

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in neighborhood blight reclamation and
3 revitalization, establishing a grant program for
4 municipalities to establish code enforcement programs and
5 hire code enforcement personnel, providing for powers and
6 duties of the Department of Community and Economic
7 Development and for imposition of a fee and establishing the
8 Municipal Property Maintenance Code Assistance Fund.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Chapter 61 of Title 53 of the Pennsylvania
12 Consolidated Statutes is amended by adding a subchapter to read:

13 SUBCHAPTER B.1

14 MUNICIPAL PROPERTY MAINTENANCE CODE ASSISTANCE

15 Sec.

16 6121. Scope of subchapter.

17 6122. Legislative intent.

18 6123. Definitions.

19 6124. Code enforcement grant program.

20 6125. Imposition of fee.

1 6126. Fund.

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3 6128. Guidelines.

4 § 6121. Scope of subchapter.

5 This subchapter relates to municipal property maintenance
6 code assistance.

7 § 6122. Legislative intent.

8 The purpose of this subchapter is to provide funding for
9 individual municipalities, two or more municipalities under
10 Subchapter A of Chapter 23 (relating to intergovernmental
11 cooperation), councils of governments or a multimunicipal code
12 enforcement entity, for the purpose of municipal property
13 maintenance code enforcement within that county or region in
14 order to prevent and eradicate blighted property conditions.

15 § 6123. Definitions.

16 The following words and phrases when used in this subchapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 "Blighted property." Any of the following:

20 (1) A premises that, because of physical condition or
21 use, is regarded as a public nuisance at common law or has
22 been declared a public nuisance in accordance with a local
23 housing, building, plumbing, property maintenance, fire or
24 related code and ordinance, including a nuisance and
25 dangerous buildings ordinance.

26 (2) A premises that, because of physical condition, use
27 or occupancy, is considered an attractive nuisance to
28 children, including, but not limited to, an abandoned well,
29 shaft, basement, excavation and unsafe fence or structure.

30 (3) A dwelling that, because it is dilapidated,

1 unsanitary, unsafe, vermin infested or lacking in facilities
2 and equipment required by the housing code of a municipality,
3 has been designated by the department responsible for
4 enforcement of the code as unfit for human habitation.

5 (4) A structure that is a fire hazard or otherwise
6 dangerous to the safety of persons or property.

7 (5) A structure from which the utilities, plumbing,
8 heating, sewage or other facilities have been disconnected,
9 destroyed, removed or rendered ineffective so that the
10 property is unfit for its intended use.

11 (6) A vacant or unimproved lot or parcel of ground in a
12 predominantly built-up neighborhood that by reason of neglect
13 or lack of maintenance has become a place for accumulation of
14 trash and debris or a haven for rodents or other vermin.

15 (7) An unoccupied property that has been or becomes tax
16 delinquent for a period of at least two years.

17 (8) A property that is vacant, but is not tax
18 delinquent, and has not been rehabilitated within one year of
19 receipt of notice to rehabilitate from the appropriate code
20 enforcement agency.

21 "Department." The Department of Community and Economic
22 Development of the Commonwealth.

23 "Fund." The Municipal Property Maintenance Code Assistance
24 Fund established in this subchapter.

25 "Municipal code" or "code." A building, housing, property
26 maintenance, fire, health or other public safety ordinance,
27 related to the use or maintenance of real property, enacted by a
28 municipality. The term does not include a subdivision and land
29 development ordinance or a zoning ordinance enacted by a
30 municipality.

1 "Municipality." A city, borough, incorporated town, township
2 or home rule, optional plan or optional charter municipality or
3 municipal authority within this Commonwealth or any entity
4 formed under Subchapter A of Chapter 23 (relating to
5 intergovernmental cooperation).

6 § 6124. Code enforcement grant program.

7 (a) Establishment.--The department shall issue grants to
8 municipalities for the purpose of reducing blighted property
9 conditions through:

10 (1) the establishment of special code enforcement
11 programs to address blighted property conditions, where a
12 municipal code enforcement program already exists; or

13 (2) the establishment of code enforcement programs and
14 the hiring and training of code enforcement personnel in
15 those municipalities without an existing code enforcement
16 program.

17 (b) Competitive awards.--The department shall issue grants
18 under this section to municipalities on a competitive basis
19 according to the following criteria:

20 (1) The benefit to the municipality of having an
21 adequately funded and staffed code enforcement department.

22 (2) Whether the municipality's building code enforcement
23 department demonstrates an ability to work cooperatively with
24 other local code enforcement offices, health departments and
25 local prosecutorial agencies.

26 (3) Whether the municipality demonstrates a financial
27 need for the grant.

28 (4) The overall condition of the real property within
29 the municipality.

30 (c) Eligibility.--In order to receive a grant under this

1 section, a municipality must submit an application acceptable to
2 the department and that addresses the criteria established under
3 subsection (b).

4 (d) Matching funds.--A municipality shall provide its own
5 funds or in-kind contributions, approved by the department as
6 determined by guidelines established by the department under
7 section 6128 (relating to guidelines), equal to the amount of
8 the grant provided, and shall dedicate and expend those funds
9 for the purpose for which the grant was awarded.

10 (e) Limitations.--

11 (1) Grants issued under this section shall not be
12 provided to the same recipient for more than three
13 consecutive years.

14 (2) No grant issued under this section may be used to
15 pay code enforcement personnel unless the individual has
16 acquired relevant certification or training in property
17 maintenance.

18 § 6125. Imposition of fee.

19 (a) General rule.--A municipality administering and
20 enforcing the act of November 10, 1999 (P.L.491, No.45), known
21 as the Pennsylvania Construction Code Act, as provided under
22 section 501(a) of that act, and a third-party agency providing
23 services under section 501(e) of that act, shall assess a fee of
24 \$1 on each construction or building permit issued under the
25 authority of that act. The fee shall be in addition to any other
26 fee imposed for the permit.

27 (b) Collection.--

28 (1) Money collected under subsection (a) shall be
29 transmitted on a quarterly basis to the State Treasury and
30 deposited in the fund established by section 6126 (relating

1 to fund).

2 (2) The department shall use the money collected under
3 paragraph (1) to fund the grants issued under section 6124
4 (relating to code enforcement grant program).

5 § 6126. Fund.

6 (a) Establishment.--The Municipal Property Maintenance Code
7 Assistance Fund is established within the State Treasury. The
8 money in the fund is hereby appropriated to the department on a
9 continuing basis for the purposes specified in this subchapter.

10 (b) Contents.--The fund shall consist of the fee deposited
11 under section 6125(a) (relating to imposition of fee) and the
12 interest earned on the fee.

13 (c) Use of funds.--The fund shall be used by the department
14 exclusively for the purpose of issuing the grants provided for
15 under section 6124 (relating to code enforcement grant program).
16 The department may utilize up to 5% of the total money collected
17 and deposited in the fund within the fiscal year to cover the
18 administrative costs associated with the program.

19 § 6127. Report to General Assembly.

20 The department shall submit an annual report to the Urban
21 Affairs and Housing Committee of the Senate and the Urban
22 Affairs Committee of the House of Representatives concerning the
23 implementation of this subchapter. The report shall include the
24 total amount of money collected and deposited into the fund as
25 well as the number of grants awarded and the recipients of those
26 grants.

27 § 6128. Guidelines.

28 Within 180 days of the effective date of this section, the
29 department shall establish guidelines to carry out the
30 provisions of this subchapter. The guidelines to implement

1 section 6124(b) (relating to code enforcement grant program) may
2 include, but not be limited to:

3 (1) The age of the existing housing stock in the
4 municipality.

5 (2) The municipality's existing tax base.

6 (3) The existing financial condition of the
7 municipality.

8 Section 2. This act shall take effect in 120 days.