

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 407 Session of 2019

INTRODUCED BY MASSER, HELM, CALTAGIRONE, BERNSTINE, SCHLOSSBERG, JAMES, NEILSON, MILLARD, DeLUCA, JOZWIAK, WHITE, O'NEAL, GOODMAN, SCHMITT, DONATUCCI, BIZZARRO, HOHENSTEIN AND ISAACSON, FEBRUARY 6, 2019

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 19, 2019

AN ACT

1 Amending Title 1 (General Provisions) of the Pennsylvania
2 Consolidated Statutes, in rules of construction, further
3 providing for definitions.

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

6 Section 1. Section 1991 of Title 1 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 1991. Definitions.

9 The following words and phrases, when used in any statute
10 finally enacted on or after September 1, 1937, unless the
11 context clearly indicates otherwise, shall have the meanings
12 given to them in this section:

13 \* \* \*

14 "Blighted property." The term includes:

15 (1) A premises:

16 (i) ascertained to be a public nuisance due to

17 physical condition or use and regarded as such at common

1 law and deemed to be a danger to public health, safety  
2 and welfare or public nuisance as regulated by a locally  
3 adopted property maintenance code and OR, IF NO SUCH CODE <--  
4 EXISTS, any compatible code enacted by the act of  
5 November 10, 1999 (P.L.491, No.45), known as the  
6 Pennsylvania Construction Code Act; or

7 (ii) the condition of which contains an attractive  
8 nuisance created by physical condition, use or occupancy,  
9 including, but not limited to, abandoned WATER wells, <--  
10 shafts, basements, excavations and unsafe fences or other  
11 structures, or WHICH CONTAINS a safety risk, including, <--  
12 but not limited to, unauthorized entry or unsafe  
13 equipment.

14 (2) A dwelling that has been condemned or otherwise  
15 deemed unfit for occupancy or use by the local authority  
16 having jurisdiction due to dilapidated, unsanitary, unsafe, <--  
17 OR vermin-infested condition or THAT IS lacking in the <--  
18 facilities and equipment as required by the Pennsylvania  
19 Construction Code Act.

20 (3) A structure determined BY THE LOCAL AUTHORITY HAVING <--  
21 JURISDICTION to be a fire hazard or otherwise that could  
22 easily catch fire or cause a fire and endanger public health,  
23 safety and welfare.

24 (4) A vacant or unimproved lot or parcel of ground  
25 located in a predominantly developed neighborhood that has  
26 become a place for the accumulation of trash and debris or  
27 haven for rodents and other vermin by reason of neglect or  
28 lack of maintenance.

29 (5) A property that is vacant and has not been  
30 rehabilitated within one year from receipt of notice for

1 corrective action as issued by the local authority having  
2 jurisdiction, except a property where a valid construction  
3 permit is in place.

4 (6) A vacant or unimproved lot or parcel of ground ~~on~~ <--  
5 ~~which~~ THAT IS SUBJECT TO a municipal lien for the cost of <--  
6 demolition of a structure previously located on the property  
7 AND for which no payments ON THE LIEN have been made for a <--  
8 period of 12 months.

9 (7) A vacant or unimproved lot or parcel of ground on  
10 which the total municipal liens for delinquent real estate  
11 and property tax or any other type of municipal claim are  
12 greater than 150% of the fair market value of the property as  
13 established by the board of assessment appeals or other body  
14 with legal authority to determine the taxable value of the  
15 property.

16 (8) A property that has been declared abandoned in  
17 writing by the owner, including an estate that is in  
18 possession of the property.

19 \* \* \*

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