

**MIDDLE SMITHFIELD TOWNSHIP
NOTICE OF PUBLIC HEARING AND INTENTION TO ADOPT PROPOSED
ORDINANCE**

The Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, hereby gives public notice of its intention to consider for adoption, and if appropriate adopt, the following proposed Ordinance at its regularly scheduled meeting to be held on May 25, 2017, at 7:00 p.m., in the Township Municipal Building, 147 Municipal Drive, East Stroudsburg, Pennsylvania. A public hearing will be held at the aforesaid meeting to consider the proposed Ordinance. All interested persons are hereby given notice to attend the meeting and to offer such testimony and comment in relation to the proposed Ordinance as they desire. The title and summary of the proposed Ordinance are as follows:

*AN ORDINANCE OF THE TOWNSHIP OF MIDDLE SMITHFIELD,
MONROE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE
TOWNSHIP OF MIDDLE SMITHFIELD, AS HERETOFORE AMENDED; ADDING A
CHAPTER 179, ENTITLED "USE AND OCCUPANCY OF REAL PROPERTY"; REGULATING
USE AND OCCUPANCY OF LEASED PROPERTIES AND PROPERTIES IN WHICH TITLE
OF OWNERSHIP IS TRANSFERRED IN ORDER TO ENSURE THAT THE USE AND
OCCUPANCY OF SUCH PROPERTIES WILL BE CONDUCTED IN ACCORDANCE WITH
PUBLIC HEALTH, SAFETY, AND WELFARE; PROVIDING PENALTIES FOR VIOLATION
THEREOF; AND PROVIDING FOR OTHER MISCELLANEOUS MATTERS.*

The proposed Ordinance requires the Owner of a Business or Residential Building to obtain, no later than fifteen (15) days prior to leasing or sale of the Building, a Use and Occupancy Certificate from the Township Building Inspector. An applicant for a Use and Occupancy Certificate shall inform the renter, lessee, or buyer of said property of the result of the inspection, prior to the lease, rental, or sale. Use and occupancy of a Building without a required Use and Occupancy Certificate is illegal, and a violation of the Ordinance, unless permitted pursuant to a validly issued Temporary Certificate. If the municipal inspection reveals at least one Violation, but no Substantial Violations, a Temporary Use and Occupancy Certificate shall be issued. If the municipal inspection reveals at least one Substantial Violation, a Temporary Access Certificate shall be issued to allow access to the property for the purpose of correcting Substantial Violations that are specifically noted on the inspection report. No person may occupy a property during the term of a Temporary Access Certificate, but the owner shall be permitted to store personalty that is related to the proposed use or occupancy of the property or is needed to repair the Substantial Violations during the time of the Temporary Access Certificate. Where a Temporary Certificate has been issued, the Owner, at its option, shall either correct any Violations within the required time period, or demolish the Building in accordance with law. The proposed Ordinance also provides for inspections and contains definitions, rules for interpretation and applicability, penalties for violation and other miscellaneous matters. The foregoing is only a summary of the proposed Ordinance. Interested persons are encouraged to review the full text of the proposed Ordinance.

A complete and true copy of the proposed Ordinance is on file and may be examined, without charge or obtained for a charge no greater than the cost of reproduction, by the public at

the Middle Smithfield Township Municipal Building, 147 Municipal Drive, East Stroudsburg, Pennsylvania, during the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. A copy of the proposed Ordinance is also available for inspection at the newspaper publishing this legal notice and the Monroe County Law Library.

KING, SPRY, HERMAN, FREUND & FAUL LLC

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Solicitor-Township of Middle Smithfield