



Act 152 Beaver County Blight Removal Program

The Act 152 Blight Removal Program provides funding for demolition and blight remediation planning.

The Beaver County Blight Removal Program (BRP) is being offered to residential and commercial property owners in the County.

OVERVIEW

This program uses established blight conditions to focus on demolishing hazardous structures, and reviewing post demolition plans. The purpose of the Blight Removal Program is to achieve the following goals: (1) the elimination of blight influences in the community; (2) the increase in value of adjacent property; and (3) the creation of residential and economic development opportunities.

By achieving these goals, the program will generate needed revenue to address ongoing blight situations countywide. It will also bring focus to residential or commercial projects, but could be used for larger redevelopment projects.

As it provides demolition to vacant blighted properties, the BRP will enforce lead-safe demolitions for these properties to applicants who have developed:

- A concrete reuse plan of the property i.e. – side lot, community garden, stormwater retention/conveyance, etc.
- Demonstrate the capacity to implement the plan within 6 months of demolition completion.
- Submit all required documents listed on the property submission checklist.
- Submit the permits for the demolition to the municipality and follow the building and demolition specs as required.

APPLICANT ELIGIBILITY REQUIREMENTS

- Applicants may include individuals, municipalities, community groups, local businesses, and private and nonprofit developers.

- Applicants must be the property owners at the time of the application submission.
 - Current owner may authorize the municipality to act on their behalf if they agree to the terms as outlined in the guidelines – written proof of authorization must be included with Demolition Consenting Agreement at the time of application.
- Applicants must be current on taxes with the school district, city and county, water, sewage and refuse bills on all properties owned in Beaver County.
- Applicants must not have any outstanding code violations or municipal liens on other properties owned in Beaver County.
- Applicants must not be delinquent in any contractual obligations owed to the County or any County department.
- Applicants must include three (3) bids for the project with the lowest responsible bid being awarded.

PROPERTY ELIGIBILITY REQUIREMENTS

Property eligibility will be determined on a case-by-case basis, based upon consideration of a variety of factors related to blight. It must meet at least three of the criteria listed below, consistent with the PA Act 152 of 2016, as determined by the County:

1. The property must be a vacant structure.
2. There must be plans for ongoing maintenance of the vacant lot after demolition.
3. The building or property is a public nuisance.
4. The building needs substantial rehabilitation and no rehabilitation has taken place during the previous 12 months.
5. The building is unfit for human habitation or use.
6. The condition of the building materially increases the risk of fire to the building and/or adjacent properties.
7. The property must be deemed an emergency to qualify or be considered for demolition.
8. 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.
 - (b) The municipality has secured the building in order to prevent such hazards after the owner failed to do so.
9. Must provide photographs of blighted condition of the structure.
10. May be subject to additional eligibility requirements.

IDENTIFYING A PROPERTY

Applicants must identify a potential property. The BRP does not maintain a list of all properties that may be eligible. The property must be located in Beaver County and be vacant at the time of application submission. Once a specific property has been identified for acquisition, applicants should contact the Community Development Program to determine property eligibility.

DEMOLITION FUNDING

A cost estimate prepared by a certified engineer or architect must be submitted with the application for commercial properties.

The demolition award cannot be used for any costs associated with the acquisition of the property.

To the extent possible, priority will be given to emergency demolitions. To qualify, the situation must meet the definition of an emergency as defined by the CDP office in their Emergency Demolition Requirements. Prior to receiving emergency demolition funds, all the requirements of the BRP must be completed by the applicant.

Demolition costs totaling greater than \$25,000.00 will be subject to prevailing wage guidelines.

CONFLICT OF INTEREST

An elected official, officer, director, or employee of an applicant who is a party to or who has a private interest in a project shall disclose the nature and extent of the interest to the Community Development Program as part of the application process. The elected official, officer, director, or employee may not vote on any action of the application concerning the project, participate in the deliberations of the applicant concerning the project or be involved in the administration of the demolition funds if awarded.

WAIVERS AND EXEMPTIONS

The Beaver County Blight Removal Program may, at its sole discretion, waive or exempt any of the forgoing application requirements or conditions of the program, if it is determined that such waivers or exemptions are in the best interest of the public. If the post-demolition plan has not been started within six months of the completion of the demolition, the Community Development Program will place a lien on the property in the amount of the cost of the demolition.

DEMOLITION CONSIDERTIONS

All requests must be completed and submitted via application to:

Community Development Program of Beaver County
1013 8th Avenue
Beaver Falls, PA 15010

If you have any questions or concerns regarding the program, please contact Cynthia Cook, Assistant Director of Operations, Community Development Program of Beaver County at: (724) 770-2041 or email: ccook@beavercountypa.gov

The application and guidelines are also available online at the county's website: www.beavercountypa.gov under the Community Development Department tab.

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Property Submission Checklist

Please use and provide this checklist with all property submissions to ensure all documentation is complete.

Property Owner's Name: _____

Address: _____

Demolition Property Address: _____

Parcel Number _____

1. _____ Consent to demolish agreement from owner or Court decree
2. _____ Condemnation of structure, order to demolish
3. _____ Municipal Certification Form (*Commercial Building*)
4. _____ Documented history of code violations
5. _____ Photographs of the blighted condition of the structure (digital – emailed front, back, both sides and street view at cook@beavercountypa.gov)
6. _____ Ensure structure's street number is plainly visible from the street
7. _____ Post-Demolition Plan
8. _____ Three (3) Bids/Quotes for Demolition

Notes/Concerns _____

AGREEMENT CONSENTING TO
DEMOLITION OF STRUCTURE

THIS agreement is made this _____ day of _____, 20____ by and between

_____ hereinafter, whether singular or plural, referred to as OWNER.

A
N
D

The County of Beaver, hereinafter referred to as COUNTY.

WHEREAS, the OWNER represents to the County of Beaver that the OWNER is the sole owner or owner of premises located at the address of [Click here to enter text.](#) and designated as Beaver County Tax Parcel No. [Click here to enter text.](#)

WHEREAS, there exists on said premises a structure, which is currently in a dilapidated condition unfit for use, with its current condition being such as to have an adverse effect upon the health and safety of the neighborhood where located, and same is not occupied as a dwelling unit; and;

WHEREAS, the COUNTY has an activity under its Community Development Block Grant Program for removal of such structures.

NOW, THEREFORE, WITNESS THAT in consideration of the covenants hereinafter set forth and intending to be legally bound hereby, the parties hereto agree as follows:

- I. The OWNER has and does hereby consent and grant to the COUNTY, to its employees, agents, contractors or subcontractors, the privilege and right to enter upon the aforesaid premises of the OWNER and to demolish and remove the said structure existing thereon.
- II. The COUNTY shall give the OWNER at least twenty (20) days prior written notice of the date that demolition of the structure shall be commenced. Such notice will be duly served by either mailing same to the OWNER through U.S. Postal System to the address as set forth below the OWNER'S signature hereafter, or by personal delivery duly received by the OWNER.
- III. The OWNER shall have removed any and all items OWNER desires from said premises prior to the date specified for commencement of the structure demolition.
- IV. In no way or manner shall the COUNTY, its employees, agents, contractors or subcontractors be liable for any damage or loss as to any items of property left on said premises or in said structure after the twenty (20) days' notice period has expired.

The OWNER does hereby release, agree to indemnify and hold harmless the COUNTY, its employees, agents, contractors or subcontractors from any and all claims, demands, actions or causes of action of every kind and every nature that may arise out of and as a

result of the OWNER herein granting the right to enter and demolish said structure as may be claimed by the OWNER or any person claiming rights through the OWNER or interest in said premises.

The COUNTY shall cause the demolition of the structure to be accomplished by its employees, agents, contractors or subcontractors in an orderly and reasonable fashion, requiring that the land be leveled to a proper grade, with any basement filled. The COUNTY shall require that adequate liability, Workmen's Compensation insurance and other necessary insurance is in existence during the entry, demolition of the structure and grading, whether same is done by the COUNTY, its employees, agents, contractors or subcontractors.

The OWNER shall receive no consideration, compensation or payment of monies for the herein granted entry and demolition of said structure, and the COUNTY shall advance and pay all costs and expense thereof, with the provision and condition however, that the OWNER for and in consideration of the demolition of the structure and removal of the unsafe and harmful conditions which exist on said premises, does hereby consent to have COUNTY place a Mortgage on said premises for the total cost of such entry, demolition and grading, which Mortgage will be reduced at a rate of 20% per year and forgiven after five (5) years in accordance with the Note.

The OWNER and the COUNTY mutually agree that the Mortgage created by the entry of the confessed Mortgage as aforesaid shall be and shall constitute a Mortgage only against the OWNER'S real estate as described hereinabove. The said Mortgage shall not constitute a lien against any other real estate owned or to be owned by the OWNER and neither this confessed Mortgage as aforesaid nor this contract shall give rise to any claim upon or the personalty, past, present or future, of the OWNER.

It is acknowledged and agreed by the parties hereto that the Mortgage hereby authorized to be confessed shall not levy or execute on said Mortgage during OWNER'S natural lifetime or so long as the OWNER remains record owner, legal and equitable, of said premises. The OWNER may voluntarily pay and cause the Mortgage, without interest to be paid and satisfied at any time; however in the event of sale, by deed or Article of Agreement, or otherwise by OWNER, or upon change of use of the property for a non-eligible CDBG purpose, said Mortgage with costs, without interest, shall be immediately due and payable.

The OWNER agrees that with the signing of this Agreement OWNER will simultaneously execute a Mortgage and Note in favor of the COUNTY. By its term said Note will limit its lien to the property.

The OWNER agrees that if both the Mortgage and Note are not signed as heretofore agreed upon, the COUNTY shall file, with the Prothonotary's Office, a Municipal Lien against the property. Said Municipal Lien, for the total cost of entry, demolition and grading, will be due and payable upon the sale of the property by the OWNER or the OWNER'S heirs, successors and assigns.

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties hereto have herewith set their hands and seals the day and year above set forth.

WITNESS

OWNER

ADDRESS

CITY, STATE & ZIP

TELEPHONE NUMBER

WITNESS

OWNER

ADDRESS

CITY, STATE & ZIP

TELEPHONE NUMBER

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF BEAVER

On this the ___ day of _____, A.D. _____ before me, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Signature of Notary

My Commission expires:

Date

MUNICIPAL CERTIFICATION FORM BUILDING and/or ZONING PERMIT REQUIREMENTS

As mandated by the Pennsylvania Construction Code Act, permits are required for commercial construction for any owner, contractor, or agent that intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a commercial building, structure, or facility or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system regulated by the Uniform Construction Code.

Furthermore, municipalities may require additional zoning, sign, occupancy, and/or land use permits for proposed projects on commercially occupied structures.

Accordingly, this form must be completed and signed by an authorized representative of the municipality in which the project is taking place and returned with the application.

Project Name: _____

Project Location: _____

Uniform Construction Code Permit:

Required Not Required

Sign Permit:

Required Not Required

Zoning Permit:

Required Not Required

Other - Please Specify:

 Required Not Required

IPMC report available: Yes No

Please list any code violations that must be addressed in order to obtain an occupancy permit.

Signature of Authorized Municipal Representative

Print Name/Title

Date