

Mifflin County Demolition Funds Program Guidelines

Pennsylvania Act 152 of 2016 (October 11, 2024)

Authorization

On August 31, 2017, the Mifflin County Board of Commissioners passed a Resolution regarding the imposition of a \$15.00 increase in the fees charged by the Recorder of Deeds Office. This fee is for recording deeds and mortgages to fund the Mifflin County Demolition Funds Program. It was effective January 1, 2018, as granted by the recorder of deeds fee law act of November 4, 2016 P.L. 1170 No.152.

Purpose

The Mifflin County Demolition Funds Program is designed to achieve the following goals: (1) the elimination of blight in the community; (2) the elimination of potential health and safety hazards caused by the accumulation of debris, presence of vermin, or physical deterioration of structures and grounds; (3) the reduction of crime by elimination of vacant, deteriorated buildings as havens for criminal activity; (4) the increase in value of adjacent property by elimination of blight; and (5) the creation of residential and economic development opportunities by elimination of blighted buildings and incentivize potential assemblage of land.

Program Guidelines

Administration

The Mifflin County Planning and Development Department will administer the Demolition Funds Program by working with municipalities, their Solicitors, or other eligible public non-profit organizations, to determine whether the proposed demolition project meets program guidelines. Attached herein you will find the program guidelines and application form. If you have any questions concerning the program, please contact the Mifflin County Planning and Development Department either by phone: (717) 242-0887, email: mcplanning@mifflincountypa.gov, or stop by our office.

To qualify for participation in the Mifflin County Demolition Funds Program, the following criteria have been established:

1. The property must be in public ownership through a municipality, redevelopment authority, community development corporation, municipal authority, or public non-profit organization that can facilitate with the demolition of the property and has the ability to impose a lien to recover costs, and

2. The property must qualify as blighted as set forth in PA Act 152 of 2016.

Blighted Property Defined

For the purposes of this Act, blighted property is defined as a property which meets at least three (3) of the nine (9) criteria listed below, consistent with the PA Act 152 of 2016, as determined by the County.

1. The building or physical structure is a public nuisance.
2. The building is in need of “substantial rehabilitation” and no rehabilitation has taken place during the previous 12 months. Substantial rehabilitation means the costs to bring the structure up to code exceeds 50% of the market value of the property.
3. The structure is unfit for human habitation, occupancy, or use, and has been condemned by the municipality.
4. The condition and vacancy of the structure materially increase the risk of fire to the building and to adjacent properties.
5. 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 structure.
 - (B) The municipality has secured the structure in order to prevent such hazards after owner failed to do so.
6. The property is an attractive nuisance to children, including, but not limited to, the presence of abandoned wells, shafts, basements, excavations, and unsafe structures.
7. The presence of vermin, the accumulation of debris, uncut vegetation, or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards.

8. The dilapidated appearance or any other condition of the structure which negatively affects the economic wellbeing of residents and businesses in close proximity to the building. This includes possible decreases in property value and possible loss of business, and the owner has failed to take reasonable and necessary measures to remedy the appearance or the condition.
9. The property is an attractive nuisance for illicit purposes, including prostitution, drug use, and vagrancy.

Funds Available

Based on our experience with demolition projects over the past couple of years, residential demolition and site restoration costs can range from \$15,000-\$75,000 depending on the site. Nonresidential demolition and site restoration typically run higher. The program is geared to provide up to 70% of the costs for the demolition or no more than \$35,500.00 per project.

Eligible Properties

To be eligible for the Demolition Program, properties must meet the following criteria:

1. Be located in Mifflin County.
2. Documented to meet the definition of a blighted property as defined herein.
3. Vacant at the time of application.
4. Any legal and/or code enforcement remedies available have been exhausted.

Eligible Costs

Demolition and clearance actions may include: determination of environmental hazards on the property (asbestos) and proper removal; testing and disposal of hazardous materials; utility disconnections, demolition and removal of debris, demolition permits and party wall repair if applicable. Once demolition is complete, the site should be leveled and seeded as appropriate, and any damages to sidewalks, curbs, drives, etc. repaired. Eligible applicants are limited to clearance and site restoration construction costs only. Municipalities and eligible public non-profit organizations are responsible for all necessary legal, architectural/engineering and recording fees, which can be counted as part of the project match.

***Site Control Ownership**

Applicants must identify and demonstrate site control or legal ownership at the time of application. Site control requires the municipality or other recognized public non-profit organization to demonstrate that it has taken action to require demolition or repair of the proposed property from the property owner. Further, the applicant has committed and is able to exercise the necessary police powers, or has identified alternative legal authority to enable demolition of the proposed property.

***It is strongly encouraged your Solicitor be involved in this process to ensure public ownership or a temporary conservatorship.**

Title Search

As a condition precedent to the award, the applicant shall furnish or cause to be furnished to the County a current title search demonstrating that the proposed property is free and clear of any lien or security interest. A bring-down title search must be submitted by the applicant within thirty (30) days prior to the demolition date.

Cost Estimate

A cost estimate for the demolition prepared by a licensed contractor or other certified professional must be submitted with the application. These estimates must be signed and dated. Please note that if the application is approved, the cost estimate becomes a binding part of the agreement between the applicant and the county. Therefore, the projected figures must be accurate. Cost estimates are subject to the following:

1. An asbestos report must be submitted for commercial, industrial, institutional, or multi-unit residential structures exceeding 4 units. If asbestos material is detected, an asbestos removal specification will be required for the project. This is an eligible project cost, but must be accounted for in the cost estimate.
2. Any project of \$25,000 or more, regardless of the funding source, will be subject to Pennsylvania Prevailing Wage Rates. The county will furnish the Pennsylvania Department of Labor wage rates to the contractor, however, the county is not responsible for enforcement.
3. Municipal applicants must follow municipal procurement requirements, which may require formal bidding for the project. Please consult with your solicitor.

Municipal Demolition Considerations

1. All application requests must be complete and be submitted via e-mail, hand delivered or by mail to:

Mifflin County Planning and Development Department
Mifflin County Courthouse-Second floor
20 North Wayne Street
Lewistown, PA 17044
(717) 242-0887
mcplanning@mifflincountypa.gov

The application and guidelines are also available on-line at the county's web site at:
<https://www.mifflincountypa.gov/> under news and announcements.

2. The proposed property(s) is required to meet the definition of "blighted property". Blighted Property is defined as a property which meets at least three (3) of the nine (9) criteria under the PA Act 152 of 2016.
3. The municipality will contribute up to least 30% of the cost to demolish the blighted structure. This contribution can include legal fees spent in the acquisition of the property. Special considerations will be made on a case by case basis for a higher county percentage or contribution on larger projects that have a countywide benefit.
4. If the property is sold, Mifflin County will receive a proportionate share of the sales associated with the county's contribution to the project. The county will deposit the reimbursement into the Mifflin County Demolition Fund Blight Remediation Program to supplement future demolition projects.
5. Post demolition, municipalities are required to place a lien, on behalf of the county, for the cost of demolition and site restoration construction costs borne by the county for non-publicly owned properties.
6. Funding allocations must be approved by the Mifflin County Commissioners at a public meeting.
7. Implementation of funded activities will be governed by an executed agreement between both parties.
8. Municipal officials are responsible for ensuring all local, county, state, and federal requirements are met when carrying out projects.
9. Payment can be made directly to the contractor based on an invoice, or the municipality can be reimbursed based on proof of payment to the contractor through cancelled checks.

CONFLICTS 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 Mifflin County Planning and Development Department as part of the application process. The elected official, officer, director, or employee may not vote on any action of the applicant concerning the project, participate in the deliberations of the applicant concerning the project, or be involved in administration of the demolition funds if awarded.