

MUNICIPALITY CONDEMNATION ORDER ACT - ENACTMENT

Act of Oct. 29, 2020, P.L. 1043, No. 101

Cl. 53

An Act

Providing for filing and recording by municipalities of condemnation orders and for statements of vacated condemnation orders.

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

Section 1. Short title.

This act shall be known and may be cited as the Municipality Condemnation Order Act.

Section 2. Definitions.

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

"Condemnation order." A declaration by an authorized official of a municipality that a dwelling, building, structure or premises is unfit for human habitation or other use or conditions exist that are dangerous or injurious to the health or safety of the occupants of the dwelling, building, structure or premises, the occupants of neighboring dwellings or other residents of the municipality and which declaration includes a demand for the owner to take corrective action to the dwelling, building, structure or premises.

"Municipality." A city, borough, incorporated town, township, home rule municipality, optional plan municipality, optional charter municipality or similar general purpose unit of government that may be created or authorized by statute.

Section 3. Filing and recording of condemnation orders.

(a) General rule.--A municipality that issues a condemnation order on a property may record the condemnation order with the office of recorder of deeds of the county in which the property is located.

(b) Constructive notice.--If recorded, the condemnation order shall be constructive notice to all purchasers and other persons who are responsible for the property.

Section 4. Cost of recording.

A municipality may recover the cost of recording a condemnation order on a property from the tax sale proceeds or directly from the purchaser of the property.

Section 5. Validity of condemnation order.

Notwithstanding section 612(a) of the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, a properly recorded condemnation order shall be a lien on the property and shall not be affected by an upset sale, a judicial sale or a repository sale of the property.

Section 6. Statement of vacated condemnation order.

After a condemnation order on a property has been recorded under this section, if the municipality vacates the condemnation order, the municipality shall, within 15 days of the condemnation order being vacated, record with the office of recorder of deeds a statement indicating that the condemnation order has been vacated.

Section 7. Effective date.

This act shall take effect in 60 days.