

**BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 2024-03

AN ORDINANCE PURSUANT TO PENNSYLVANIA ACT 152 OF 2016 (42 P.S. § 21052.2), AUTHORIZING THE COLLECTION OF A \$15.00 FEE FOR EACH DEED AND MORTGAGE RECORDED WHICH SHALL BE DEPOSITED INTO THE JEFFERSON COUNTY DEMOLITION AND REHABILITATION FUND TO BE USED EXCLUSIVELY FOR THE DEMOLITION OF BLIGHTED PROPERTIES SITUATE IN JEFFERSON COUNTY, REQUIRING THE FILING OF AN INITIAL REPORT WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) WITHIN 90 DAYS INCLUDING A PLAN FOR HOW THE FUNDS WILL BE SPENT AND HOW MANY PROPERTIES ARE LIKELY TO BE DEMOLISHED, AND REQUIRING AN ANNUAL REPORT TO DCED SHOWING HOW MANY PROPERTIES HAVE BEEN DEMOLISHED.

WHEREAS the General Assembly of Pennsylvania passed Act 152 of 2016 (42 P.S. 21052.2) which was approved by Governor Wolf on November 4, 2016 and effective 60 days after enactment (hereinafter the "Demolition Fund Act") and said Act established fees for services of recorders of deeds in various counties including counties of the sixth class, authorized a special deed and mortgage recording fee and established county demolition funds.

WHEREAS the County of Jefferson desires to enact an ordinance to support the Demolition and Rehabilitation Fund, and to impose such a special deed and mortgage recording fee for use in the demolition of blighted properties in Jefferson County.

NOW THEREFORE, BE IT, AND IT IS HEREBY ORDAINED AND ENACTED by the Jefferson County Commissioners of the County of Jefferson as follows:

SECTION 1 - DEFINITIONS

"Blighted property." A property which meets at least three of the criteria listed under 68 P.S. § 1 105(d)(5) of the Abandoned and Blighted Property Conservatorship Act (68 P.S. § 1 101 et seq.), as determined by the governing body of a county. The criteria under section (5)(d)(5) of said Abandoned and Blighted Property Conservatorship Act include the following nine items:

- (i) The building or physical structure is a public nuisance.
- (ii) The building is in need of substantial rehabilitation and no rehabilitation has taken place during the previous 12 months.
- (iii) The building is unfit for human habitation, occupancy or use.
- (iv) The condition and vacancy of the building materially increase the risk of fire to the building and to adjacent properties.
- (v) The building is subject to unauthorized entry leading to potential health and safety hazards and one of the following applies: (A) The owner has failed to take reasonable and necessary measures to secure the building. (B) The municipality has secured the building in order to prevent such hazards after the owner has failed to do so.
- (vi) The property is an attractive nuisance to children, including, but not limited to, the presence of abandoned wells, shafts, basements, excavations and unsafe structures.
- (vii) The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards.
- (viii) The dilapidated appearance or other condition of the building negatively affects the economic well-being of residents and businesses in close proximity to the building.

including decreases in property value and loss of business, and the owner has failed to take reasonable and necessary measures to remedy appearance or the condition.

(ix) The property is an attractive nuisance for illicit purposes, including prostitution, drug use and vagrancy.

SECTION 2 - DEMOLITION AND REHABILITATION FUND

A Jefferson County Demolition and Rehabilitation Fund is established which shall be funded as hereinafter provided and which shall be used exclusively for the demolition of certain "blighted properties" in Jefferson County. Jefferson County may reserve up to five percent (5%) of the gross proceeds for administration and oversight.

SECTION 3 - IMPOSITION OF RECORDING FEES

In addition to any and all existing recording fees, there is hereby imposed a \$15.00 demolition fund recording fee for each deed and each mortgage recorded with the Jefferson County Recorder of Deeds. All such demolition fund recording fees shall be deposited into the Jefferson County Demolition and Rehabilitation fund and utilized for the purpose set forth in this Ordinance.

SECTION 4 - REPORTING REQUIREMENTS

In compliance with the provisions of the Demolition Fund Act, an initial report shall be filed with the Pennsylvania Department of Community and Economic Development (DCED) within 90 days of the enactment of this Ordinance setting forth how the funds will be spent and how many properties are likely to be demolished. An additional annual report shall be filed with DCED showing how many properties have been demolished.

SECTION 5 – EXPIRATION

The provisions of Section 2.2 of the Demolition Fund Act require that this ordinance shall expire 10 years from the effective date of the Demolition Fund Act.

SECTION 6 - SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, same such shall not affect the validity of any of the remaining provisions of the within Ordinance.

SECTION 7 - EFFECTIVE DATE

This Ordinance shall become effective January 1, 2025 and a \$15.00 demolition fee shall be collected for each deed and each mortgage recorded with the Jefferson County Recorder of Deeds on or after January 1, 2025.

ORDAINED AND ENACTED on this 1st of October, 2024.

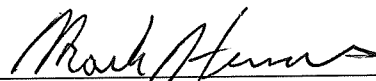
ATTEST:

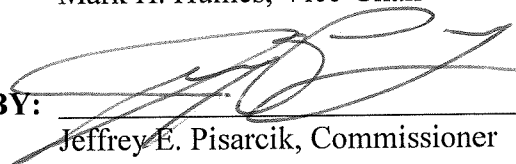


Karen Lupone
Chief Clerk

**JEFFERSON COUNTY BOARD OF
COMMISSIONERS:**

BY: 
Scott E. North, Chair

BY: 
Mark H. Humes, Vice-Chair

BY: 
Jeffrey E. Pisarcik, Commissioner