

**TOWNSHIP OF ABINGTON,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2156

**AN ORDINANCE AMENDING CHAPTER 126 – “REAL ESTATE REGISTRY – VACANT
PROPERTIES,”
AT SECTION 126-4 – “REGISTRATION STATEMENT AND FEES; LOCAL AGENT,”
SUBSECTION D – “WAIVER OF REGISTRATION FEE”**

WHEREAS, the Township of Abington is a Township of the First Class, duly organized and existing pursuant to the applicable laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to section 1502.44 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56544, the Board of Commissioners has the authority to enact and amend provisions of the Abington Township Code (“Code”) at any time it deems necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof; and

WHEREAS, pursuant to section 1502.10 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56510, the Board of Commissioners has the authority to take all needful means for securing the safety of persons or property within the Township; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that Chapter 126 – “Real Estate Registry – Vacant Properties,” should be amended at Section 126-4 – “Registration Statement and Fees; Local Agent,” Subsection D – “Waiver of Registration Fee,” for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof.

NOW, THEREFORE, be it and it is hereby resolved as follows:

1. The Board of Commissioners of the Township of Abington hereby amends Chapter 126, “Real Estate Registry – Vacant Properties,” at Section 126-4, “Registration Statement and Fees; Local Agent,” Subsection D – “Waiver of Registration Fee,” which shall read as follows, with the underlined text indicating the revised portions of the code:

D. Waiver of Registration Fee

1. Upon written application of the owner and upon satisfaction of the requirements set forth below, the Board of Commissioners or Township Manager may grant a waiver of the Five Hundred Dollar (\$500.00) registration fee referenced in paragraph C(2) above. The waiver shall automatically expire after six (6) months from the date the property first becomes vacant. Upon expiration of the waiver, all provisions of this Chapter shall apply. No more than four (4) waivers shall be granted per property. The waiver shall be granted if the owner satisfactorily demonstrates the following:
 - i. The owner is in the process of demolition, rehabilitation, or other substantial repair of the vacant building; and
 - ii. The anticipated length of time for the demolition, rehabilitation or other substantial repair of the vacant building; and
 - iii. The owner is actively attempting to sell or lease the property at reasonable terms, including a price reflecting fair market value, during the vacancy period; and
 - iv. All past due vacant registration fees, if any, and all other financial obligations and/or debts owed to the Township in connection with the vacant property have been paid.
2. The initial application shall be submitted to the Township Manager, or his/her designee, who shall review the application and make a recommendation to the Board of Commissioners based on the criteria set forth above. The Board of Commissioners shall consider the Township Manager's recommendation within sixty (60) days of the date of receipt of the written application.
3. The Township Manager, or his/her designee, and the Board of Commissioners may require specific documentation to support the owner's valuation and pricing

of the property. An application for waiver shall be denied upon determination by the Board of Commissioners that the property is not being marketed at a reasonable price. Fair market value of the property may be supported by:

- i. Professional appraisal performed by a certified real estate appraiser;
- ii. Comparative market analysis conducted by a licensed real estate agent; or
- iii. Other commercially reasonable valuation method upon approval of the Board of Commissioners.

4. At all times, the burden of proof shall remain upon the owner of the building to demonstrate that the waiver is appropriate in light of the above factors. It is recommended that the owner submit any available photos, plot plan, layout plan, price, appraisal, comparative market analysis, or other documentation concerning fair market value and agent information with the application for fee waiver to demonstrate the active marketing of the property.

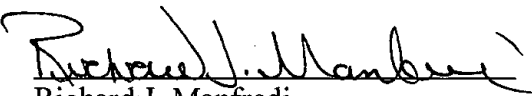
2. All other ordinances, portions of ordinances, or any section of the Code inconsistent with this Ordinance, are hereby repealed.

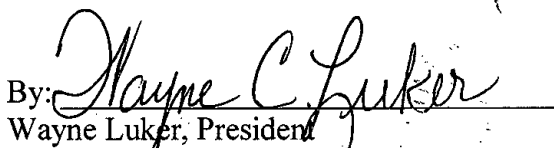
3. The Ordinance shall be effective five (5) days after enactment.

ORDAINED AND ENACTED this 14th day of June, 2018.

TOWNSHIP OF ABINGTON
BOARD OF COMMISSIONERS

Attest:


Richard J. Manfredi
Township Manager, Secretary

By: 
Wayne Luker, President