

No. 2015-34

AN ACT

SB 330

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

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

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 Section 7510 of Title 18 of the Pennsylvania Consolidated Statutes is repealed:

[§ 7510. **Municipal housing code avoidance.**

(a) **Offense defined.**—A person commits the crime of municipal housing code avoidance if:

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

(2) the violation has been continual and uncorrected;

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

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

(b) **Grading.**—Municipal housing code avoidance shall constitute a:

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

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

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

Section 2. Title 53 is amended by adding a section to read:

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

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

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

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

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

(b) **Grading.**—*Failure to comply with a code requirement shall constitute a:*

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

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

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

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

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

APPROVED—The 10th day of July, A.D. 2015

TOM WOLF