

Ordinance of the Borough of Curwensville,
Clearfield County, Pennsylvania
Ordinance 505 of 2024

**AN ORDINANCE OF CURWENSVILLE BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA, AMENDING ORDINANCE NO. 490, TO CREATE A PROPERTY
REVIEW BOARD IN PLACE OF A VACANT PROPERTY REVIEW BOARD AND
APPOINTMENTS TO SAID BOARD, PERMIT ENFORCEMENT BY ZONING
OFFICER, UPDATE DEFINITIONS, AND FEE SCHEDULE.**

NOW THEREFORE, be it enacted and ordained by the Borough of Curwensville,
Clearfield County, Pennsylvania, and it is hereby enacted and ordained by authority of the same
as follows:

1. Ordinance No. 490 shall be modified as follows:
 - a. Section 84-7 shall be titled "Property Review Board."
 - b. Blighted Property definition, Section C to read "Is dilapidated, unsanitary, unsafe, vermin infested, or is lacking in the facilities and equipment required by the Borough's housing or maintenance codes, has been designated by the Code/Zoning Offices as being unfit for human habitation."
 - c. Non-Conforming Vacant definition moved in definition Section to be placed alphabetically.
 - d. Vacant Property definition to read "Any building, structure or property that is not legally occupied on or before December 31st will need to register property for the following year."
 - e. Vacant Property Review Board will read "Property Review Board – The Board established by this chapter to review vacant, blighted, and abandoned properties and to make a written determination of blight and deterioration."
 - f. Section 84-4 will read "Fees should be in an amount as established from time to time by resolution of the Borough Council per year to be paid at the time of registration and each subsequent annual renewal.
 - g. Section 84-4 will include "Section A. Registration Type. 1. Vacant, 2. Non-conforming Vacant, 3. Blighted, 4. Abandoned."
 - h. Section 84-5 C. will include "4. Liens against property and 5. Taxes are paid to current year."
 - i. Section 84-5 will include addition of "D. Are permitted with all required permits for type of work actively working and making positive progress. E. Vacant quality can be established from time to time by resolution of the Borough Council."

- j. Section 84-6, B to read "If requested, the Code Enforcement/Zoning Officer or their authorized representative shall disclose proper credentials of their respective offices for the purpose of inspecting any and all structures and property in the performance of their duties under this chapter."
- k. Section 84-6, D to read "In addition to the inspections referenced above, the Code Enforcement/Zoning Officer shall also checklist properties upon any of the following occurrences: 1. Prior to the initial occupancy of substantially rehabilitated properties; or 2. Prior to the sale of any vacant property."
- l. Section 84-7 to read "84-7. Property Review Board. A. There is hereby established and created a Property Review Board ("the Board") for the Borough of Curwensville. The Board shall be composed of five members and up to two alternatives who shall be appointed by the Council President with the approval of the Borough Council. Members of the Board shall consist of the Code/Zoning Officer Supervisors, one member of Borough Council, one member of the Planning Commission, and two residents of the Borough. Members shall serve for terms of three years and until their successors are duly appointed and qualified, except that members first appointed shall be so appointed that the term of one member shall expire annually thereafter. Vacancies shall be filled in the same manner as regular appoints and for the unexpired term of the vacancy. Members shall serve without pay. First resident member 2 years then 3 years, Second resident member 3 years then 3 years, Planning Commission Member the term appointed for, Borough Council Member for their term elected for, Zoning Officer Supervisor Member for their term. Anybody that leaves before the end of their term the person appointed to fill out their position will finish out that term.
- m. Section 84-7, D. to read "The Board shall conduct its business at meetings scheduled and held in conformity with the requirements of the Pennsylvania Open Meetings Act. Meetings shall be called by the Board when and as necessary to consider properties alleged by the Code/Zoning Officer to be blighted or abandoned within the meaning of this chapter.
- n. Section 84-8, Section A to read "When the Curwensville Borough Code/Zoning Officer considers any property within the Borough to be non-conforming vacant, the Officer shall give to the owner of the property a notice and order setting forth the conditions of the property which are in violation of local codes or law and a time period by which to correct and abate such conditions. Such notice and order shall further state that the property is deemed to be blighted or abandoned within the meaning of this chapter and that the failure to make correction and abatement within the time period set forth will result in the referral of the matter to the Property Review Board for further proceedings in conformity with this chapter.
- o. Section 84-8, Section B to read "If the conditions set forth in the Code/Zoning Officer's notice and order are not in full corrected and abated within the time period therein set forth, the Inspector shall."
- p. Section 84-8, Section B(2) to read "If the Planning Chairman & Zoning Commissioner determines that the reuse of the property for conforming uses is in keeping with the Borough's comprehensive plan and zoning ordinances, the

Code/Zoning Officer shall notify the Property Review Board for the purpose of that body's consideration of whether the property is blighted or abandoned. The Borough Secretary shall notify the owner of the time, date, and location of the meeting and advertise the meeting as may be required by applicable law.

- q. Section 84-8, Section D(1) to read "The owner of the property or designated agent has been sent a notice and order by the Code/Zoning Officer to eliminate the conditions which are in violation of local codes or law within a time certain; that such notice and order further set forth that the property is deemed to be blighted or abandoned within the meaning of this chapter; and that the failure to make correction and abatement would result in the matter being referred to the Property Review Board for further proceedings in conformity with this chapter;"
 - r. Section 84-8, Section D(3) to read "The property is vacant, blighted, or abandoned."
 - s. Section 84-8, Section D(5) to read "The Planning Commission and Zoning Chairman has determined that the reuse of the property for conforming use is in keeping with the Borough's comprehensive plan and zoning ordinances."
 - t. Section 84-8, Section F to read "Notice which may be, or is required to be, given under the terms of this chapter shall be in writing and sent via first class mail, sufficient postage prepaid, and certified, return receipt requested, and a copy of any such notice shall further be posted in conspicuous place on the property affected. Unless the owner of the property in question shall have notified the Code/Zoning Officer otherwise, the identity of the owner and the owner's mailing address shall be conclusively presumed to be as appear as such in the records maintained in the office of the Clearfield County Tax Assessment Notice given in accordance with the foregoing shall be deemed effective on the date of receipt; provided, however, that same shall conclusively be deemed to have been received not later than the fifth business day following the date when same was delivered to post office.
 - u. Section 84-1, Section F to read "Code Violations. Nothing in this chapter shall preclude or prohibit the Code/Zoning Officer or his designee from identifying any violations of the codes and taking lawful action in connection therewith."
 - v. Addition of "Section 84-13. Fee Schedule. A. Registration Type, 1. Vacant \$25.00, 2. Non-Conforming \$100.00, 3. Blighted \$250.00, 4. Abandoned \$500.000 plus legal and other expenses.
2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance or any Ordinance referenced which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are severable.

3. If any sentence, clause, section, or part of this Ordinance is found to be unconstitutional, illegal or invalid for any reason such as unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid, sentence, clause, section or part thereof, not been included herein.


4. This Ordinance shall become effective immediately.

DULY ADOPTED and enacted this 23rd day of December, 2024.


ATTEST:

COUNCIL:


Secretary


President

MAYOR:


Mayor