regulation in effect within the City, unless all outstanding real estate taxes, fees for municipal services and/or any other municipal claims, fines or debt of any nature or kind due and owing the City of Jeannette, Westmoreland County, Pennsylvania, by such person, corporation, entity or firm, have been paid in full. No corporation, partnership or business entity shall be issued any license or permit referenced hereunder in the name of such partnership, corporation, entity or firm, if any owner, officer, director or shareholder in such partnership, corporation business entity or firm owes any indebtedness referenced in this Ordinance in an individual capacity, unless such individual debt is paid in full.

2. From and after the effective date of this Ordinance, no person or other business entity, who is a partner, owner, shareholder, officer or director of any corporation or other business entity, shall be issued any license, building permit, occupancy permit, demolition permit or any other license or permit associated with construction, demolition, use and/or occupancy of any property in the City of Jeannette subject to such permitting, under any Ordinance in effect within the City, in an individual capacity, unless all outstanding real estate taxes, fees for municipal services and/or any other municipal claims, fines or debt of any nature or kind due and owing the City of Jeannette, by the partnership, corporation or firm in which they participate as a partner, shareholder, officer, director or owner, have been paid in full.

3. For purposes of this Ordinance, the term "***real estate taxes***" shall mean and include any real property tax assessed by the City against any parcel of real estate within the geopolitical boundaries of the City of Jeannette, together with any penalty or interest accrued upon same, that is not paid within the calendar year of its assessment, notwithstanding the fact that such delinquent tax has been turned over to the Tax Claim Bureau of the County of Westmoreland, Commonwealth of Pennsylvania for delinquent tax collection purposes.

4. For purposes of this Ordinance, the term "***municipal services***" shall mean any municipal service provided by the City of Jeannette to or for the benefit of any person, corporation, entity or firm owning property within the geo-political boundaries of the City of Jeannette, such services to be deemed to include, but not be limited to, garbage collection services, alley and/or street paving services, or any other services provided by

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the City, through its employees, agents or assigns, to property owners for which a fee is assessed.

5. For purposes of this Ordinance, the term *“municipal claims, fines or debt”* shall mean any outstanding indebtedness subject to any municipal claim either filed by the City or capable of being filed by the City, any outstanding Magisterially or Court imposed fine or penalty associated with or arising from matters associated with the ownership of real property within the geo-political boundaries of the City and all other debt, of whatsoever nature and kind, arising from the ownership, use, maintenance or control of any and all real property of the owner within the geopolitical boundaries of the City.

6. The provisions of this Ordinance shall apply to any person, entity, corporation or firm who owes outstanding real estate taxes, municipal service fees or municipal claims, fines or debt on any property within the geo-political boundaries of the City of Jeannette, regardless of whether such outstanding real estate taxes, municipal service fees, municipal claims, fines or debt are assessable to or against the property for which a permit is sought.

7. Any person, entity, corporation or firm making application for any license or permit required by any Ordinance of the City of Jeannette shall attach, along with such permit application, a Certification from the City Treasurer’s office, in a form prescribed by the City, verifying that all real estate taxes and all fees for municipal services on all property owned by such person, entity, corporation or firm within the geo-political boundaries of the City of Jeannette have been paid in full at the time the application for such permit is made. Such Certification shall include a sworn statement by the applicant disclosing the following information where applicable:

a. Where the Applicant is an Individual – The name and address of any partnership, corporation, sole proprietorship or other business entity in which the applicant participates as an owner, director, officer, shareholder or partner, whether within the City of Jeannette or not; and

b. Where the Applicant is a Business Entity Other than an Individual – The name and addresses of all individuals acting as owners, partners, directors, officers or shareholders in such business entity.

8. This Ordinance shall apply to all owner occupied single family residential dwellings, all two (2) family or other multi-family residential dwelling and/or rental units, commercial and/or industrial facilities within the geo-political boundaries of the City of Jeannette, subject to licensing or permitting under those various Ordinances of the City of Jeannette referenced above

9. The terms, words, phrases and provisions of this Ordinance are severable. In the event any term, condition, provision or phrase in this Ordinance shall be deemed by a

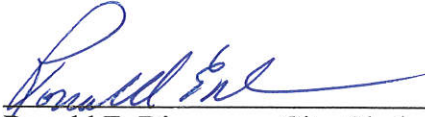
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Court of competent jurisdiction as void or unenforceable, then the remaining terms, conditions, provisions and phrases set forth herein shall continue in full force and effect.


THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AT A PUBLIC MEETING HELD THE 9<sup>th</sup> DAY OF FEBRUARY, 2005, AND SHALL TAKE EFFECT IMMEDIATELY.

ATTEST:

  
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Ronald E. Dinsmore, City Clerk

THE CITY OF JEANNETTE

BY:

  
\_\_\_\_\_  
Michael T. Cafasso, Mayor and  
President of Council