

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**  
**No. 1601** Session of  
1978

INTRODUCED BY ROMANELLI, SEPTEMBER 11, 1978

REFERRED TO URBAN AFFAIRS AND HOUSING, SEPTEMBER 11, 1978

AN ACT

1 Amending the act of May 24, 1945 (P.L.991, No.385), entitled "An  
2 act to promote elimination of blighted areas and supply  
3 sanitary housing in areas throughout the Commonwealth; by  
4 declaring acquisition, sound replanning and redevelopment of  
5 such areas to be for the promotion of health, safety,  
6 convenience and welfare; creating public bodies corporate and  
7 politic to be known as Redevelopment Authorities; authorizing  
8 them to engage in the elimination of blighted areas and to  
9 plan and contract with private, corporate or governmental  
10 redevelopers for their redevelopment; providing for the  
11 organization of such authorities; defining and providing for  
12 the exercise of their powers and duties, including the  
13 acquisition of property by purchase, gift or eminent domain;  
14 the leasing and selling of property, including borrowing  
15 money, issuing bonds and other obligations and giving  
16 security therefor; restricting the interest of members and  
17 employes of authorities; providing for notice and hearing;  
18 supplying certain mandatory provisions to be inserted in  
19 contracts with redevelopers; prescribing the remedies of  
20 obligees of redevelopment authorities; conferring certain  
21 duties upon local planning commissions, the governing bodies  
22 of cities and counties, and on certain State officers, boards  
23 and departments," further providing for the acquisition of  
24 blighted property by redevelopment authorities for certain  
25 uses related to the classification of the political  
26 subdivision.

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

29 Section 1. Subsections (a), (c) and (e) of section 12.1, act  
30 of May 24, 1945 (P.L.991, No.385), known as the "Urban

1 Redevelopment Law," added June 23, 1978 (No.94) are amended to  
2 read:

3 Section 12.1. Blighted Property Removal.--

4 (a) Notwithstanding any other provision of this act, any  
5 Redevelopment Authority shall have the power to acquire by  
6 purchase, gift, bequest, eminent domain or otherwise, any  
7 blighted property as defined in this section, either within or  
8 outside of a certified redevelopment area and, further, shall  
9 have the power to hold, clear, manage and/or dispose of said  
10 property [for residential and related use]:

11 (1) In cities of the first class for residential and related  
12 reuse, only.

13 (2) In all other classes of municipalities for residential  
14 and related reuse and commercial or industrial reuse.

15 This power shall be exercised in accord with the procedures set  
16 forth in this section.

17 \* \* \*

18 (c) Blighted property shall include:

19 (1) Any premises which because of physical condition or use  
20 is regarded as a public nuisance at common law or has been  
21 declared a public nuisance in accordance with the local housing,  
22 building, plumbing, fire and related codes.

23 (2) Any premises which because of physical condition, use or  
24 occupancy is considered an attractive nuisance to children,  
25 including but not limited to abandoned wells, shafts, basements,  
26 excavations, and unsafe fences or structures.

27 (3) Any dwelling which because it is dilapidated,  
28 unsanitary, unsafe, vermin-infested or lacking in the facilities  
29 and equipment required by the housing code of the municipality,  
30 has been designated by the department responsible for

1 enforcement of the code as unfit for human habitation.

2 (4) Any structure which is a fire hazard, or is otherwise  
3 dangerous to the safety of persons or property.

4 (5) Any structure from which the utilities, plumbing,  
5 heating, sewerage or other facilities have been disconnected,  
6 destroyed, removed, or rendered ineffective so that the property  
7 is unfit for its intended use.

8 (6) Any vacant or unimproved lot or parcel of ground in a  
9 predominantly built-up-neighborhood, which by reason of neglect  
10 or lack of maintenance has become a place for accumulation of  
11 trash and debris, or a haven for rodents or other vermin.

12 (7) Any unoccupied property which has been tax delinquent  
13 for a period of [two years] one year prior to the effective date  
14 of this act, and those in the future having a [two year] one  
15 year tax delinquency.

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

20 \* \* \*

21 (e) The vacant property review committee [and the  
22 appropriate planning commission] upon making a determination  
23 that any property is blighted within the terms of this section,  
24 must certify said blighted property to the Redevelopment  
25 Authority, except that:

26 (1) [No] In cities of the first class no property shall be  
27 certified to the Redevelopment Authority unless it is vacant.

28 (2) No property shall be certified to the Redevelopment  
29 Authority unless the owner of the property or an agent  
30 designated by him for receipt of service of notices within the

1 municipality has been served with notice of the determination  
2 that the property is blighted, together with an appropriate  
3 order to eliminate the conditions causing the blight and  
4 notification that failure to do so may render the property  
5 subject to condemnation under this act. The notice shall be  
6 served upon the owner or his agent in accord with the provisions  
7 of a local ordinance pertaining to service of notice of  
8 determination of a public nuisance. The owner or his agent shall  
9 have the right of appeal from the determination in the same  
10 manner as an appeal from the determination of public nuisance.

11 (3) No blighted property shall be certified to the  
12 Redevelopment Authority until the time period for appeal has  
13 expired and no appeal has been taken, or, if taken, the appeal  
14 has been disposed of, and the owner or his agent has failed to  
15 comply with the order of the responsible department or other  
16 officer or agency.

17 (4) [No] In cities of the first class no single vacant lot  
18 or parcel of ground shall be certified to the Redevelopment  
19 Authority under this section on which more than ten dwelling  
20 units can be constructed under existing zoning regulations.

21 \* \* \*

22 Section 2. This act shall take effect immediately.