

No. 2019-79

AN ACT

HB 407

Amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, in rules of construction, further providing for definitions.

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

Section 1. Section 1991 of Title 1 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 1991. Definitions.

The following words and phrases, when used in any statute finally enacted on or after September 1, 1937, unless the context clearly indicates otherwise, shall have the meanings given to them in this section:

* * *

"Blighted property." The term includes:

(1) A premises:

(i) ascertained to be a public nuisance due to physical condition or use and regarded as such at common law and deemed to be a danger to public health, safety and welfare or public nuisance as regulated by a locally adopted property maintenance code or, if no such code exists, any compatible code enacted by the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act; or

(ii) the condition of which contains an attractive nuisance created by physical condition, use or occupancy, including abandoned water wells, shafts, basements, excavations and unsafe fences or other structures, or which contains an unauthorized entry, unsafe equipment or other safety risk.

(2) A dwelling that has been condemned or otherwise deemed unfit for occupancy or use by the local authority having jurisdiction due to dilapidated, unsanitary, unsafe or vermin-infested condition or that is lacking in the facilities and equipment as required by the Pennsylvania Construction Code Act.

(3) A structure determined by the local authority having jurisdiction to be a fire hazard or otherwise that could easily catch fire or cause a fire and endanger public health, safety and welfare.

(4) A vacant or unimproved lot or parcel of ground located in a predominantly developed neighborhood that has become a place for the accumulation of trash and debris or a haven for rodents and other vermin by reason of neglect or lack of maintenance.

(5) A property that is vacant and has not been rehabilitated within one year from receipt of notice for corrective action as issued by the local authority having jurisdiction, except a property where a valid construction permit is in place.

(6) A vacant or unimproved lot or parcel of ground that is subject to a municipal lien for the cost of demolition of a structure previously located on the property and for which no payments on the lien have been made for a period of 12 months.

(7) A vacant or unimproved lot or parcel of ground on which the total municipal liens for delinquent real estate and property tax or any other type of municipal claim are greater than 150% of the fair market value of the property as established by the board of assessment appeals or other body with legal authority to determine the taxable value of the property.

(8) A property that has been declared abandoned in writing by the owner, including an estate that is in possession of the property.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 7th day of November, A.D. 2019

TOM WOLF