

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 330 Session of 2015

INTRODUCED BY WARD, ARGALL, BLAKE, YUDICHAK, VULAKOVICH, STEFANO, WOZNIAK, WHITE, RAFFERTY, SCAVELLO AND BROWNE, JANUARY 26, 2015

AS AMENDED ON SECOND CONSIDERATION, APRIL 20, 2015

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities
2 Generally) of the Pennsylvania Consolidated Statutes, in
3 other offenses, repealing the offense of municipal housing
4 code avoidance; and, in neighborhood blight reclamation and
5 revitalization, providing for failure to comply with a code
6 requirement.

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

9 Section 1. Section 7510 of Title 18 of the Pennsylvania
10 Consolidated Statutes is repealed:

11 [§ 7510. Municipal housing code avoidance.

12 (a) Offense defined.--A person commits the crime of
13 municipal housing code avoidance if:

14 (1) the person has been convicted of a fourth or
15 subsequent violation of the same subsection of a municipal
16 housing code for the same property;

17 (2) the violation has been continual and uncorrected;

18 (3) the violation poses a threat to the public's health,
19 safety or property; and

1 (4) no reasonable attempt has been made by the person to  
2 correct the violation.

3 (b) Grading.--Municipal housing code avoidance shall  
4 constitute a:

5 (1) Misdemeanor of the second degree when the offense is  
6 a fourth conviction of a violation of the same subsection  
7 under a municipal housing code relating to the same property.

8 (2) Misdemeanor of the first degree when the offense is  
9 based on five or more convictions of violations of the same  
10 subsection under a municipal housing code relating to the  
11 same property.

12 (c) Definition.--As used in this section, the term  
13 "municipal housing code" means any municipality's building,  
14 housing or property maintenance code or ordinance.]

15 Section 2. Title 53 is amended by adding a section to read:  
16 § 6115. Failure to comply with a code requirement.

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

20 (1) The owner of real property has been convicted of a  
21 second or subsequent serious violation of the same provision  
22 of a municipal code for the same property.

23 (2) The violation poses a threat to the public's health,  
24 safety or property and the owner has not taken a substantial  
25 step to correct the violation.

26 (3) The violation is considered a public nuisance and  
27 the owner has not made a reasonable attempt to correct the  
28 violation.

29 (b) Grading.--Failure to comply with a code requirement  
30 shall constitute a:

1           (1) Misdemeanor of the second degree if the offense is a  
2           second conviction of a serious violation of the same  
3           provision of a municipal ~~building~~ code relating to the same <--  
4           property.

5           (2) Misdemeanor of the first degree if the offense is  
6           based on three or more convictions of serious violations of  
7           the same provision of a municipal ~~building~~ code relating to <--  
8           the same property.

9           (c) Definition.--As used in this section, "code requirement"  
10          shall mean a building, housing or property maintenance code or  
11          ordinance of a municipality.

12          Section 3. All acts and parts of acts are repealed insofar  
13 as they are inconsistent with this act.

14          Section 4. This act shall take effect in 60 days.