

ARTICLE 1728
Vacant Property Review Committee

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CROSS REFERENCES
Blighted property removal - see 35 P.S. §1712.1

1728.01 PURPOSE.

The purpose of the Vacant Property Review Committee shall be to determine which vacant properties, located within the City, should be acquired by the Redevelopment Authority pursuant to the "Urban Redevelopment Law" Act of May 24, 1945, PA Law 991-385, as amended, and the "Property Rights Protection Act" of May 4, 2006, 26 Pa.C.S.A. §201 et seq. (Ord. 32-2008. Passed 8-19-08.)

1728.02 DEFINITIONS.

As used in this article, the following terms shall have the following meanings:

- (a) "Vacant Property Review Committee" means a committee made up of five members whose job it shall be to certify to the Redevelopment Authority any structures that have been determined to be blighted and subject to acquisition under the terms of this article. The Committee shall be made up of five members as follows: one member being the Director of Community Development; one member being from the City Redevelopment Authority; one member being from the Planning Commission; one member being from Council; and one member being from the public at large, to be designated by the Mayor.
- (b) "Blighted property" means the only property that the Vacant Property Review Committee may recommend the acquisition of. Such properties shall include:
 - (1) A premises which, because of physical condition or use, is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with the municipality housing, building, plumbing, fire or related codes.
 - (2) A premises which, because of physical condition, use or occupancy, is considered an attractive nuisance to children. This paragraph includes an abandoned:
 - A. Well;
 - B. Shaft;
 - C. Basement;
 - D. Excavation; or
 - E. Unsafe fence or structure.

- (3) A dwelling which, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by statute or an applicable municipal code, has been designated by the agency responsible for enforcement of the statute or code as unfit for human habitation.
- (4) A structure which is a fire hazard, or is otherwise dangerous to the safety of persons or property.
- (5) A structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use.
- (6) Any vacant or unimproved lot or parcel of ground in a predominantly built-up neighborhood which, by reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris or a haven for rodents or other vermin.
- (7) An unoccupied property which has been tax delinquent for a period of two years.
- (8) A property which is vacant but not tax delinquent, and which has not been rehabilitated within one year of the receipt of notice to rehabilitate from the appropriate enforcement agency.
- (9) An abandoned property. A property shall be considered abandoned under this paragraph if it:
 - A. Is a vacant or unimproved lot or parcel of ground on which a municipal lien for the cost of demolition of a structure located on the property remains unpaid for a period of six months; or
 - B. Is a vacant property or vacant or unimproved lot or parcel of ground on which the total of municipal liens on the property for tax or other type of claim of the municipality is in excess of one hundred fifty percent (150%) of the fair market value of the property as established by the Board of Revisions of Taxes or other body with legal authority to determine the taxable value of the property; or
 - C. Has been declared abandoned by the owner, including an estate that is in possession of the property.
- (10) A property which has defective or unusual conditions of title or no known owners, rendering title unmarketable.
- (11) A property which has environmentally hazardous conditions, solid waste pollution or contamination in a building or on the land which poses a direct and immediate threat to the health, safety and welfare of the community.
- (12) A property having three or more of the following characteristics:
 - A. Has unsafe or hazardous conditions that do not meet current use, occupancy or fire codes;
 - B. Has unsafe external and internal accessways;
 - C. Is being served by an unsafe public street or right-of-way;
 - D. Violates the applicable property maintenance code adopted by a municipality and is an immediate threat to public health and safety;

- E. Is vacant;
- F. Is located in a redevelopment area with a density of at least 1,000 people per square mile or a redevelopment area with more than ninety percent (90%) of the units of property being nonresidential or a municipality with a density of at least 2,500 people per square mile.
(Ord. 32-2008. Passed 8-19-08.)

1728.03 FUNCTION.

The Vacant Property Review Committee and the Planning Commission, upon making a determination that any property is blighted within the terms of this article and the enabling legislation, must certify such blighted property to the Redevelopment Authority in accordance with the provisions of law. The Redevelopment Authority shall then have the powers under law to acquire such blighted property and to hold, clear, manage and/or dispose of such property for residential and related reuse and commercial or industrial reuse.
(Ord. 32-2008. Passed 8-19-08.)

1728.04 MEETINGS.

The Vacant Property Review Committee should meet at least four times a year at regularly scheduled intervals. Notice of Committee meetings shall be publicly advertised. Three members shall constitute a quorum.
(Ord. 32-2008. Passed 8-19-08.)

1728.05 TERM OF SERVICE.

The term of service of the first five members of the Vacant Property Review Committee shall be three years from the date of passage of this section. Any member of the Committee who moves his residence from the City shall create a vacancy on the Committee. An appointment to fill a vacancy shall be only for the unexpired portion of the term so vacated. An appointed official's term on the Committee shall never exceed his term in the appointed office. (Ord. 32-2008. Passed 8-19-08.)

1728.06 COMMITTEE CHAIRMAN.

The Vacant Property Review Committee shall at all times have an elected chairperson who shall be authorized to call meetings of the Committee to order. The chairperson shall see that all adopted rules and procedures of the Committee are followed. The chairperson will conduct all Committee meetings, which shall be open to the public.
(Ord. 32-2008. Passed 8-19-08.)