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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF [COUNTY], PENNSYLVANIA, DESIGNATING THE REDEVELOPMENT AUTHORITY OF [COUNTY] AS THE [COUNTY] LAND BANK**

BE IT ENACTED AND ORDAINED, by the Board of [Commissioners/Supervisors] of [County], Pennsylvania that, as provided by Act No. 33 of 2018, P.L. 221 of the General Assembly of the Commonwealth of Pennsylvania, it hereby designates the Redevelopment Authority of [County] to act as a land bank for [County].

**SECTION 1.**

1. Purpose and Intent.

- A. It is the purpose and intent of this Ordinance to designate the Redevelopment Authority of [County] to act as a land bank for [County].
- B. A land bank is a proven tool for local governments to systematically remove problem properties from an endless cycle of vacancy, abandonment, and tax delinquencies, returning problem properties to productive use.
- C. By designating the Authority to act as a land bank, the Board of [Commissioners/Supervisors] intends to facilitate the return of vacant, abandoned, tax delinquent, and blighted properties to productive use, combat community deterioration, improve the quality of neighborhoods, foster economic growth, and spur reinvestment.
- D. When acting as a land bank, the Authority will acquire, hold, and transfer interests in real property throughout [County] to prevent and mitigate blight and to facilitate the redevelopment and reuse of vacant, abandoned, and tax delinquent properties in accordance with locally determined goals and priorities and the policies to be adopted pursuant to this Ordinance and state law.

2. Authority. This Ordinance is adopted in accordance with Act 33 of 2018, P.L. 221, effective August 20, 2018, amending the Pennsylvania Land Bank Law, 68 Pa.C.S. §§ 2101-2120, by adding 68 Pa.C.S. § 2104(h).

3. Definitions. As used in this Ordinance, the following terms mean:

- A. “Authority” – The Redevelopment Authority of [County].
- B. “Board” – The Board of the Redevelopment Authority of [County].

- C. “Land Bank Law” – The act of October 24, 2012, P.L. 1239, No. 153, codified at 68 Pa.C.S. §§2101–2120, as it exists on the effective date, and as it may be hereafter amended or replaced.
  - D. “Owner-Occupant” – As defined in the Land Bank Law, a natural person with a legal or equitable ownership interest in the property which was the primary residence of the person for at least three consecutive months at any point in the year preceding the date of initial delinquency.
  - E. “Policies” – Policies adopted by the Authority pursuant to this Ordinance and the Land Bank Law.
  - F. “Real Property” – As defined in the Land Bank Law, land and all structures, fixtures thereon and all estates and interests in land, including easements, covenants, and leaseholders.
4. Designation, Powers, and Duties of the Authority as land bank.
- A. The Redevelopment Authority of [County] is hereby designated as the land bank for [County] as authorized by the Land Bank Law, as amended by Act 33 of 2018.
  - B. The Authority will have all applicable powers and duties provided for, authorized, or allocated under the Land Bank Law.
5. Community Input and Representation (68 Pa.C.S. §2104(a)(5))
- A. The Authority shall hold regular public meetings. The Authority shall determine the frequency of such public meetings.
  - B. The Board of the Authority shall determine the place, date, and time of the Authority meetings.
  - C. The Authority shall allow for public comment on matters under deliberation at each public meeting.
  - D. All Authority meetings shall comply with the Pennsylvania Sunshine Act.
6. Acquisition of Property.
- A. The Authority shall acquire Real Property in accordance with Section 2109 of the Land Bank Law (68 Pa.C.S. §2109).
7. Inventory.
- A. The Authority shall maintain and make publicly accessible:
    - i. An inventory of property owned or held by the Authority; and

- ii. A record of all properties conveyed by the Authority to other parties, including the previous and current calendar year.

8. Discharge and Abatement of Real Estate Taxes and Other Municipal Claims.

- A. The Authority may seek the discharge of liens and other municipal claims, charges, or fines of [County] against the properties it acquires.
- B. The Authority may seek to enter into agreements with school districts, municipalities, and any other party for the discharge of liens, claims, charges and other fines against the properties it acquires.
- C. For the duration of the time a property is held by the Authority, the Authority may abate all real estate taxes and other municipal charges by [County] and, to the extent necessary, may seek abatement or non-taxable status from other applicable government entities.

9. Pricing.

- A. Market value will be determined by using the valuation method that the Authority or its staff has determined is most appropriate given the conditions of the property and surrounding market.
- B. The Authority may pursue the option of nominal or reduced-price disposition for any property owned by the Authority.
- C. When calculating a reduced sales price, the discount will consider the benefit provided by the proposed use and the amount of discount needed to make the project both initially financially feasible and continually sustainable.
- D. For housing projects servicing households at a mix of income levels, the Authority may count the number of low – and moderate – income households served and provide proportionate discounting.
- E. The Authority will provide an appeal process where a potential purchaser may submit evidence relevant to the value of the Real Property.
- F. The Authority shall enforce any provisions agreed upon as sales conditions between the transferee and the Authority through legally binding mechanisms, including but not limited to deed restriction, covenants, and mortgages.

10. Policies.

- A. The Authority will maintain all applicable Policies. The Board of the Authority shall annually review these Policies.
  - B. In accordance with 68 Pa.C.S. §2104(a)(6), when the Authority, acting as a land bank, acquires Owner-Occupant residential properties that are occupied by the owners at the time of acquisition, it will be the policy of the Authority to show a preference when feasible for keeping the former Owner-Occupants in their homes.
  - C. **[Insert any additional County-specific policies regarding former owner-occupants who are occupying homes acquired by the land bank]**
11. Revocation of Designation. The designation of the Authority as a land bank may be revoked in the same manner as the dissolution of a land bank under Section 2114 of the Land Bank Law.
  12. Filing with Commonwealth Departments. Upon adoption of this Ordinance, the Chief Clerk of [County] shall file a copy of this Ordinance with the Pennsylvania Department of State. The Chief Clerk shall also provide a copy to the Pennsylvania Department of Community and Economic Development.
  13. Repealer. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent to this Ordinance are hereby repealed and rescinded.
  14. Severability. In the event any section, provision, sentence, clause, or part of this Ordinance shall be held to be invalid, such invalidity will not affect or impair any of the remaining sections, provisions, sentences, clauses, or parts of this Ordinance. The Board intends the remainder of the Ordinance be in full force and effect.

**SECTION 2. Effective Date**

This Ordinance shall take effect as of \_\_\_\_\_, 20\_\_.

**ORDAINED AND ENACTED** by the Board of [Commissioners/Supervisors] of [County] this \_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL)

ATTEST

**BOARD OF [COMMISSIONERS/  
SUPERVISORS]  
OF [COUNTY]**

\_\_\_\_\_  
\_\_\_\_\_, Chief Clerk

\_\_\_\_\_  
\_\_\_\_\_, Chairman

\_\_\_\_\_  
\_\_\_\_\_, Vice Chairman

\_\_\_\_\_  
\_\_\_\_\_, Secretary