

ORDINANCE NO. 06 - 23

AN ORDINANCE OF THE TOWNSHIP OF BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA AMENDING CHAPTER 196, REAL ESTATE; ARTICLE I REPORT REQUIRED FOR SALE, TRANSFER AND RENTAL OF PROPERTY OF THE CODE OF CODIFIED ORDINANCES TO PROVIDE ADDITIONAL PROVISIONS FOR COMPLIANCE AND ABATEMENT OF VIOLATIONS AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

WHEREAS, the Board of Commissioners of the Township of Bethlehem, Northampton County, Pennsylvania have enacted, by Ordinance, certain regulations dealing, in part, with reports required for sale, transfer and rental of property, which Ordinance has been amended from time to time; and

WHEREAS, the Board of Commissioners of the Township of Bethlehem, Northampton County, Pennsylvania has determined that it would be in the best interest of the Township of Bethlehem to amend its Ordinance to include additional provisions for compliance and abatement of violations.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF BETHLEHEM, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA THAT CHAPTER 196, REAL ESTATE; ARTICLE I REPORT REQUIRED FOR SALE, TRANSFER AND RENTAL OF PROPERTY OF THE CODE OF CODIFIED ORDINANCES OF THE TOWNSHIP OF BETHLEHEM BE AMENDED AS FOLLOWS:

SECTION 1. Chapter 196 Real Estate; Article I Report Required for Sale Transfer and Rental of Property is deleted in its entirety and replaced as follows:

“Article I Report Required for Sale Transfer and Rental of Property

§ 196-1 Registration, sale, transfer and rental of real estate.

A. The Township of Bethlehem hereby elects to apply the provisions of the Act of July 27, 1955, P.L. 288, No. 104, as amended, 21 P.S. § 611 et seq. It shall be the duty of every seller and lessor of real property situate in the Township of Bethlehem to comply with said Act, and to obtain a written report prepared by the Code Enforcement Official setting forth the zoning district classification of the property, the legality of the present use of the property as known to the Department of Community Development and set forth in the report, and the existence, if any, of any uncorrected violations of housing, building, property maintenance, safety or fire ordinances known to the Department of Community Development following a property inspection to be performed by the Code Enforcement Officer. Said report shall be delivered by the seller to the purchaser of property at or prior to the time for settlement on the sale and purchase, and by the lessor to the lessee of property at or prior to the lease agreement and delivery of possession of the property. Every seller shall also deliver to the purchaser of the property any notice of assessment for public improvements. Nothing contained herein shall be construed as relieving any person from requirements to obtain a certificate of compliance.

B. In the event that any transfer of title occurs without an inspection having been conducted under the requirements in § 196-1A, the buyer is responsible for obtaining the inspection report, to include paying the appropriate fee for said inspection, and certificate of compliance.

§ 196-2 Compliance.

A. A certificate of compliance shall be issued by the Code Enforcement Officer upon compliance with the Bethlehem Township adopted property maintenance code. A temporary certificate of compliance shall be issued by the Code Enforcement Officer upon compliance with § 196-2B of this article.

B. The buyer and/or their agent shall provide to the Department of Community Development a completed temporary certificate of compliance request application indicating the buyer’s name, address, date of transfer, and acknowledgement of receipt of the property inspection report.

§ 196-3 Abatement of violations.

In the event that a violation of the Bethlehem Township adopted property maintenance code exists in or upon the premises, such violations shall be addressed by either:

- A. The seller abating the violations prior to the transfer of title; or
- B. The buyer executing a temporary certificate of compliance request acknowledging:
 - a. Receipt of the inspection report; and
 - b. That such buyer shall begin to abate the violations set forth in the property inspection report and shall fully comply within twelve (12) months of taking possession.

§ 196-4 Violations and penalties.

Any person violating any provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000.00, together with costs of prosecution, and in default of payment thereof, shall be liable to imprisonment for a period not exceeding 90 days. Each day in which an offense shall continue shall be deemed a separate offense.


SECTION 2. SEVERABILITY. The provisions of this Ordinance are severable, and if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances or Resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after adoption.

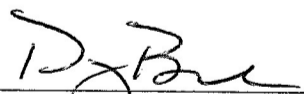
ORDAINED AND ENACTED this 18th day of September, 2023, at a regular public meeting after public hearing thereon.

**BOARD OF COMMISSIONERS
OF BETHLEHEM TOWNSHIP**



John J. Merhottein
President

ATTEST:



Doug Bruce
Township Manager/Secretary