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## DELAWARE COUNTY DEMOLITION PROGRAM

### AUTHORIZATION

#### **An Act of November 4, 2016, P.L. 1170, No. 152 AMENDING P.L.310, No. 87 (4/8/1982)**

The governing body may, by resolution or ordinance, authorize the recorder of deeds to charge and collect a fee not to exceed \$15 for each deed and mortgage recorded. The fee shall be deposited into the County Demolition Fund to be used exclusively for the demolition of blighted property situate in the County.

*Within 90 days of imposing the fee, an initial report shall be filed with DCED. It shall include a plan on how the revenue received will be spent, how many properties will likely be demolished and any other information that would be relevant to the demolition program of the county. Not less than 12 months after imposing the fee, and annually thereafter, prepare and submit a report to DCED including how many properties have been demolished, the cost per property and any other relevant information*

### BLIGHTED PROPERTY DEFINED

For purposes of this Act, Blighted Property is defined as a property which meets *at least three* of the criteria listed below, as determined by the County.

1. The building or physical structure is a public nuisance.
2. The building needs substantial rehabilitation and no rehabilitation has taken place during the previous 12 months.
3. The building is unfit for human habitation, occupancy or use.
4. The condition and vacancy of the building materially increase the risk of fire to the building and to adjacent properties.
5. The building is subject to unauthorized entry leading to potential health and safety hazards and one of the following applies:
  - (A) The owner has failed to take reasonable and necessary measures to secure the building.



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- (B) The municipality has secured the building to prevent such hazards after the owner has failed to do so.
6. The property is an attractive nuisance to children, including, but not limited to, the presence of abandoned wells, shafts, basements, excavations and unsafe structures.
  7. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards.
  8. The dilapidated appearance or other condition of the building negatively affects the economic wellbeing of residents and businesses in close proximity to the building, including decreases in property value and loss of business, and the owner has failed to take reasonable and necessary measures to remedy appearance or the condition.
  9. The property is an attractive nuisance for illicit purposes, including prostitution, drug use and vagrancy.

## PROGRAM GUIDELINES

The following Program Guidelines have been established in order to carry out the Demolition Program.

### **Funds Available and Scope**

Based on an analysis of deed recordation over the last 3 years, OHCD estimates \$463,000 may be generated annually for demolition activities. Residential demolition and site restoration costs range from \$20,000 to \$50,000. Nonresidential demolition and site restoration typically run higher in cost. Therefore, an estimated 9-15 buildings could be demolished per year, using these estimates.

### **Administration**

Administration of *municipal demolition* activities will be carried out by the staff of the County OHCD. Staff will be responsible for processing applications, securing Council approval, issuing funding agreements, reviewing request for payment and processing approved invoices. The OHCD Director is authorized to modify funding allocations, in an amount not to exceed 25% of the total project cost, when funds are insufficient to carry out an approved activity.



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Up to \$25,000 will be made available for program administration to offset OHCD staffing costs. Administrative expenses will be supported by time sheets indicating time spent on program delivery and original invoices for any professional service or material costs incurred in carryout activities.

Demolition activities carried by the County, shall be undertaken entirely through the Public Works Department.

### **Eligible Properties**

To be eligible for the Demolition Program, properties must meet the following criteria:

1. Located in Delaware County
2. Documented to meet the definition of a Blighted Property
3. Vacant at the time of application
4. Any legal and/or code enforcement remedies available have been exhausted

### **Eligible Applicants**

Demolition funds are available to the County as well as local governments. In addition, Municipalities must have enacted a property maintenance code, or a set of ordinances, that (1) clearly establishes the right to demolish a property that is unsafe or unhealthy and (2) authorizes the imposition of a lien to recover costs

### **Eligible Costs**

Demolition and clearance actions may include: determination of environmental hazards on the property (lead and asbestos) and proper removal; testing and disposal of hazardous materials; utility disconnections; and demolition permits. Once demolition is complete, the site should be leveled and seeded as appropriate, and any damages to sidewalks, curbs, drives, etc. repaired.

#### **Municipalities**

Local municipal participants are limited to demolition, clearance and site restoration costs only. Municipalities are responsible for all necessary legal, architectural/engineering and recording fees.

Any municipal grant shall not exceed \$ 85,000.

#### **County**

Eligible costs may include any/all soft costs necessary to carryout demolition, including, but not limited to legal, architectural/engineering.



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### **Municipal Demolition Considerations**

1. All requests must be complete and be submitted via application to:  
The Delaware County Council  
c/o Office of Housing and Community Development  
600 No. Jackson Street, Suite 101  
Media, PA 19063
2. Funding allocations will be approved by County Council.
3. Implementation of funded activities will be governed by an executed Agreement.
4. Municipal officials are responsible for ensuring all local, county, state and federal requirements, are met when carrying out projects.
5. Payment will be issued directly to contractors.
6. Post demolition, municipalities are required to place a lien, on behalf of the County, for the cost of demolition and site restoration construction costs borne by the County for non-publicly owned properties.

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