
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 648 Session of
2015

INTRODUCED BY HARHAI, SCHLOSSBERG, LONGIETTI, SCHREIBER, THOMAS,
McNEILL, KOTIK, SCHWEYER, COHEN, DeLUCA, MURT, DEASY AND
MAHONEY, FEBRUARY 26, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 26, 2015

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; providing for imposition of a surcharge; and
8 establishing the Municipal Property Maintenance Code
9 Assistance Fund.

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

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

14 SUBCHAPTER B.1

15 MUNICIPAL PROPERTY MAINTENANCE CODE ASSISTANCE

16 Sec.

17 6121. Scope.

18 6122. Legislative intent.

19 6123. Definitions.

20 6124. Code enforcement grant program.

21 6125. Imposition of surcharge.

1 6126. Fund.

2 6127. Report to General Assembly.

3 6128. Guidelines.

4 § 6121. Scope.

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 "Department." The Department of Community and Economic
20 Development of the Commonwealth.

21 "Fund." The Municipal Property Maintenance Code Assistance
22 Fund established in this subchapter.

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

29 "Municipality." A city, borough, incorporated town, township
30 or home rule, optional plan or optional charter municipality or

1 municipal authority within this Commonwealth or any entity
2 formed under Subchapter A of Chapter 23 (relating to
3 intergovernmental cooperation).

4 "Serious violation." A violation of a code that poses an
5 imminent threat to the health and safety of a dwelling occupant,
6 occupants in surrounding structures or a passerby.

7 § 6124. Code enforcement grant program.

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

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

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

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

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

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

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

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

1 (c) Eligibility.--In order to receive a grant under this
2 section, a municipality must submit an application acceptable to
3 the department and that addresses the criteria established under
4 subsection (b).

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

11 (e) Limitations.--

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

15 (2) A grant issued under this section may not exceed
16 \$100,000.

17 (3) No grant issued under this section may be used to
18 pay code enforcement personnel unless the individual has
19 acquired relevant certification or training in property
20 maintenance.

21 § 6125. Imposition of surcharge.

22 (a) Imposition.--Subject to the provisions of subsection

23 (b):

24 (1) Upon each subsequent inspection by a local code
25 official, a surcharge of \$250 shall be imposed on a real
26 property owner in violation of one or more provisions of a
27 municipal code for which the owner was previously cited for
28 violating.

29 (2) The surcharge imposed under paragraph (1) shall be
30 in addition to any other applicable fees or charges imposed

1 and collected by the municipality as provided by law.

2 (b) Time to remedy.--With the exception of a serious
3 violation, a property owner shall have a minimum of 90 days
4 following the initial inspection by a local code official to
5 remedy a violation of a municipal code, for which the owner was
6 previously cited for violating, before the surcharge may be
7 imposed.

8 (c) Collection.--

9 (1) The municipality shall collect the surcharge under
10 subsection (a) and remit the money to the department on a
11 quarterly basis.

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

15 § 6126. Fund.

16 (a) Establishment.--The Municipal Property Maintenance Code
17 Assistance Fund is established within the State Treasury.

18 (b) Deposit.--Money collected from the surcharge authorized
19 under section 6125(a) (relating to imposition of surcharge)
20 shall be deposited in the fund.

21 (c) Use of funds.--The fund shall be used by the department
22 exclusively for the purpose of issuing the grants provided for
23 under section 6124 (relating to code enforcement grant program).
24 The department may utilize up to 10% of the total money
25 collected and deposited in the fund within the fiscal year to
26 cover the administrative costs associated with the program.

27 § 6127. Report to General Assembly.

28 The department shall submit an annual report to the Urban
29 Affairs and Housing Committee of the Senate and the Urban
30 Affairs Committee of the House of Representatives concerning the

1 implementation of this subchapter. The report shall include the
2 total amount of money collected and deposited into the fund as
3 well as the number of grants awarded and the recipients of those
4 grants.

5 § 6128. Guidelines.

6 Within 180 days of the effective date of this section, the
7 department shall establish guidelines to carry out the
8 provisions of this subchapter. The guidelines to implement
9 section 6124(b) (relating to code enforcement grant program) may
10 include, but not be limited to:

11 (1) The age of the existing housing stock in the
12 municipality.

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

14 (3) The existing financial condition of the
15 municipality.

16 Section 2. This act shall take effect in 90 days.