

COUNTY OF DELAWARE,  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO 2025 -07

AN ORDINANCE OF THE COUNTY OF DELAWARE, PENNSYLVANIA PURSUANT TO ACT 48 OF 2024, ESTABLISHING A COUNTY DEMOLITION AND REHABILITATION FUND AND IMPOSING A FEE TO BE COLLECTED BY THE DELAWARE COUNTY TAX CLAIM BUREAU FROM PURCHASERS AT SALES UNDER THE REAL ESTATE TAX LAW AND BY THE DELAWARE COUNTY SHERIFF FROM JUDICIAL SALES IN MORTGAGE FORECLOSURE ACTIONS; DEFINING TERMS; AND PROVIDING FOR SEVERABILITY, REPEALER AND EFFECTIVE DATE.

BE IT HEREBY ENACTED AND ORDAINED by the County Council of the County of Delaware as follows:

**Section 1. Short title.** The within Ordinance may be referred to herein and elsewhere as the "Demolition and Rehabilitation Fund Ordinance".

**Section 2. Definitions.** As used in this Ordinance, the following terms shall have the meanings set forth below:

"Tax sale" shall mean any upset tax sale, private sale, judicial sale or repository sale conducted by the Delaware County Tax Claim Bureau for delinquent real property taxes pursuant to the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.101 *et seq.*, but shall *not* include any property that is sold for delinquent real property taxes to a non-profit entity, land bank, or government entity or to a property acquired by the Pennsylvania Housing Finance Agency.

"Mortgage foreclosure sale" shall mean any sale of real property conducted by the Delaware County Sheriff's Office in connection with a mortgage foreclosure action pursuant to the authority of Chapter 137 of the Pennsylvania County Code, 16 Pa. C.S. § 13701 *et seq.* and the Pennsylvania Rules of Civil Procedure, 231 Pa. Code §§ 1141 *et seq.*

**Section 3. Establishment of the Delaware County Demolition and Rehabilitation Fund.** A Delaware County Demolition and Rehabilitation Fund shall be established by the Delaware County Treasurer pursuant to Pennsylvania Act 48 of 2024.

**Section 4. Directives.**

a. Effective as of January 1 of the first calendar year beginning not less than ninety (90) days after the effective date of this Ordinance, the Delaware County Council authorizes and directs the Delaware County Tax Claim Bureau and the Delaware County Sheriff's Office to collect a fee in the amount of two hundred and fifty dollars (\$250.00) for each and every purchaser of real property from a tax sale or mortgage foreclosure sale, respectively, in addition to the purchase price of a property and all other associated fees and costs. Each and every separate parcel of real estate sold at a tax sale or mortgage foreclosure sale shall be subject to the purchaser's obligation to pay the said fee in the amount of two hundred and fifty dollars (\$250.00).

b. As soon as practicable after each tax sale or mortgage foreclosure sale, the Delaware County Tax Claim Bureau and the Delaware County Sheriff's Office shall promptly deliver any and all funds collected pursuant to this Demolition and Rehabilitation Fund Ordinance to the Office of the Delaware County Treasurer for deposit into the Delaware County Demolition and Rehabilitation Fund.

**Section 5. Administration of the Delaware County Demolition and Rehabilitation Fund.**

a. Any and all funds collected by the Delaware County Tax Claim Bureau and the Delaware County Sheriff's Office pursuant to this Demolition and Rehabilitation Ordinance shall be promptly deposited by the Delaware County Treasurer into a dedicated interest-bearing bank account for the exclusive purposes of the Delaware County Demolition and Rehabilitation Fund.

b. The methods of custody, divestiture, disbursement and application of any and all funds deposited in the Delaware County Demolition and Rehabilitation Fund shall be consistent with generally-accepted accounting principles (GAAP) and the laws of the Commonwealth of Pennsylvania.

c. Funds deposited and maintained in the Delaware County Demolition and Rehabilitation Fund shall be administered by the Delaware County Redevelopment Authority in its capacity as the Land Bank pursuant to Ordinance No. 2022-9 adopted by County Council on September 7, 2022, and as authorized by the Land Bank Law, 68 Pa.C.S. § 2104(h), as amended from time to time, which, within its sole discretion, may use the funds for its own demolition and/or rehabilitation projects, or may award funds by application on a competitive basis to municipalities, school districts, redevelopment authorities and/or other non-profit entities for demolition and/or rehabilitation of blighted properties located within Delaware County, Pennsylvania.

d. Additionally, the Delaware County Council may act in its sole discretion to approve the use of funds deposited and maintained in the Delaware County Demolition and Rehabilitation Fund by a non-profit or for-profit corporation that has a contract with the County of Delaware or with any taxing district, redevelopment authority, land bank, or other government entity, for demolition and/or rehabilitation of blighted properties located within Delaware County, Pennsylvania.

**Section 6. Form and Method of Notice to Affected Agencies.** Notice that the Delaware County Council has established a Demolition and Rehabilitation Fund, and that the fee imposed herein shall be collected and deposited as provided by Section 4, above, shall be transmitted to each of the offices of the Delaware County Tax Claim Bureau, Delaware County Sheriff, Delaware County Treasurer, and Delaware County Prothonotary by transmitting a true, correct and accurate copy of the within Demolition and Rehabilitation Fund Ordinance to the department head of each office via U.S. Mail, electronic mail and/or hand delivery within two (2) working days of its enactment.

**Section 7. Severability.** The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such invalidity shall not affect the validity of any of the remaining provisions of the within Ordinance.

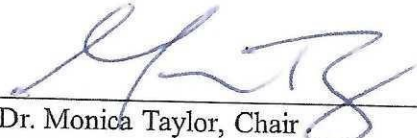
**Section 8. Repealer.** All ordinances and parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.


**Section 9. Effective Date.** This Ordinance shall become effective as of its date of adoption.

**ENACTED AND ORDAINED** by County Council of the County of Delaware Pennsylvania this 17<sup>th</sup> day of SEPTEMBER 2025.


COUNTY COUNCIL


By:

  
Dr. Monica Taylor, Chair

  
Richard Womack, Vice Chair

  
Kevin M Madden

  
Elaine Paul Schaefer

  
Christine A. Reuther

Attested

  
Sharon Scattolino, County Clerk

