

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 26 – FAIR HOUSING

[History: Adopted by Council of the Borough of Northumberland 12-29-82 as Ord. No 380. Amendments noted where applicable.]

ARTICLE I – ESTABLISHMENT

26.1.01 Title. (26-1)

This chapter shall be known as the "Fair Housing Ordinance of Northumberland Borough."

26.1.02 Restrictions. (26-2)

No person, firm, corporation, partnership or other entity which receives or expects to receive pecuniary gain from the advertising, rental or sale of real property within Northumberland shall:

- A. Influence or attempt to influence any other person who purports or represents himself to be a prospective purchaser, occupant or tenant of real property to refrain from purchasing or renting property by referring to race, sex, color, religion or national origin of occupants or prospective occupants of other real property in the neighborhood.
- B. Influence or attempt to influence by any words, acts or failure to act any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of real property, in connection with the sale or rental of real property, so as to promote or tend to promote the continuance or maintenance of racially segregated housing or so as to retard, obstruct or discourage tenancy of racially segregated housing or so to retard, obstruct or discourage racially integrated housing on or in any street, block or neighborhood.
- C. Discriminate against any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of real property by any influence, suggestion, act or failure to act or accord any differential treatment among such persons, in connection with the sale or rental of real property or in the furnishing of information, services or facilities relative thereto, because of race, sex, color, religion or national origin of any person.

26.1.03 Creation of Committee. (26-3)

- A. There is hereby created a Northumberland Equal Housing Opportunity Committee consisting of the following:
 1. One (1) member of the governing body of Northumberland. The governing body will select the representative to the Committee.
 2. One (1) member of the Northumberland Planning Commission. The Planning Commission will select the representative to the Committee.
 3. One (1) resident of Northumberland not employed or serving in any office, elected or appointed, of the borough. The Kiwanis Club will select this representative.
- B. All members of the committee shall serve for the balance of the calendar year and shall be appointed thereafter for one-year terms on a calendar-year basis.

26.1.04 Powers and duties of Committee. (26-4)

The Northumberland Equal Housing Opportunity Committee shall:

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- A. Provide a means of communication and exchange of information between real estate brokers and salesman doing business in Northumberland, officials of the borough and community organizations.
- B. Confer and cooperate with real estate brokers, salesman, public officials and such associations designed to eliminate any unfair, discriminatory or differential practices in connection with the advertising, sale or leasing of real estate.
- C. If deemed necessary, periodically make studies, prepare and disseminate educational materials and make recommendations to the local realtors, the governing body and other groups to the methods of eliminating discriminating practices in connection with the advertising, sale or leasing of real estate in the borough.
- D. Receive, investigate and seek to adjust all complaints of discriminatory practices in connection with the advertising, sale or leasing of real estate, and make recommendations to and assist the Northumberland County District Attorney in connection with any such violation.
- E. Furnish the governing body with an annual report of the Committee's activities, due no later than the thirty-first (31st) day of January of each year.

26.1.05 Violation and penalties. (26-5)

Persons who violate the provisions of this chapter shall be guilty of a misdemeanor of the third degree and be subject to penalties as provided for under the Pennsylvania Crime Code.

26.1.06 Severability

If any provision, sentence, clauses or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such constitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or section parts of this Ordinance. It is hereby declared as the intent of the governing body that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not been included.

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Addendum: Fair Housing Enforcement Administrative Plan

The Northumberland Borough Council, pursuant to enforcement of Ordinance No. 380 prohibiting discrimination on the basis of race, color, religion, ancestry, national origin, sex or place of birth in regard to housing accommodations within the borough, has prepared this enforcement administrative plan in order to actively promote fair housing and equal housing opportunity within the borough.

Actions to enforce the ordinance will include setting up a Fair Housing Board, ensuring publicity and information distribution, establishment of a working relationship with the state and federal agencies responsible for promoting Pennsylvania and United States fair housing laws and regulations and establishing an internal mechanism for enforcement of the ordinance.

Fair Housing Board. The borough hereby establishes a Fair Housing Board as a mechanism of the municipality for dealing with the administration of the Fair Housing Ordinance. The Fair Housing Board shall be comprised of three (3) members, including the Chairman of the Borough Council and two (2) full-time residents of Northumberland. The Board shall meet when circumstances deem it necessary to deal with citizen grievances under Ordinance No. 380. Any person aggrieved under the contents of Ordinance No. 380 may request and shall be granted a hearing before the Fair Housing Board. The person desiring a hearing shall file with the Northumberland Borough Council a petition requesting a hearing. A hearing thereon shall be held within thirty (30) days from presentation of the request at a time and place set by the Board. Written notice thereof shall be given to the petitioner.

Publicity and Information Distribution. In the interest of promoting fair housing and equal opportunity with the borough limits, Northumberland Borough Council shall, in writing, inform all real estate agents in Northumberland Borough and all recipients of housing assistance from Northumberland Borough of the existence of Fair Housing Ordinance No. 380 and the procedures for filing a grievance under same.

Relationship to State and Federal Housing Agencies. The Northumberland Borough Council and the Fair Housing Board will make every effort to aid in processing any grievances under Fair Housing Ordinance No. 380 which may be received by any state and federal housing agency.