
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 255 Session of
2023

INTRODUCED BY MERSKI, SIEGEL, MADDEN, HILL-EVANS, SANCHEZ,
CEPEDA-FREYTIZ, PROBST, HARKINS AND CONKLIN, MARCH 10, 2023

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
MARCH 10, 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 property maintenance
4 code assistance; and establishing the Municipal Property
5 Maintenance Code Assistance Fund.

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 a subchapter to read:

10 SUBCHAPTER B.1

11 MUNICIPAL PROPERTY MAINTENANCE CODE ASSISTANCE

12 Sec.

13 6121. Scope of subchapter.

14 6122. Legislative intent.

15 6123. Definitions.

16 6124. Code enforcement grant program.

17 6125. Imposition of surcharge.

18 6126. Municipal Property Maintenance Code Assistance Fund.

19 6127. Report to General Assembly.

1 6128. Guidelines.

2 § 6121. Scope of subchapter.

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

5 § 6122. Legislative intent.

6 The purpose of this subchapter is to provide funding for
7 individual municipalities, two or more municipalities under
8 Subchapter A of Chapter 23 (relating to intergovernmental
9 cooperation), councils of governments or a multimunicipal code
10 enforcement entity, for the purpose of municipal property
11 maintenance code enforcement within that county or region in
12 order to prevent and eradicate blighted property conditions.

13 § 6123. Definitions.

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

17 "Department." The Department of Community and Economic
18 Development of the Commonwealth.

19 "Fund." The Municipal Property Maintenance Code Assistance
20 Fund established under section 6126 (relating to Municipal
21 Property Maintenance Code Assistance Fund).

22 "Municipal code" or "code." A building, housing, property
23 maintenance, fire, health or other public safety ordinance,
24 related to the use or maintenance of real property, enacted by a
25 municipality. The term does not include a subdivision and land
26 development ordinance or a zoning ordinance enacted by a
27 municipality.

28 "Municipality." A city, borough, incorporated town, township
29 or home rule, optional plan or optional charter municipality or
30 municipal authority within this Commonwealth or any entity

1 formed under Subchapter A of Chapter 23 (relating to
2 intergovernmental cooperation).

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

6 § 6124. Code enforcement grant program.

7 (a) Establishment.--The department shall issue grants to
8 municipalities for the purpose of reducing blighted property
9 conditions through:

10 (1) the establishment of special code enforcement
11 programs to address blighted property conditions, where a
12 municipal code enforcement program already exists; or

13 (2) the establishment of code enforcement programs and
14 the hiring and training of code enforcement personnel in
15 those municipalities without an existing code enforcement
16 program.

17 (b) Competitive awards.--The department shall issue grants
18 under this section to municipalities on a competitive basis
19 according to the following criteria:

20 (1) The benefit to the municipality of having an
21 adequately funded and staffed code enforcement department.

22 (2) Whether the municipality's building code enforcement
23 department demonstrates an ability to work cooperatively with
24 other local code enforcement offices, health departments and
25 local prosecutorial agencies.

26 (3) Whether the municipality demonstrates a financial
27 need for the grant.

28 (4) The overall condition of the real property within
29 the municipality.

30 (c) Eligibility.--In order to receive a grant under this

1 section, a municipality must submit an application acceptable to
2 the department and that addresses the criteria established under
3 subsection (b).

4 (d) Matching funds.--A municipality shall provide its own
5 funds or in-kind contributions, approved by the department as
6 determined by guidelines established by the department under
7 section 6128 (relating to guidelines), equal to the amount of
8 the grant provided, and shall dedicate and expend those funds
9 for the purpose for which the grant was awarded.

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

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

13 (2) Exceed \$100,000.

14 (3) Be used to pay code enforcement personnel unless the
15 individual has acquired relevant certification or training in
16 property maintenance.

17 § 6125. Imposition of surcharge.

18 (a) Imposition.--Subject to the provisions of subsection

19 (b):

20 (1) Upon each subsequent inspection by a local code
21 official, a surcharge of \$250 shall be imposed on a real
22 property owner in violation of one or more provisions of a
23 municipal code for which the owner was previously cited for
24 violating.

25 (2) The surcharge imposed under paragraph (1) shall be
26 in addition to any other applicable fees or charges imposed
27 and collected by the municipality as provided by law.

28 (b) Time to remedy.--With the exception of a serious
29 violation, a property owner shall have a minimum of 90 days
30 following the initial inspection by a local code official to

1 remedy a violation of a municipal code, for which the owner was
2 previously cited for violating, before the surcharge may be
3 imposed.

4 (c) Collection.--

5 (1) The municipality shall collect the surcharge under
6 subsection (a) and remit the money to the department on a
7 quarterly basis.

8 (2) The department shall use the money collected under
9 paragraph (1) to fund the grants issued under section 6124
10 (relating to code enforcement grant program).

11 § 6126. Municipal Property Maintenance Code Assistance Fund.

12 (a) Establishment.--The Municipal Property Maintenance Code
13 Assistance Fund is established as a separate fund in the State
14 Treasury. Money in the fund shall be appropriated on a
15 continuing basis to the department for the purposes under
16 subsection (c).

17 (b) Deposit.--Money collected from the surcharge authorized
18 under section 6125(a) (relating to imposition of surcharge)
19 shall be deposited into the fund.

20 (c) Use of fund.--The fund shall be used by the department
21 exclusively for the purpose of issuing the grants provided for
22 under section 6124 (relating to code enforcement grant program).
23 The department may utilize up to 10% of the total money
24 collected and deposited into the fund within the fiscal year to
25 cover the administrative costs associated with the program.

26 § 6127. Report to General Assembly.

27 The department shall submit an annual report to the Urban
28 Affairs and Housing Committee of the Senate and the Urban
29 Affairs Committee of the House of Representatives concerning the
30 implementation of this subchapter. The report shall include the

1 total amount of money collected and deposited into the fund as
2 well as the number of grants awarded and the recipients of those
3 grants.

4 § 6128. Guidelines.

5 Within 180 days of the effective date of this section, the
6 department shall establish guidelines to carry out the
7 provisions of this subchapter. The guidelines to implement
8 section 6124(b) (relating to code enforcement grant program) may
9 include:

10 (1) The age of the existing housing stock in the
11 municipality.

12 (2) The municipality's existing tax base.

13 (3) The existing financial condition of the
14 municipality.

15 Section 2. This act shall take effect in 90 days.