

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 967 Session of
1997

INTRODUCED BY RUBLEY, DENT, M. N. WRIGHT, ITKIN, STABACK,
BELARDI, ARGALL, HERSHEY, CAWLEY, STERN, STURLA, CARONE,
RAYMOND, GEIST, MASLAND, SERAFINI, GLADECK, VAN HORNE,
L. I. COHEN, HENNESSEY, YOUNGBLOOD, RAMOS, STETLER, MCGEEHAN,
STEELMAN, CIVERA, McNAUGHTON, PETRONE, ROSS AND BROWNE,
MARCH 25, 1997

AS AMENDED ON THIRD CONSIDERATION, HOUSE REPRESENTATIVES,
FEBRUARY 10, 1998

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," providing for collection
5 of penalties for violating certain ordinances.

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

8 Section 1. The act of May 1, 1933 (P.L.103, No.69), known as
9 The Second Class Township Code, reenacted and amended November
10 9, 1995 (P.L.350, No.60), is amended by adding a section to
11 read:

12 Section 1601.1. Collection of Penalties for Violations of
13 Building, Housing, Property Maintenance, Health, Fire or Public
14 Safety Ordinance.--(a) No fine or penalty shall exceed one
15 thousand dollars (\$1,000) for a violation of a building,
16 housing, property maintenance, health, fire or public safety
17 ordinance, except as provided in subsection (c) SUBSECTIONS (C) <—

1 AND (D).

2 (b) For violations which pose a serious threat to health,
3 safety or property, after thirty days from the initial charge,
4 each day that the violation continues may constitute a separate
5 violation unless a person demonstrates a good faith effort to
6 begin abatement of the violation. If the violation remains
7 unabated after ninety days from the initial charge, the owner of
8 the real property in violation may, WITH THE CONSENT OF THE <—
9 TOWNSHIP, surrender title to the township in lieu of payment of
10 the accrued penalties.

11 (C) THE FINE OR PENALTY IN THE CASE OF A VIOLATION INVOLVING <—
12 THE DWELLING OF A PERSON SIXTY-FIVE YEARS OF AGE OR OLDER MAY
13 EXCEED ONE THOUSAND DOLLARS (\$1,000) BUT SHALL NOT EXCEED ONE
14 THOUSAND FIVE HUNDRED DOLLARS (\$1,500).

15 ~~(e)~~ (D) Any person charged for a violation in subsection (b) <—
16 who fails, without just cause, to begin abatement of the
17 violation within ninety days of the initial charge or fails to
18 demonstrate that a good faith effort has been made to begin
19 abatement of the violation commits a misdemeanor of the third
20 degree and may, upon conviction, be sentenced to pay a fine of
21 not more than two thousand five hundred dollars (\$2,500) and to
22 imprisonment for not more than one year.

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