

NOTICE OF ORDINANCE

2022-2

COUNTY OF GREENE

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GREENE,
PENNSYLVANIA, ESTABLISHING REQUIREMENTS FOR NOTIFICATION OF PARCEL
IMPROVEMENTS TO THE COUNTY ASSESSMENT OFFICE**

Pursuant to the provisions of Act 41 of 2022 (SB 477), Amending Title 53, Subch. 8861 of the Pennsylvania Consolidated Statutes as follows:

Act 41 of 2022 (SB477) amends Title 53 providing for submission of building permit and parcel improvement information to the county Assessment Office. Specifically, this legislation amends the Consolidated County Assessment Law in Title 53 to further facilitate the existing statutory requirement that building permit information be submitted to the county Assessment Office. Prior to Act 41 of 2022, the requirement system for parcel improvement notification was inconsistent and directly affected the uniform assessment of parcels within the county. Establishing requirements for parcel improvement notification advances the uniform system of assessing parcels and provides enforcement procedures.

NOTICE IS HEREBY GIVEN that the Greene County Board of Commissioners will adopt at their public meeting, in the Commissioners Meeting Room on the 1st Floor of the County Office Building, on Thursday December 15, 2022 at 10:00am

A copy of the full text of the proposed Ordinance is available for public inspection from 9:00am to 4:00pm Monday through Friday at the County Law Library located in the Courthouse, Waynesburg, PA and the County Commissioners' Office located in the County Office Building, Waynesburg, PA.

Jeffrey A. Marshall
Chief Clerk, County of Greene

Ordinance No. ____ of 2022

**AN ORDINANCE ESTABLISHING REQUIREMENTS FOR NOTIFICATION OF
PARCEL IMPROVEMENTS TO THE COUNTY ASSESSMENT OFFICE**

Pursuant to the provisions of Act 41 of 2022 (SB 477), Amending Title 53, Subch. 8861 of the Pennsylvania Consolidated Statutes, it is hereby enacted and ordained by the Commissioners of the County of Greene, Pennsylvania (the “County”) as follows:

Preface – Act 41 of 2022 (SB477) amends Title 53 providing for submission of building permit and parcel improvement information to the county Assessment Office. Specifically, this legislation amends the Consolidated County Assessment Law in Title 53 to further facilitate the existing statutory requirement that building permit information be submitted to the county Assessment Office. Prior to Act 41 of 2022, the requirement system for parcel improvement notification was inconsistent and directly affected the uniform assessment of parcels within the county. Establishing requirements for parcel improvement notification advances the uniform system of assessing parcels and provides enforcement procedures.

Section 1 - Short Title

This Ordinance shall be known as the Parcel Improvement Notification Ordinance.

Section 2 - Definitions

The following words and phrases when used in this ordinance shall have the meaning given to them in this Section unless the context clearly indicates otherwise. All words and terms not defined herein shall be used with a meaning of standard usage.

“Assessment Office” – County department responsible for “ad valorem” valuation of parcels and CAMA system maintenance.

“Building Permit” – Official document authorizing parcel improvements

“CAMA” – Computer aided mass appraisal system

“Continued Non-compliance” – More than a singular violation to provide notification or address reported violations of this ordinance

“County improvement certification form” – form developed by the Assessment Office for use as collection tool for parcel improvement notification

“Demolition Permits” – Official document notifying demolition of improvements on a parcel.

“Municipality.” Any city of the first, second, second class A or third class, borough, incorporated town, township of the first or second class or any similar general-purpose unit of government which shall hereafter be created by the General Assembly. The term includes those general-purpose units of government smaller than a county which exercise self-government under a home rule charter or optional plan.

“Municipal Building Code” – a set of regulations written and adopted by municipal officials establishing minimum requirements that must be met for construction and maintenance of parcels.

“Non-compliance” – Failure to comply with terms of the ordinance

“Normal Regular Repairs” The repair or replacement of materials or components of property features for the purpose of maintenance. The replacement of existing property features with new versions reasonably similar in function, quality, material and dimension.

“Parcel” – A designation for buildings and/or land assigned a tax parcel number by the Assessment Office

“Parcel Improvement” – An improvement to a parcel not included in the “Normal Regular Repairs” or painting regardless of municipal permitting requirements.

“Parcel Improvement Notification System” – A notification system maintained by the Assessment Office to collect information

“Property Features” – The term includes roofing, siding, flooring, heating and air conditioning systems and windows.

“Owner.” The person(s) and/or entity(ies) of record possessing any form of current interest in Real Estate, as described in any Document with the exception of oil, gas, and/or mineral interests, as noted in a Document.

“Real Estate.” The surface estate and any interest(s) involving oil, gas, or mineral rights, or any other form, type, or extent of subsurface estate.

“Third Party Agency” – Entity contracted with municipalities to issue permits or inspect improvements.

“Uniform Construction Code” – Pennsylvania’s statewide building code administered locally under adopted ordinances by participating municipalities. PA Dept of Labor and Industry enforces commercial compliance for opted out municipalities.

Section 3 – Parcel Improvement Notification Requirements Established

A Parcel Improvement Notification system is established and implemented in the County of Greene in accordance with the provisions of this Ordinance.

Section 4 – Assessment Office as Recipients

Pursuant to Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (a), the County Assessment Office shall be the recipient of parcel improvement notifications. The said permanent recipient is referred to herein as the “Assessment Office”.

Section 5 – Assessment Office Administrative Procedures

The Assessment Office shall determine necessary administrative procedures for the implementation, maintenance, and enforcement of this ordinance.

Section 6 – Improvement Notification Responsible Parties

- A. Pursuant to Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (a), every municipality, third party agency (TPA) or the Department of Labor and Industry (DOLI) responsible for the issuance of building permits or demolition permits shall forward a copy of each permit to the Assessment Office on or before the first day of every month.
- B. If a municipal building code does not require a permit for improvements to a parcel, the property owner shall make notification to the Assessment Office for any improvement, other than painting of or normal regular repairs to a building, aggregating more than \$4000 in value with the threshold value being subject to review by the Greene County Chief Assessor annually and adjusted relative to the Consumer Price Index.

Section 7 – Notification Procedures

A. For municipalities, TPA's, and DOLI issuing permits, permits shall be forwarded to the Assessment Office via mail, email, fax, in person, or online submission before the first day of every month following issuance as required in Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (a).

B. For municipalities, TPA's, DOLI, and parcel owners with parcels located in municipalities that have opted out of the Uniform Construction Code or do not require permits for the proposed improvement, notification shall be made to the Assessment Office with the county improvement certification form per Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (b.1) The county improvement certification form shall be available on the Greene County website and in the Assessment Office; and may be available through municipal officials. Notification shall be made via mail, email, fax, in person, or online submission prior to beginning any substantial improvement.

C. Required information for improvement notification includes name of municipality, owner's name, parcel location, parcel tax identification number, description of improvement, and dollar value of the improvement.

D. The provision of permits or permit information shall not be subject to the procedures of the act of February 14, 2008 (P.L 6, No. 3) known as the Right-to-Know Law. Per Act 41 of 2022 (SB 477) , amendment to Title 53, section 8861 (a), no agency, public official or public employee shall be liable for civil or criminal damages or penalties for complying with this section.

Section 8 – Fees

Per Act 41 of 2022 (SB 477) , amendment to Title 53, section 8861 (c), the County may charge and collect a fee up to \$5 for the disbursement and collection of the county improvement certification form. Such fee shall be payable to the Assessment Office as the agent for the County at the time the form is received. This fee shall be separate and distinct from any other charge or fee due to municipalities, TPA's, or DOLI.

Section 9 – Compliance

Compliance with the ordinance shall be determined by the Assessment Office receiving parcel improvement information by approved method within the stated time frame and recourse following notification from the Assessment Office of violations of the ordinance.

Section 10 – Enforcement

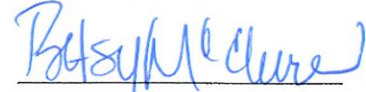
The Assessment Office shall enforce compliance with the Parcel Improvement Notification Ordinance.


Section 11 – Penalties/Enforcement Procedures

- A. Per Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (a.1), if the Assessment Office has reason to believe that there is noncompliance with the ordinance, the Assessment Office shall provide written notice to the municipality, TPA, DOLI, and/or parcel owner. Upon notification, the municipality, TPA, DOLI, or parcel owner shall investigate and communicate with the Assessment Office possible options to remediate the noncompliance.
- B. If, after consultation, noncompliance continues, the Assessment Office may, in the case of continuing noncompliance after notice, institute an action in mandamus before the court of common pleas to compel compliance with the ordinance. Should the court determine that the noncompliance is intentional, the court shall award any costs, disbursements, reasonable attorney fees and witness fees relating to the action to the Assessment Office.
- C. In accordance with Act 41 of 2022 (SB 477), amendment to Title 53, section 8861 (c), any municipality, third party agency, or real property owner that intentionally fails to comply with the provisions set forth or intentionally falsifies the information provided, shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not more than \$50 payable to the Assessment Office.
- D. The Assessment Office may assess a civil penalty of not more than \$100 upon a municipality, third party agency, or real property owner for intentionally failing to comply with the provisions set forth in the ordinance or intentionally falsifying information.
- E. If a civil penalty is assessed against a municipality, third party agency, or real property owner, the Assessment Office must notify the municipality, third party agency, or real property owner by certified mail of the nature of the violation and the amount of the civil penalty and that the municipality, third party agency, or real property owner may notify the Assessment Office within 10 calendar days that the municipality, third party agency, or real property owner wishes to contest the civil penalty. If, within 10 calendar day from the receipt of that notification, the


BOARD OF COMMISSIONERS OF GREENE COUNTY


Mike Belding
Chairman


Betsy McClure
Vice-Chairman

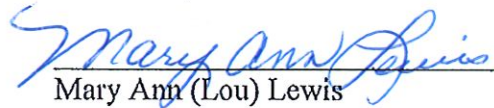

Blair Zimmerman
Secretary

ATTEST:


Jeff Marshall, Chief Clerk

I, Mary Ann (Lou) Lewis, Chief Assessor of Greene County, Pennsylvania, do as prescribed by Act 41 of 2022 (SB 477), amendment to Title 53, section 8861, recommend the adoption of the foregoing Ordinance by the Board of Commissioners of Crawford County, establishing Parcel Improvement Notification.

CHIEF ASSESSOR, GREENE
COUNTY, PENNSYLVANIA


Mary Ann (Lou) Lewis

Date: 12-15-2022

municipality, third party agency, or real property owner does not notify the Assessment Office of the municipality, third party agency, or real property owner's intent to contest the penalty, the civil penalty shall become final.

- F. If timely notification of the intent to contest the civil penalty is given, the municipality, third party agency, or real property owner contesting the civil penalty shall be provided with a hearing in accordance with 1 Pa.C.C. Chs. 5 Subch. B. and 7 Subch. B.

Section 12 – Provisions Severable

The provisions of this Ordinance are severable. If any provision of this Ordinance, or its application to any person, entity or circumstances, is held invalid by a court of competent jurisdiction, such determined invalidity shall not affect any other provision or application of this Ordinance.

Section 13 – Effective Date

This Ordinance shall become effective on Jan 1st, 2023.

ENACTED AND ORDAINED by the Commissioners of Greene County this 15 day of December, 2022.
