

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1242 Session of 2014

INTRODUCED BY WARD, ARGALL, YUDICHAK, WHITE AND RAFFERTY, FEBRUARY 19, 2014

SENATOR ARGALL, URBAN AFFAIRS AND HOUSING, AS AMENDED, JUNE 18, 2014

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in neighborhood blight reclamation and
3 revitalization, providing for failure to comply with a code
4 requirement.

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

7 Section 1. Title 53 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 6115. Failure to comply with a code requirement.

10 (a) Offense defined.--The owner of real property commits the
11 offense of failure to comply with a code requirement if all of
12 the following apply:

13 (1) The person OWNER OF REAL PROPERTY has been convicted <--
14 of a second or subsequent serious violation of the same
15 provision of a municipal building code for the same property.

16 (2) The violation poses a threat to the public's health,
17 safety or property or is considered a public nuisance.

18 (3) A reasonable attempt has not been made by the person <--

1 OWNER OF REAL PROPERTY to correct the violation. <--

2 (b) Grading.--Failure to comply with a code requirement

3 shall constitute a:

4 (1) Misdemeanor of the second degree if the offense is a
5 second conviction of a serious violation of the same
6 provision of a municipal building code relating to the same
7 property.

8 (2) Misdemeanor of the first degree if the offense is
9 based on three or more convictions of serious violations of
10 the same provision of a municipal building code relating to
11 the same property.

12 (c) Penalty.--

13 (1) ~~A person~~ AN OWNER OF REAL PROPERTY convicted under <--
14 subsection (b)(1) shall be sentenced to a term of
15 imprisonment of not less than ten days, undergo a minimum of
16 six months' probation and pay a fine of not less than \$1,000.

17 (2) ~~A person~~ AN OWNER OF REAL PROPERTY convicted under <--
18 subsection (b)(2) shall be sentenced to a term of
19 imprisonment of not less than 30 days, undergo a minimum of
20 12 months' probation and pay a fine of not less than \$3,000.

21 SECTION 2. ALL ACTS AND PARTS OF ACTS ARE REPEALED INSOFAR <--
22 AS THEY ARE INCONSISTENT WITH THIS ACT.

23 Section 2 3. This act shall take effect in 60 days. <--