

**C. Term of Office.**

The term of each member of the Committee shall be one (1) year expiring on December 31 or until a successor is appointed.

**D. Officers.**

The Committee shall elect its own Chairman, Vice Chairman, and Secretary, and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves.

**E. Powers and Duties.**

The Blighted Property Review Committee shall have the authority to examine properties located within the Township of Northampton and make a determination that a property is blighted if said property has one or more of the following conditions:

1. Any premises which because of the physical condition or use is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with local housing, building, plumbing, fire and related codes.
2. Any premises which because of physical condition, use or occupancy is considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basement, excavations, and unsafe fences or structures.
3. Any structure which is a fire hazard, or is otherwise dangerous to the safety of persons or property.
4. Any 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.
5. Any vacant or unimproved lot or parcel of ground in a predominately 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.
6. Any unoccupied property which has been tax delinquent for a period of two years prior to the effective date of this ac, and those in the future having a two year tax delinquency.
7. Any property which is vacant but not tax delinquent, which has not been rehabilitated within one year of receipt of notice to rehabilitate from the appropriate code enforcement agency.
8. Any property that is abandoned as is defined in the law.

The Committee shall act in conformance with the Pennsylvania Urban Redevelopment Law.

# THE REDEVELOPMENT AUTHORITY OF THE COUNTY OF BUCKS

## BLIGHTED PROPERTY REMOVAL GUIDELINES

### **I. Pennsylvania Law - Urban Redevelopment Law 35 PS 1701, et seq.**

The law concerning blighted property removal is set forth in 35 PS ' 1712.1. This section provides, in part:

*Any Redevelopment Authority shall have the power to acquire by purchase, gift, bequest, eminent domain or otherwise any blighted property.... either within or outside of a certified redevelopment area and, further, shall have the power to hold, clear, manage and/or dispose of said property for residential and related reuse and commercial or industrial reuse.*

A copy of 35 PS ' 1712.1 is attached hereto as Exhibit A. The Redevelopment Authority will become involved in the removal of blighted property from a community upon invitation from the local community. The Redevelopment Authority requires that a Cooperation Agreement be executed between the Municipality and the Redevelopment Authority. The Municipality is responsible to reimburse the Redevelopment Authority for all costs incurred by the Redevelopment Authority.

### **II. Vacant Blighted Property**

A Blighted property and a vacant property are defined terms in the law. The term blighted property includes:

1. *Any property which is declared a public nuisance;*
2. *Any premises which is considered an attractive nuisance to children;*
3. *Any dwelling unfit for human habitation as designated by the Department responsible for enforcement of codes in the municipality;*
4. *Any property which is a fire hazard or otherwise dangerous to the safety of persons or property;*
5. *Any structure without utilities so that the property is unfit for its intended use;*
6. *Any vacant or unimproved lot or ground in a predominantly built up neighborhood which has been a place for accumulation for trash and debris or haven for rodents or other vermin;*
7. *Any unoccupied property which has been tax delinquent for a period of two (2) years;*
8. *Any property which is vacant, but not tax delinquent, which has not been rehabilitated within one (1) year from receipt of notice to rehabilitate from appropriate code enforcement agency;*
9. *Any abandoned property which is a term defined by the Statute.*

However, no property shall be certified to the Redevelopment Authority unless it is vacant as is defined as follows:

1. *The property is unoccupied or its occupancy has not been authorized by the owner of the property;*
2. *In the case of an unimproved lot or parcel of ground, a lien for the cost of demolition of any structure located on the property remains unpaid for a period of six months; or*
3. *In the case of an unimproved lot or parcel of ground, the property has remained in violation of any provision of local building, property maintenance or related codes applicable to such lots or parcels, including licensing requirements, for a period of six (6) months.*

### **III. Blighted Property Review Committee.**

A Blighted Property Review Committee must be established by ordinance of the governing body of the municipality. The Committee shall be made up of members as determined in the said Ordinance, but shall include at least one member of the governing body, a representative of the Redevelopment Authority, a representative of the appropriate Planning Commission and a representative to be designated by the Chief Executive Officer or Officers from the Executive Branch of the government of the municipality. A sample Ordinance is attached hereto as Exhibit B.

### **IV. Blighted Property Review Committee and Planning Commission.**

The Blighted Property Review Committee and the Planning Commission must make a determination whether a property is blighted within the terms of the Act. A Blighted Property Report will be provided for each property and attached as Exhibit C. Sample Resolutions declaring a property as blighted and ordering the elimination of the blight conditions are attached hereto: Committee Exhibit D, Planning Commission Exhibit E, and Municipality Exhibit F.

### **V. Notification.**

Once the determination is made that property is blighted, the property owner shall be notified by the Municipal Code Enforcement Officer in accordance with the provisions of the local ordinances pertaining to service of notice of determination of public nuisance. Notice should be made by certified and regular mail and personal service, if necessary. Notice shall be sent by the municipality that the property has been determined as blighted with a copy of the Resolution. The notice should also include an Order setting forth what work needs to be done to eliminate the conditions causing the blight and advise the property owner that failure to abide by the Order within

the number of days provided by the local Ordinance may render the property subject to condemnation under terms and conditions of the Urban Redevelopment Law 35 P.S. 1701, et seq. The property owner has the right to appeal from the determination in the same manner as an appeal from the determination of public nuisance, as provided by the municipal ordinance. A sample Notice is attached hereto as Exhibit G.

**VI. Certification to the Redevelopment Authority.**

Blighted properties must be certified to the Redevelopment Authority. However, no blighted property shall be certified to the Redevelopment Authority until the time period for appeal has expired and no appeal has been taken or if taken has been disposed of and the owner has failed to comply with the order of the municipality regarding the elimination of conditions causing the blight. A sample certification letter is attached hereto as Exhibit H.

**VII. Procedure for Acquisition and Re-Use of Blighted Property**

Thirty (30) days prior to acquisition of any blighted property, the Redevelopment Authority shall transmit identification of the property to the Planning Commission of a municipality and shall request a recommendation as to the appropriate reuse of the property. Instead of separate letters which would prolong the time required for the taking, the Redevelopment Authority suggests that the Planning Commission include the recommendation as to the appropriate reuse in the certification letter to the Redevelopment Authority.