

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 859 Session of 2023

INTRODUCED BY D. WILLIAMS, CEPEDA-FREYTIJZ, CIRESI, T. DAVIS, HADDOCK, HILL-EVANS, KINSEY, MADDEN, PROBST, RABB, SANCHEZ, TAKAC, GREEN AND GILLEN, APRIL 10, 2023

AS REPORTED FROM COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 26, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in neighborhood blight reclamation and
3 revitalization, further providing for municipal permit
4 denial.

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

7 Section 1. Section 6131(a) of Title 53 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 6131. Municipal permit denial.

10 (a) Denial.--

11 (1) A municipality or a board under subsection (c) may
12 deny issuing to an applicant a municipal permit if the
13 applicant owns real property in any municipality for which
14 there exists on the real property:

15 (i) a final and unappealable tax, water, sewer or
16 refuse collection delinquency on account of the actions
17 of the owner; [or]

18 (ii) a serious violation of State law or a code and

1 the owner has taken no substantial steps to correct the  
2 violation within six months following notification of the  
3 violation and for which fines or other penalties or a  
4 judgment to abate or correct were imposed by a  
5 magisterial district judge or municipal court, or a  
6 judgment at law or in equity was imposed by a court of  
7 common pleas. However, no denial shall be permitted on  
8 the basis of a property for which the judgment, order or  
9 decree is subject to a stay or supersedeas by an order of  
10 a court of competent jurisdiction or automatically  
11 allowed by statute or rule of court until the stay or  
12 supersedeas is lifted by the court or a higher court or  
13 the stay or supersedeas expires as otherwise provided by  
14 law. Where a stay or supersedeas is in effect, the  
15 property owner shall so advise the municipality seeking  
16 to deny a municipal permit[.]; or

17 (iii) a delinquency in real property taxes or  
18 municipal charges or for failure to abate a serious  
19 violation of State law or a code on real property within  
20 the ANY municipality that is owned by a CORPORATION OR <--  
21 limited liability corporation or a principal of a limited  
22 liability corporation, incorporated inside or outside of  
23 this Commonwealth.

24 (2) A municipality or board shall not deny a municipal  
25 permit to an applicant if the municipal permit is necessary  
26 to correct a violation of State law or a code.

27 (3) The municipal permit denial shall not apply to an  
28 applicant's delinquency on taxes, water, sewer or refuse  
29 collection charges that are under appeal or otherwise  
30 contested through a court or administrative process.

1           (4) In issuing a denial of a permit based on an  
2 applicant's delinquency in real property taxes or municipal  
3 charges or for failure to abate a serious violation of State  
4 law or a code on real property that the applicant owns in  
5 this Commonwealth, the municipality or board shall indicate  
6 the street address, municipal corporation and county in which  
7 the property is located and the court and docket number for  
8 each parcel cited as a basis for the denial. The denial shall  
9 also state that the applicant may request a letter of  
10 compliance from the appropriate State agency, municipality or  
11 school district, in a form specified by such entity as  
12 provided in this section.

13           (5) A CORPORATION OR limited liability corporation or a <--  
14 principal of a limited liability corporation OR THEIR AGENT <--  
15 shall disclose in writing at the submission of an application  
16 any delinquencies in real property taxes or municipal charges  
17 or for failure to abate a serious violation of State law or a  
18 code on any real property within the ANY municipality. <--  
19 Failure to disclose under this paragraph shall result in the  
20 imposition of a \$500 \$1,000 fine payable to the municipality. <--

21 \* \* \*

22 Section 2. This act shall take effect in 60 days.