

TENEMENT HOUSES, REGULATION OF
Act of Jun. 7, 1907, P.L. 441, No. 300
AN ACT

Cl. 11

To regulate tenement-houses in cities of the first class, and to require those owning or conducting the same to secure a license from the mayor; making violations of the act misdemeanors, and providing penalties for such violations.

Section 1. Be it enacted, &c., That it shall be the duty of every person who desires to conduct a tenement-house in any city of the first class, to apply to the mayor of such city, before the first day of January of the year one thousand nine hundred and eight, and before the first day of January of each and every year thereafter, for a tenement-house license for the ensuing year.

Every application for a license shall be on a form approved by the mayor, and shall state the name and address of the person who proposes to conduct the tenement-house and, if such person is not the owner, the name and address of the owner, its exact location, the general material of its construction, the date of its erection if originally constructed for tenement purposes, or the date of its alteration if subsequently altered to tenement purposes, and the number of rooms or apartments to be used for such purposes.

Section 2. The mayor of every city of the first class is hereby authorized to grant tenement-house licenses to those applicants who have complied with the provisions of this act and the rules and regulations of the Department of Public Health and Charities pertaining to tenement-houses, and whose buildings fully meet all the requirements of this act. Whenever the mayor refuses to grant a license, he shall forthwith record, in detail, his reasons for such refusal in a proper book, which shall be a public record.

Each license shall clearly specify the name and address of the person authorized to conduct the tenement-house, and, if such person is not the owner, the name and address of the owner, its location, the number of rooms or apartments which may be occupied for tenement purposes, and the date of the expiration of the license. Every license shall expire at the end of the calendar year for which it was issued, or at any time prior thereto if the person to whom it is issued ceases to conduct the said tenement-house: Provided, however, That, should the person to whom the license had been issued die during its term, the license shall, nevertheless, be valid for thirty days from the date of his death, in favor of his legal representative or of the person to whom the tenement-house passes by law, as the case may be.

The mayor shall keep a public record of all the tenement-house licenses issued under the provisions of this act. The original applications shall be preserved for a period of one year, and shall be open to examination by the public.

The mayor shall have the power to revoke any license upon the

request of the Department of Public Health and Charities, or upon his own motion if the person to whom the license was granted has violated any of the provisions of this act, or of the rules and regulations of the said Department pertaining to tenement-houses, or has failed at any time within the term of the license to maintain his tenement-house in the condition required by this act or by the rules and regulations of the said Department pertaining to tenement-houses.

Any person whose application for a license has been refused, or whose license has been revoked, shall have the right to appeal, within fifteen days, from the decision of the mayor, to the court of common pleas of the proper county, and such court shall make such order as right and justice may require: Provided, however, That such appeal shall not operate to supersede any decision of the mayor, pending the entry of a final order by said court, unless said appeal is directed to operate as a supersedeas by said court, at a preliminary hearing to be held at the time and in the manner provided by its rules for applications for preliminary injunctions.

The charge for every application for a license shall be two dollars, where the number of rooms in the tenement-house for which it is applied is ten or under, and five dollars in every other case.

Section 3. On and after the first day of January, nineteen hundred and eight, it shall be unlawful for any person to conduct a tenement-house in any city of the first class unless he has secured a license therefor; and unless he, at all times, displays it in a conspicuous place upon the wall within, and close to the outer entrance of, the tenement-house to which it applies.

Section 4. If any person who desires to conduct a tenement-house has failed to apply for a license prior to the first day of January, in any year, he may apply for such license at any time during the following year; but the license issued to him shall, nevertheless, expire at the end of the current calendar year, and the charge for the application shall be the same as if the license had been applied for prior to January first.

Section 5. It shall be the duty of the Department of Public Health and Charities, in every city of the first class, to make quarterly inspections of all parts of every tenement-house, to ascertain whether all the provisions of this act and of other acts, and of the rules and regulations of the Department of Public Health and Charities pertaining to tenement-houses, are being properly observed. For this purpose, the director of the said Department shall have authority to employ two tenement-house inspectors, at a salary of not more than twelve hundred dollars each, and such additional inspectors as he may deem necessary, in order to secure the enforcement of the provisions of this act. These additional inspectors shall receive salaries to be fixed by the said director, subject to the approval of the mayor. Councils shall annually appropriate the sums necessary for the payment of the salaries of the tenement-house inspectors, and of such other inspectors as may be appointed under the provisions of this section. The inspectors shall report immediately, to the said Department, the result of every

inspection. In every case where such reports indicate a breach of the building laws they shall be forthwith certified to the Bureau of Building Inspection.

Section 6. Any person who, after the first day of January, one thousand nine hundred and eight, conducts any tenement-house in any city of the first class, without having secured a license therefor from the mayor, or who continues to conduct any tenement-house after such license has expired or has been revoked, or who at any time fails to display the license as hereinbefore required, or who neglects or refuses to maintain any tenement-house in the condition hereinbefore prescribed, or who makes any false statement in any application for a license, or who violates in any way any of the provisions of this act or any of the rules and regulations of the Department of Public Health and Charities pertaining to tenement-houses, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to imprisonment for a term not exceeding three months, or to a fine not exceeding five hundred dollars, or to both such fine and imprisonment, at the discretion of the court.

Section 7. The term "tenement-house," in this act, shall mean every building which, or a portion of which, is occupied, or is to be occupied, as a residence by three or more families, living independently of each other and doing their cooking upon the premises.

The term "person," in this act , shall include natural persons, corporations, joint stock companies, partnerships, partnership associations, individuals, and associations of individuals.

Wherever appropriate the words of the masculine gender, in this act, shall include the feminine and neuter gender, and the words in the singular shall include the plural.

The term "license," in this act, shall mean a tenement-house license.

Section 8. All acts or parts of acts inconsistent with this act be and the same are hereby repealed: Provided, however, That nothing in this act shall be construed as in any way repealing, altering, or amending the provisions of the act of June seventh, one thousand nine hundred and five, entitled "A supplement to an act, entitled 'An act amending section one of article three of an act, entitled 'An act for the better government of cities of the first class in this Commonwealth,' approved the first day of June, Anno Domini one thousand eight hundred and eighty-five; regulating the construction, maintenance, and inspection of buildings,' approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three; regulating the construction, alteration, and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same."