

BILL NO. : 7 OF 2021
INTRODUCED: APRIL 13, 2021
BY: PRESIDENT MATTHEW T SHORRAW
ENACTED: MAY 11, 2021
ORDINANCE NO: 1237

CITY OF MONESSEN

VACANT, ABANDONED, AND FORECLOSED PROPERTY REGISTRATION
AMENDMENT

ORDINANCE 1237

AN ORDINANCE OF THE CITY OF MONESSEN,
WESTMORELAND COUNTY, COMMONWEALTH OF
PENNSYLVANIA, AMENDING ORDINANCE 11 OF 2020
(ORDINANCE 1222), REGARDING REQUIREMENTS FOR
THE REGISTRATION OF VACANT, ABANDONED, AND
FORECLOSED REAL PROPERTY WITHIN THE CITY OF
MONESSEN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Monessen finds that there exists deteriorated vacant, abandoned, and foreclosed properties within the City as a result of neglect by their owners in violation of applicable State and Municipal codes and municipal ordinances, and;

WHEREAS, the Mayor and Council of the City of Monessen finds that these vacant properties create public nuisances which have an impact on crime, property values, safety, and of the quality of life of the City's residents and require significant expenditures of public funds in order to abate and correct the nuisances, and;

WHEREAS, the Mayor and Council of the City of Monessen wishes to address the issue of vacant, abandoned, and foreclosed properties by establishing a vacant, abandoned, and foreclosed property register, in order to maintain a database of aforementioned properties, and to establish a blight fund, in order to help ameliorate the issue of blight and its effects, within the City of Monessen, and;

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City of Monessen, the Mayor and City Council has determined it is appropriate to

require a registry and assess a fee, for any such vacant, abandoned, or foreclosed real property located within the City of Monessen.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of Monessen and it is hereby ordained and enacted as follows:

Section 1.

Ordinance 11 of 2020 (Ordinance 1222) Section 12 "One-Time Waiver" is hereby amended as follows:

Section 12. One-Time Waiver, Exemptions.

1. A one-time, one-year waiver of the registration fee may be granted by the Code Enforcement Department upon application of the owner and upon review and advice of the Solicitor's Office, within 15 calendar days of the date of the bill for the registration fee, if the owner:
 - a. Demonstrates with satisfactory proof to the Code Enforcement Department that they have submitted valid architectural plans, based on the City's permits and planning application procedures, and otherwise has shown good faith efforts to efficiently rehabilitate, demolish, or otherwise substantially repair or improve said vacant building; or
 - b. Demonstrates with satisfactory proof to the Code Enforcement Department that they are actively marketing the property for sale/lease.
 - i. Actively marketing will be defined as an owner has placed a "for sale" or a "for lease" sign on the property with accurate contact information, which is also provided to the Code Enforcement Department, and has done at least one of the following:
 1. Engaged the services of a real estate licensee, whose name, address, telephone number and email will be provided to the Code Enforcement Department, in the Multiple Listing Service (MLS);
 2. Placed weekly advertisements in print or electronic media;
 3. Distributed printed advertisements.
2. Demonstrates that the owner has recently died, and the estate, family, or other official and legal designee is actively cleaning the property, and preparing it for sale, estate sale, or other related event.
3. Any and all vacant properties in the City of Monessen shall not be exempt from this Ordinance or the fees associated with it, if the property is being used as a storage unit; especially, where said property is not zoned for such use.

4. Properties that are vacant, but that are actively and regularly maintained, kept up to code; and that have no property taxes, utility liens, or any other payments owed to the City shall be exempt from the annual vacant property fee for a duration of time not to exceed three (3) years.

Section 2. Miscellaneous.

Nothing in this Ordinance shall be construed to abridge or alter the remedies now existing at common law, by statute or by ordinance, but the provisions of this Ordinance are in addition to such remedies.

Section 3. Invalidity.

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 Monessen that the remainder of the Ordinance shall be and shall remain in full force and effect.


Section 4. Effectiveness.

This Ordinance shall come into effect immediately upon enactment.

ORDAINED AND ENACTED this 11th day of MAY, 2021, by the Council of the City of Monessen, in lawful session duly assembled.

ATTEST:


Cheryl Gordon
City Clerk


Matthew T. Shorraw
Mayor and President of Council



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