

**BOROUGH OF JENKINTOWN
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-4

AN ORDINANCE OF THE BOROUGH OF JENKINTOWN, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING THE BOROUGH CODE TO ADD A NEW CHAPTER TITLED “BLIGHTED PROPERTY REVIEW COMMITTEE” TO ESTABLISH A COMMITTEE AS REQUIRED BY THE PENNSYLVANIA URBAN REDEVELOPMENT LAW FOR THE DESIGNATION, ACQUISITION AND REDEVELOPMENT OF BLIGHTED PROPERTIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there exists within the Borough properties which have become derelict, abandoned, or unfit for or use by reasons of age, obsolescence, prolonged vacancy, dilapidation, deterioration, lack of maintenance and care, or general neglect; and

WHEREAS, such properties constitute unreasonable interferences with the reasonable and lawful use and enjoyment of other premises, are harmful to the social economic wellbeing of the Borough, depreciate property values, and generally jeopardize the health, safety, and welfare of the public; and

WHEREAS, the Pennsylvania Urban Redevelopment Law, 1945, May 24, P.L. 991, as amended, 35 P.S. §§ 1701 et seq., provides special powers to local governments and their Redevelopment Authorities to acquire blighted properties for redevelopment; and

WHEREAS, to exercise such powers under the Urban Redevelopment Law a local municipality must establish a blighted property review committee by ordinance; and

WHEREAS, Borough Council now desires to create a blighted property review committee as permitted by and in accordance with the Urban Redevelopment Law to participate in the identification of blighted properties within the Borough in order to allow for the acquisition and disposition of such real property as permitted by law in order to protect the health, safety and general welfare of the Borough residents.

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Jenkintown Borough Council, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION 1. The Code of the Borough of Jenkintown shall be amended by adding a new Chapter 10 entitled “Blighted Property Review Committee” to provide as follows:

Chapter 10 “Blighted Property Review Committee”

§10-1. Definitions.

For the purposes of this Chapter, the following definitions shall apply unless the context clearly requires otherwise:

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 any structure is located on the property remains unpaid for a period of six (6) months; or (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 any other type of claim of the Borough or any other political subdivision are in excess of 150% of the fair market value of the property as established by the Montgomery County Assessment Office or Board of Assessment Appeals; or (3) the property has been declared abandoned by the owner, including an estate that is in possession of the property.

AUTHORITY OR REDEVELOPMENT AUTHORITY.

The Redevelopment Authority of Montgomery County.

BLIGHTED PROPERTY.

Property that meets one or more of the following:

- (1) Any 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 provisions of this Code.*
- (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, basements, excavations, and unsafe fences or structures.*
- (3) Any dwelling which because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by this Code, has been designated as unfit for human habitation.*
- (4) Any structure which is a fire hazard, or is otherwise dangerous to the safety of persons or property.*
- (5) Any structure from which the utilities, plumbing, heating, sewage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.*
- (6) 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 or other vermin.*
- (7) Any unoccupied property which has been tax delinquent for a period of two years.*

(8) *Any property which is Vacant but not tax delinquent, which has not been rehabilitated within one year of the receipt of notice to rehabilitate from a municipal code enforcement agency.*

(9) *Any Abandoned Property.*

BOROUGH.

The Borough of Jenkintown

BOROUGH COUNCIL OR COUNCIL.

The Council of Jenkintown Borough.

COMMITTEE.

The Blighted Property Review Committee as established by this Chapter.

REDEVELOPMENT AREA.

Any area, whether improved or unimproved, which the Borough Planning Commission may find to be blighted because of the existence of conditions enumerated herein, so as to require or permit redevelopment under the provisions of the Urban Redevelopment Law, as amended.

REDEVELOPMENT CONTRACT.

A contract between the Authority and a redeveloper for the redevelopment of an area under the provisions of the Urban Redevelopment Law, as amended.

RESIDENTIAL AND RELATED USE.

Residential and related use shall include residential property for sale or rental and related uses, including, but not limited to park and recreation areas, neighborhood community service, and neighborhood parking lots.

URL OR URBAN REDEVELOPMENT LAW.

The Pennsylvania Urban Redevelopment Law, as amended.

VACANT.

A property shall be considered vacant if:

(1) the property is unoccupied or its occupancy has not been authorized by the owner of the property; or

(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 (6) months; or

(3) in the case if 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.

§10-2. Committee Established.

There is hereby created a Committee as described under the Pennsylvania Urban Redevelopment Law, 35 P.S. § 1712.1 (relating to blighted property removal) and that may be referred to the "Jenkintown Blighted Property Review Committee" or "Jenkintown Blight Committee."

§10-3. Committee Membership.

Unless otherwise required by law, the Committee shall consist of four (4) members who shall be as follows:

- A. One shall be a Borough Council member as designated by Borough Council from time to time by Motion or Resolution; and*
- B. One shall be a member of the Borough Planning Commission as designated by Borough Council from time to time by Motion or Resolution; and*
- C. One shall be the Executive Director of the Montgomery County Redevelopment Authority or her designee; and*
- D. One shall be the Borough Manager or his designee.*

§10-4. Power and Authority.

The Committee shall have power and authority to operate under the Urban Redevelopment Law, as amended, or any successor law to provide for the designation, certification and removal of blighted property as defined in the URL, to operate in conjunction with and cooperate with the Redevelopment Authority bringing about the acquisition by the exercise of eminent domain or otherwise, as authorized by the URL, and elimination of blighted property within the Borough; and to this end, said Committee shall have all power and authority to do such acts and deeds as are necessary and appropriate to carry out the goals of the URL, this Chapter, and applicable law.

§10-5. Certification.

The Committee and the Borough Planning Commission, upon making a determination that any property is blighted or is a Blighted Property as set forth in this Chapter or permitted under the Urban Redevelopment Law, as amended, must certify said Blighted Property to the Montgomery County Redevelopment Authority, except that:

- A. No property shall be certified to the Redevelopment Authority unless it is Vacant.*
- B. No property shall be certified to the Redevelopment Authority unless the owner of the property or an agent designated by her for receipt of service of notices within the County has been served with notice of the determination that the property is blighted, together with an appropriate order to eliminate the*

conditions causing the blight and notification that failure to do so may render the property subject to condemnation under this Chapter and the Urban Redevelopment Law. The notice shall be served upon the owner or her agent in accord with the provisions pertaining to service of notice of determination of a public nuisance under the Code of the Borough of Jenkintown. In the absence of specific service provisions, notice shall be sent via certified mail to the address on record with the Montgomery County Property Records, or by posting the property in a conspicuous place and proof of mailing. The owner or her agent shall have the right to appeal from the determination in the manner as an appeal from the determination of public nuisance. In the absence of a specified procedure or time-period, an administrative appeal may be filed to Borough Council within thirty (30) days of the date of the notice and Borough Council shall conduct a hearing in accord with the Pennsylvania Local Agency Law.

C. 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, the appeal has been disposed of, and the owner or his agent has failed to comply with the order of the responsible department or other officer or agency.

§10-6. Acquisition and Disposition of Blighted Property.

A. Acquisition and disposition of Blighted Property under this Chapter shall not require preparation, adoption or approval of a Redevelopment Area Plan or Redevelopment Proposal, but at least thirty days prior to acquisition of any property under this section, the Redevelopment Authority shall transmit identification of the property to the Jenkintown Planning Commission and Borough Council and shall request a recommendation as to the appropriate reuse of the property. The Redevelopment Authority shall not acquire the property where the Jenkintown Planning Commission or Borough Council certifies that disposition for residential or related use would not be in accord with the comprehensive plan of the Borough.

B. Power of eminent domain shall be exercised pursuant to a resolution of the Redevelopment Authority and the procedure set forth in the act of June 22, 1964 (Sp.Sess., P.L. 84, No. 6), known as the "Eminent Domain Code," as amended or as otherwise permitted by applicable law.

C. Property disposed of within a Redevelopment Area shall be disposed of under a Redevelopment Contract in accordance with the provisions of the Urban Redevelopment Law.

D. Property disposed of outside an urban renewal project area shall be disposed of by deed in accordance with the provisions set forth in applicable law.

SECTION 2. SEVERABILITY

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such declaration shall

not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION 3. REPEALER

All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as required by law.

ORDAINED AND ENACTED by the Borough Council of the Borough of Jenkintown, Montgomery County, Pennsylvania this ___ day of _____, 2026.

ATTEST:

JENKINTOWN BOROUGH COUNCIL

GEORGE LOCKE, MANGER

JAY CONNERS
BOROUGH COUNCIL PRESIDENT

APPROVED:

GABRIEL LERMAN, MAYOR