



## **Canton Borough Office of the Administrator**

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***Amy C. Seeley***

***Administrator • Secretary • Treasurer***

Testimony for the Senate Urban Affairs and Housing Committee

Thursday, January 21, 2010

Riverstone Inn

Wysox, PA

Presented by:

Amy C. Seeley

Administrator-Secretary-Treasurer

Canton Borough

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Hello, and thank you for this opportunity to present testimony to the Senate Urban Affairs and Housing Committee. My name is Amy Seeley and I am the Borough Administrator-Secretary-Treasurer for Canton Borough. I have served in this position since 2000.

Two specific issues that have recently surfaced in Canton Borough with regard to the emergence of the natural gas industry and how it is affecting housing is the living arrangements of the employees of the gas companies and how they potentially can impact small communities as well as the standardized regulation of the Uniform Construction Code.

Along with single family residences and rentals occupied by family units, municipalities are going to see an increase in what is defined as congregate living, the full definition which can be found in the *2006 International Building Code* (see attached letter from Code Inspections, Inc.).

At the November 9, 2009 regular Council meeting of the Canton Borough Council, I reviewed with Council the zoning regulations as set forth in Canton Borough's Zoning Ordinance adopted November 8, 1976. The Borough's Low Density and Medium Density Residential Districts as well as their Central Business District all allow for boarding and lodging houses as Special Exception uses. I

advised Council as well as all others present that a Zoning Hearing is required for a Special Exception use. Borough Solicitor Matthew W. Brann stated that if there is a desire to convert a residential home into a boarding or lodging house then the owner of that home would need to ask for a Special Exception through the Zoning Hearing Board, who in turn would make a decision based on input received.

Separate from my job as the Borough Administrator-Secretary-Treasurer, I am the elected occupation tax assessor for the Borough and School District. While working on the tax rolls in November I was again reminded that it is a difficult task to track the residents of the Borough rentals. Through my Borough network at Pennsylvania State Association of Borough conferences I sought samples of rental registration ordinances and was provided a copy of Saxonburg Borough's. I contacted their Secretary who in turn advised me that the ordinance, when passed, was received very well and had increased the collection of their taxes. She also indicated that enforcement was basically done in house and on the honor system. At the December 15 regular Council meeting I presented a draft copy of Saxonburg Borough's rental registration ordinance. Council approved advertising this ordinance for adoption at their Biennial Reorganization meeting on January 4, 2010. Due to the nature of the

ordinance it was advertised in full in *The Canton Independent-Sentinel*.

The rental registration ordinance was not presented strictly for taxation purposes but also based on the safety for Police, Fire and EMS agencies. Canton Borough Police Chief Douglas Seeley has stated that he would like the gas industry tenants, as with all other tenants, be registered so that the emergency personnel have specific information at their fingertips in case of an emergency that may save a life or at least allow for the notification of an emergency situation to a family member or boss of the person involved.

In the weeks prior to the January 4 Council meeting I was informed that the proposed ordinance had created some concern amongst some of the landlords and business owners in the community. At the January 4 meeting approximately 8 visitors attended the meeting specifically to discuss this matter. The main concern was the timing of this ordinance. Both I and Solicitor Brann informed those in attendance that the timing had nothing to do with the change in the economic situation. Discussion was held regarding the permanent residence of the gas industry employees and whether they should be deemed residents. The determination was made that if the gas industry tenants do not consider the rental their permanent

residence and they have a permanent address elsewhere (i.e. where they file their taxes, license their vehicle and have their drivers' license) then they are not considered residents of Canton Borough and do not need to be registered.

Another point brought forward during this discussion as the meeting was the fact that the Borough can't override the Commonwealth's Uniform Construction Code which states that boarding and lodging houses must have a sprinkler system. One of the visitors then commented that they (meaning the code officials and/or state) can't agree on the regulations. I am sure that there are different interpretations of the Uniform Construction Code across the Commonwealth but to have such different interpretations in two counties that are situate next to each other does cause confusion when trying to enforce regulations.

It was mentioned by a visitor at the January 4 meeting that when the gas companies read in the newspaper regulations about boarding houses and ordinances about taxpayers that they don't feel welcome and they won't come to that community. None of the information on zoning regulations for boarding houses or lodging houses, as well as the rental registration ordinance, was presented in any fashion to discourage any gas industry company from coming to

Canton nor was it meant to make anyone feel unwelcome. Canton Borough Council brought this information forward to inform every one of the regulations that are in place in Canton Borough.

Canton Borough is aware that the gas industry is here and that it's going to be for quite some time. The Borough welcomes the opportunity to work with those within that industry for the betterment of our community but at the same time the Borough needs to protect its assets, infrastructure and residential integrity.

Thank you for the opportunity to share with you matters that Canton Borough are seeing with regard to the emergence of the natural gas industry and how it is affecting housing in our area.

I would be happy to try and answer any questions you may have.

Attachments:

- Canton Borough Council November 9, 2009 Minutes
- Canton Borough Council January 4, 2010 Minutes
- Canton Borough Ordinance No. 556 – An Ordinance of the Borough of Canton, Bradford County, Commonwealth of Pennsylvania, Amending the Code of Ordinances and Mandating Landlords/Lessors Within the Borough to Provide the borough With A Monthly Registration Form Identifying Its Residential Lessees
- Canton Borough Ordinance No. 314 – Zoning Ordinance
- Letter from Frank **Tourscher**, Code Inspections, Inc.