
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 966 Session of
2023

INTRODUCED BY MILLER, COSTA, FONTANA, SCHWANK, BOSCOLA AND
DILLON, OCTOBER 31, 2023

REFERRED TO URBAN AFFAIRS AND HOUSING, OCTOBER 31, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in neighborhood blight reclamation and
3 revitalization, providing for Municipal Codes Enforcement
4 Grant Program; providing for county property maintenance
5 code; and imposing penalties.

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

8 Section 1. Chapter 61 of Title 53 of the Pennsylvania
9 Consolidated Statutes is amended by adding subchapters to read:

10 SUBCHAPTER B.1

11 MUNICIPAL CODES ENFORCEMENT GRANT PROGRAM AND

12 MUNICIPAL NEIGHBORHOOD MITIGATION FUND

13 Sec.

14 6121. Scope of subchapter.

15 6122. Definitions.

16 6123. Municipal Codes Enforcement Grant Program.

17 6124. Municipal neighborhood mitigation fund.

18 6125. Penalty.

19 6126. Report to General Assembly.

1 6127. Guidelines.

2 § 6121. Scope of subchapter.

3 This subchapter relates to municipal property maintenance
4 code assistance.

5 § 6122. Definitions.

6 The following words and phrases when used in this subchapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Department." The Department of Community and Economic
10 Development of the Commonwealth.

11 "Fund." A municipal neighborhood mitigation fund established
12 under section 6124 (relating to municipal neighborhood
13 mitigation fund).

14 "Municipal code" or "code." A building, housing, property
15 maintenance, fire, health or other public safety ordinance,
16 related to the use or maintenance of real property, enacted by a
17 municipality. The term does not include a subdivision and land
18 development ordinance or a zoning ordinance enacted by a
19 municipality.

20 "Municipality." A county, city, borough, incorporated town,
21 township or home rule, optional plan or optional charter
22 municipality or municipal authority within this Commonwealth or
23 any entity formed under Subchapter A of Chapter 23 (relating to
24 intergovernmental cooperation).

25 "Program." The Municipal Codes Enforcement Grant Program
26 established under section 6123 (relating to Municipal Codes
27 Enforcement Grant Program).

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

1 § 6123. Municipal Codes Enforcement Grant Program.

2 (a) Establishment.--The Municipal Codes Enforcement Grant
3 Program is established in the department. The program shall
4 issue grants to municipalities with no current codes enforcement
5 program for the purpose of reducing blighted property conditions
6 through the establishment of:

7 (1) code enforcement programs and the hiring and
8 training of code enforcement personnel to acquire relevant
9 certification in code enforcement; and

10 (2) county property maintenance code enforcement
11 programs.

12 (b) Competitive awards.--The department shall issue grants
13 under the program on a competitive basis according to the
14 following criteria:

15 (1) Whether the municipality demonstrates a financial
16 need for the grants.

17 (2) The overall condition of the real property within
18 the municipality.

19 (3) Whether the municipality has an intergovernmental
20 cooperation agreement with another jurisdiction for joint
21 codes enforcement.

22 (c) Eligibility.--In order to receive a grant under this
23 section, a municipality must submit an application acceptable to
24 the department and that addresses the criteria established under
25 subsection (b).

26 (d) Matching funds.--A municipality shall provide its own
27 funds or in-kind contributions, approved by the department as
28 determined by guidelines established by the department, equal to
29 the amount of the grant provided, and shall dedicate and expend
30 those funds for the purpose for which the grant was awarded.

1 (e) Limitations.--A grant issued under this section may not:

2 (1) Be provided to the same recipient for more than
3 three consecutive years.

4 (2) Exceed \$100,000.

5 (3) Be used to pay code enforcement personnel unless the
6 individual has acquired relevant certification or training in
7 codes enforcement.

8 § 6124. Municipal neighborhood mitigation fund.

9 (a) Ordinance authorized.--A municipality with an
10 established code enforcement program may enact an ordinance to
11 establish a municipal neighborhood mitigation fund. The fund
12 shall comply with the provisions of this section.

13 (b) Source of revenue.--The penalty collected under this
14 chapter by the municipality shall be deposited into the fund.

15 (c) Use of fund.--The fund shall be used to mitigate code
16 violations, including, but not limited to, demolition, cleanup,
17 cleaning and sealing and making repairs to blighted property.

18 § 6125. Penalty.

19 (a) Imposition.--Upon conviction for a violation of any code
20 of the municipality, the municipality shall impose a
21 neighborhood mitigation penalty:

22 (1) for a first violation, in the amount of at least \$25
23 and not more than \$250;

24 (2) for a second violation, in the amount of at least
25 \$250 and not more than \$500; and

26 (3) for a third or subsequent violation, in the amount
27 of at least \$500 and not more than \$1,000.

28 (b) Collection.--The penalty imposed under this section
29 shall be payable to the municipality and the municipality shall
30 deposit the penalty collected into the fund.

1 § 6126. Report to General Assembly.

2 The department shall submit an annual report to the Urban
3 Affairs and Housing Committee of the Senate and the Housing and
4 Community Development Committee of the House of Representatives
5 concerning the implementation of this subchapter. The report
6 shall include the total amount of grants awarded and the
7 recipients of those grants.

8 § 6127. Guidelines.

9 Within 180 days of the effective date of this section, the
10 department shall establish guidelines to carry out the
11 provisions of this subchapter.

12 SUBCHAPTER B.2

13 COUNTY PROPERTY MAINTENANCE CODE

14 Sec.

15 6131. County property maintenance code.

16 6132. Enforcement of municipal property maintenance ordinances.

17 § 6131. County property maintenance code.

18 (a) General rule.--A county may enact one of the following:

19 (1) A property maintenance ordinance that incorporates a
20 standard or nationally recognized property maintenance code
21 or a variation, change or part of such code, published and
22 printed in book form, without incorporating the text of the
23 code in the ordinance.

24 (2) A standard or nationally recognized property
25 maintenance code or a variation, change or part of such code
26 as the county's property maintenance ordinance.

27 (b) Publication of notice.--

28 (1) An ordinance under subsection (a) need not be
29 advertised after being adopted. Notice of the consideration
30 of the ordinance shall be published in a manner that gives

1 adequate notice of its contents and a reference to the place
2 within the county where copies of the proposed property
3 maintenance code may be examined or obtained.

4 (2) The notice required under paragraph (1) shall be
5 published once in one newspaper of general circulation at
6 least one week and not more than three weeks prior to the
7 presentation of the proposed property maintenance code to the
8 governing body.

9 (3) A property maintenance ordinance that incorporates a
10 standard or nationally recognized property maintenance code
11 or variation shall adopt a specific edition and may not
12 incorporate future editions automatically.

13 (c) Copies of ordinance.--At least three copies of the
14 ordinance adopted by the governing body:

15 (1) shall be made available for public inspection and
16 use during business hours or to an interested party that pays
17 the cost of copying; or

18 (2) may be furnished or lent without charge.

19 (d) Adoption by reference.--A property maintenance code
20 adopted by reference:

21 (1) need not be recorded in or attached to an ordinance
22 book; and

23 (2) shall be deemed to have been legally recorded if the
24 ordinance by which the code was adopted by reference has been
25 recorded with an accompanying notation stating where the full
26 text of the code has been filed.

27 (e) Fines and penalties.--An ordinance under this section
28 may provide for reasonable property fines and penalties for
29 violations of the ordinance.

30 (f) Changes to ordinance.--The procedure described in this

1 section relating to the adoption of an ordinance under this
2 section may be used in amending, supplementing or repealing a
3 provision of the ordinance.

4 (g) Appointment of property maintenance inspectors.--

5 (1) The governing body may appoint property maintenance
6 inspectors who may enter and inspect a premises at reasonable
7 hours and in a reasonable manner for the administration and
8 enforcement of the county's property maintenance code or
9 ordinance under subsection (a).

10 (2) A fee payable to a property maintenance inspector
11 under the ordinance shall, after being collected by the
12 property maintenance inspector, be transmitted to the county
13 treasurer for use of the county.

14 (h) Enforcement action.--In addition to the penalties
15 provided by a property maintenance ordinance, a county may
16 institute an appropriate action or proceeding at law or in
17 equity to prevent or restrain a property maintenance violation.

18 (i) Relationship to other law.--The powers and duties of a
19 county under this section shall be in addition to the powers and
20 duties provided under the following:

21 (1) The act of November 26, 2008 (P.L.1672, No.135),
22 known as the Abandoned and Blighted Property Conservatorship
23 Act.

24 (2) 68 Pa.C.S. Ch. 21 (relating to land banks).

25 (j) Limitation.--

26 (1) Except as provided in section 6132 (relating to
27 enforcement of municipal property maintenance ordinances),
28 the powers of the governing body of a county to enact, amend
29 and repeal ordinances under this subchapter shall be limited
30 to land in those municipalities, wholly or partly within the

1 county, that have no property maintenance ordinance, based in
2 whole or in part on a standard or nationally recognized
3 property maintenance code, in effect at the time a property
4 maintenance ordinance is introduced before the governing body
5 of the county and until the municipality's property
6 maintenance ordinance is in effect.

7 (2) The enactment or revision of the property
8 maintenance ordinance by a municipality, other than the
9 county, whose land is subject to a county property
10 maintenance code shall act as a repeal pro tanto of the
11 county property maintenance code ordinance within the
12 municipality adopting the ordinance, except as provided in
13 section 6132.

14 § 6132. Enforcement of municipal property maintenance
15 ordinances.

16 (a) General rule.--Except as provided in subsection (b), a
17 county may not enforce a property maintenance ordinance adopted
18 by a municipality within the county unless the county enters
19 into an intergovernmental cooperation agreement with the
20 municipality.

21 (b) Payment to county.--Except as otherwise provided in an
22 intergovernmental cooperation agreement, a fine, forfeited
23 recognizance or other forfeiture imposed, lost or forfeited for
24 violation of a property maintenance ordinance subject to county
25 enforcement under this section, shall be payable to the county.

26 Section 2. This act shall take effect in 180 days.