

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 11 - 2008

ADMINISTRATION BILL NO. 11 - 2008

INTRODUCED – JULY 8, 2008

ADOPTED BY COUNCIL – JULY 22, 2008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF LANCASTER – LANCASTER PROPERTY REINVESTMENT BOARD TO NAME THE DIRECTOR OF ECONOMIC DEVELOPMENT AND NEIGHBORHOOD REVITALIZATION AS A MEMBER OF THE BOARD, TO AMEND THE DEFINITION OF BLIGHTED PROPERTY; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The Code of the City of Lancaster, Chapter 22 – Boards, Commissions, etc., Section 22-38 – Lancaster Property Reinvestment Board, Subpart D be and hereby is amended to read as follows:

“D. The Director of the Lancaster Department of Economic Development and Neighborhood Revitalization, or his/her designee.”

SECTION 2. Chapter 22 of the Code of the City of Lancaster – Boards, Commission, etc., Section 22-40 – Blighted Property be and hereby is amended to read as follows:

“§ 22-40. Blighted Property.

Blighted property shall include the following:

- A. 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 and related codes.
- B. A premises which because of physical condition, use or occupancy is considered an attractive nuisance to children. This paragraph includes an abandoned:.

- (i) well;
- (ii) shaft;
- (iii) basement;
- (iv) excavation; or
- (v) unsafe fence or structure.

C. 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.

D. A structure which is a fire hazard or is otherwise dangerous to the safety of persons or property.

E. 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.

F. 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 and other vermin.

G. An unoccupied property which has been tax delinquent for a period of two years.

H. 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.

I. An abandoned property. A property shall be considered abandoned if:

(1) It 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;

(2) It 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 City are in excess of 150% of the fair market value of the property as established by the Lancaster County Tax Assessment Office or other body with legal authority to determine the taxable value of the property; or

(3) The property has been declared abandoned by the owner, including an estate that is in possession of the property.

J. A property which has defective or unusual conditions of title or no known owners, rendering title unmarketable.

K. 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.

L. A property having three or more of the following characteristics:

- (1) has unsafe or hazardous conditions that do not meet current use, occupancy or fire codes;
- (2) has unsafe external and internal access ways;
- (3) violates the applicable property maintenance code adopted by a municipality and is an immediate threat to public health and safety;
- (4) is vacant;
- (5) 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 90% of the units of property being nonresidential or a municipality with a density of at least 2,500 people per square mile.”

SECTION 3. Chapter 22 of the Code of the City of Lancaster – Boards, Commissions, etc., Section 22-43 – Other Functions of the Board, Subpart B be and hereby is revised to read as follows:

“B. The Board may advise at its own discretion the Department of Economic Development and Neighborhood Revitalization in matters relating to the provision of financial, advisory and technical rehabilitation assistance affecting reinvestment in properties acquired through the certification process of the Board.”

SECTION 4. The Code of the City of Lancaster, Chapter 22 – Boards, Commissions, etc., Article 10 – Lancaster Property Reinvestment Board be and hereby is amended by adding the following historical and statutory notes:

“HISTORICAL AND STATUTORY NOTES

The 1988 amendment, in subsection. (a), substituted “reuse and commercial or industrial reuse” for “use”, and in subsection. (b) substituted “blighted” for “vacant” and deleted cl. (4), which formerly read:

“No single vacant lot or parcel of ground shall be certified to the Redevelopment Authority under this section on which more than ten dwelling units can be construction under existing zoning regulations.”

SECTION 5. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this

Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 7. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 22nd day of July, 2008, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

City Clerk

By: _____
J. Richard Gray, Mayor