

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 543 Session of
1997

INTRODUCED BY PICCOLA, BRIGHTBILL, ULIANA, JUBELIRER, MELLOW,
AFFLERBACH, GERLACH, HELFRICK, O'PAKE, ROBBINS, MADIGAN,
WOZNIAK, THOMPSON, DELP AND SALVATORE, FEBRUARY 25, 1997

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, OCTOBER 21, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the crime of municipal
3 housing code avoidance.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7509. Municipal housing code avoidance.

9 (a) Offense defined.--A person commits the crime of
10 municipal housing code avoidance upon that person's fourth or <—
11 subsequent conviction of a violation of the same subsection of a
12 municipal housing code for the same property without any
13 reasonable attempt to correct the violation. IF: <—

14 (1) THE PERSON HAS BEEN CONVICTED OF A FOURTH OR
15 SUBSEQUENT VIOLATION OF THE SAME SUBSECTION OF A MUNICIPAL
16 HOUSING CODE FOR THE SAME PROPERTY;

17 (2) THE VIOLATION HAS BEEN CONTINUAL AND UNCORRECTED;

18 (3) THE VIOLATION POSES A THREAT TO THE PUBLIC'S HEALTH,

1 SAFETY OR PROPERTY; AND

2 (4) NO REASONABLE ATTEMPT HAS BEEN MADE BY THE PERSON TO
3 CORRECT THE VIOLATION.

4 (b) Grading.--Municipal housing code avoidance shall
5 constitute a:

6 (1) Misdemeanor of the second degree when the offense is
7 a fourth conviction of a violation of the same subsection
8 under a municipal housing code relating to the same property.

9 (2) Misdemeanor of the first degree when the offense is
10 based on five or more convictions of violations of the same
11 subsection under a municipal housing code relating to the
12 same property.

13 (c) Definition.--As used in this section, the term
14 "municipal housing code" means any municipality's building,
15 housing or property maintenance code or ordinance.

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