
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1939

Session of
2001

INTRODUCED BY KENNEY, PETRONE, ARGALL, PHILLIPS, BROWNE,
L. I. COHEN, HENNESSEY, HESS, LEDERER, DIVEN, MANN,
M. WRIGHT, J. WILLIAMS, BASTIAN, BUNT, CIVERA, DALLY,
FICHTER, GODSHALL, HARHART, McILHINNEY, RUBLEY, TRELLO,
FREEMAN, WATSON, M. COHEN, MICOZZIE, McILHATTAN, FEESE,
WALKO, JAMES, BEBKO-JONES, CAPPELLI, DAILEY AND MICHLOVIC,
SEPTEMBER 26, 2001

SENATOR DENT, URBAN AFFAIRS AND HOUSING, IN SENATE, AS AMENDED,
MARCH 26, 2002

AN ACT

1 Amending the act of June 25, 1919 (P.L.581, No.274), entitled
2 "An act for the better government of cities of the first
3 class of this Commonwealth," limiting the issuance of
4 permits, licenses, variances and approvals.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1 of Article IV of the act of June 25,
8 1919 (P.L.581, No.274), referred to as the First Class City
9 Government Law, is amended to read:

10 ARTICLE IV.

11 Officers and Employes in General.

12 Section 1. (a) Except as herein otherwise provided, the
13 powers, functions, and duties of all executive departments,
14 bureaus, boards, divisions, officers, and employes of such
15 cities shall continue as now provided by law.

1 (b) Any officer of the city may deny issuing to any
2 applicant a building permit, zoning permit, zoning variance,
3 municipal license, municipal permit or municipal approval for
4 contemplated action requiring such approval RELATING TO REAL <—
5 PROPERTY if the applicant owns any real property in this
6 Commonwealth:

7 (1) for which taxes, or sewer or refuse collection charges
8 ~~are delinquent~~ HAVE BEEN DELINQUENT IN EXCESS OF THIRTEEN MONTHS <—
9 on the real property;

10 (2) that has been determined to be in serious violation of
11 applicable State or municipal housing, building, property
12 maintenance or fire safety code requirements, and has not taken
13 substantial steps to bring the property into code compliance;
14 and

15 (3) which is in violation of any applicable State or
16 municipal, housing, building, property maintenance or fire
17 safety code requirements for which the property owner has taken
18 no substantial steps to correct within six months following
19 notification of the violation.

20 (c) All municipal variances, approvals, permits or licenses
21 RELATING TO REAL PROPERTY may be withheld until such time as the <—
22 applicant obtains a letter from the appropriate State agency,
23 municipality and/or school district, WHICH LETTER SHALL BE <—
24 PROVIDED TO THE APPLICANT WITHIN TEN BUSINESS DAYS OF THE
25 MUNICIPALITY'S RECEIPT OF THE APPLICANT'S WRITTEN REQUEST
26 indicating the property in question:

27 (i) is not presently delinquent in taxes or sewer or refuse
28 collection charges;

29 (ii) is now in code compliance; and

30 (iii) has had substantial steps taken to bring the property

1 into code compliance.
2 Letters required by this clause shall be verified by the
3 appropriate city officials before issuing to the applicant any
4 municipal variances, approvals, permits or licenses, UNLESS THE <—
5 LETTER REQUIRED BY THIS SECTION HAS NOT BEEN ISSUED WITHIN TEN
6 BUSINESS DAYS OF THE MUNICIPALITY'S RECEIPT OF THE APPLICANT'S
7 WRITTEN REQUEST, IN WHICH CASE THE LETTER SHALL BE DEEMED TO
8 HAVE BEEN ISSUED.

9 (d) For purposes of this section:

10 "Serious violations" shall mean housing, building, property
11 maintenance, or fire safety code violations that pose an A <—
12 SERIOUS AND immediate threat to the health and safety of
13 dwelling occupants or occupants in surrounding structures and
14 passers by.

15 "Substantial steps" shall mean an affirmative action on the
16 part of the property owner or managing agent that is within the
17 control of the owner or agent, as determined by the
18 municipality, to remedy code violations involving physical
19 improvements or preparations to the property.

20 Section 2. This act shall take effect in 60 days.