

HAZLE TOWNSHIP

LUZERNE COUNTY, PENNSYLVANIA

ORDINANCE #2025-8-11-1

AN ORDINANCE OF HAZLE TOWNSHIP, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO FORM AND ESTABLISH A LAND BANK TO BE KNOWN AS THE HAZLE TOWNSHIP LAND BANK

WHEREAS, the Board of Supervisors of Hazle Township is aware that vacant, abandoned, and tax-delinquent properties adversely affect the economic and social vitality of the Township by imposing significant costs on taxpayers, neighborhoods and communities throughout the Township by lowering property values, increasing fire and police protection costs, decreasing tax revenues, and undermining community cohesion;

WHEREAS, the Board of Supervisors of Hazle Township desires to address blight and transition abandoned properties to productive use using a predictable and transparent process in order to revitalize neighborhoods, strengthen the tax base, and maintain affordability;

WHEREAS, the Land Banks Act, Act 153 of 2012, enacted by the Pennsylvania General Assembly and signed into law by the Governor on October 24, 2012, and codified at 68 Pa.C.S. 5 2101 et seq., authorizes Hazle Township to create a land bank pursuant to the Land Banks Act, 68 Pa.C.S. 5 2104(c); and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by Hazle Township, Luzerne County, Pennsylvania, as follows:

SECTION 1. PURPOSE AND AUTHORITY

A. It is the purpose of this Ordinance to create and establish the Hazle Township Land Bank as the land bank for Hazle Township pursuant to the authority granted under the Pennsylvania Land Bank Law, 68 Pa. C.S. §2104(a).

B. Hazle Township is establishing the Hazle Township Land Bank in order to mitigate blight, encourage the redevelopment of vacant, abandoned, and tax-delinquent properties, foster economic development of these properties, and improve the quality of life of neighborhoods affected by these properties.

SECTION 2: DEFINITIONS

As used in the Ordinance, the following terms shall have the following meanings:

A. "Act." The Act of October 24, 2012, P.L. 1239, No. 153, codified at 68 Pa. C.S. § 2101 et seq.

B. "Land Bank." Hazle Township Land Bank.

C. "Land Bank Activities." Any and all activities, operations, actions and functions undertaken by the Authority pursuant to the Land Bank Law and this Ordinance.

D. "Land Bank Law." The act of October 24, 2012, P.L. 1239, No. 153, codified at 68 Pa. C.S. §§ 2102-2120 and any amendments thereto.

E. "Land bank jurisdiction." A county, a city, a borough, a township and an incorporated town with a population of more than 10,000.

F. "Owner-Occupant." A natural person with a legal or equitable ownership in the property which was the primary residence of the person for at least three consecutive months at any point in the year preceding the date of the initial delinquency.

G. "Person." A corporation, partnership, limited liability company, business trust, other association, government entity (other than the Commonwealth of Pennsylvania), estate, trust or natural person.

H. "Policies." The rules, policies and procedures adopted by Hazle Township Land Bank pursuant to this Ordinance and the Land Bank Law.

I. "Real Property." Land and all structures and fixtures thereon and all estates and interests in land, including easements, covenants and leases, tax claims and liens.

SECTION 3. POWERS, PROGRAMS, AND FUNCTIONS OF THE LAND BANK

The Land Bank shall have all the powers conferred under the Land Bank Law, including but not limited to § 2107.

The Land Bank shall endeavor to carry out the powers, duties, functions, and responsibilities of a land bank under the Land Banks Act, including, but not limited to, the power, privilege and authority to acquire, manage, and dispose of interests in real property, and to do all other things necessary or convenient to implement the purposes, objectives, and provisions of the Land Banks Act and the purposes, objectives, and powers delegated to a land bank under other laws or executive orders.

SECTION 4. CREATION OF LAND BANK

Section 4.1 Creation and Legal Status of the Land Bank

The Hazle Township Land Bank is created as a separate legal entity and a public body corporate and politic. The Hazle Township Land Bank is created and established for the purposes of acting as a land bank under the Land Banks Act. The Land Bank shall exist until such time it is terminated and dissolved.

Section 4.2 Bylaws and Policies

The Land Bank Board of Directors shall adopt Bylaws and Policies consistent with the Land Bank Act.

Section 4.3 Tax Exemption

The Land Bank and its income and operations shall have a limited exemption from state and local tax pursuant to Section 2109 of the Land Banks Act.

Section 4.4 Compliance with the Law

The Land Bank shall comply with all applicable federal, state and local laws, rules, regulations, and orders.

SECTION 5. REPRESENTATION ON THE BOARD OF THE LAND BANK

Section 5.1 Governance

The Land Bank shall be governed by a Board of Directors.

Section 5.2 Interim Board

Upon the effective date of this Ordinance, an Interim Board of Directors shall be constituted for the exclusive and limited purpose of compliance with Section 2104(a)(3) of the Land Bank Act that requires this ordinance to specify the names of individuals that will serve as the initial members of the Board. The interim Board shall have no power or authority to adopt governing documents like bylaws or policies. The interim Board will consist of the following: The three (3) Hazle Township Board of Supervisors, Anthony Griguoli, Robert Fiume, and Jim Montone, Michael DeCosmo, and John Chirico.

Interim Board members shall serve terms of three (3) months or until all members of the inaugural Board have been appointed pursuant to Section 1607, or subsection 5.3 below.

Section 5.3 Inaugural Board

The Board of the Hazle Township Land Bank Board shall have five (5) voting members, including at least one (1) member who is a local resident, is not a public official or municipal employee, and is a member of a recognized civic organization with the Hazle Township Land Bank jurisdiction.

Any person may submit recommendations to the Hazle Township Land Bank regarding membership of the Land Bank's Board and appointments thereto.

The inaugural Board and all subsequent Boards shall be appointed by members of the Board of Supervisors of Hazle Township. The inaugural Board shall be appointed for staggered terms as follows: two (2) members shall be appointed to serve three (3) year terms, two (2) members shall be appointed to serve two (2) year terms, and one (1) member shall be appointed to serve a one (1) year term. All subsequent Board appointments or reappointments shall be for terms of three (3) years. Members shall continue to serve until their successors have been appointed.

All action taken by the Board of the Land Bank must be done in compliance with §2105(h) of the Land Bank Law

SECTION 6. COMMUNITY INPUT AND REPRESENTATION

Pursuant to §2104(a)(5) of the Land Bank Law, the Land Bank shall hold regular public meetings. The Board of the Land Bank shall determine the place, date, and time of the public meetings and allow for public comment on matters under deliberation at each public meeting. The public meetings shall comply with the Pennsylvania Sunshine Act.

SECTION 7. ACQUISITION OF REAL PROPERTY

- A. The Land Bank shall hold title in its own name to all Real Property it acquires.
- B. The Land Bank may acquire Real Property by any legal means, on terms and conditions and in a manner the Land Bank considers proper.
- C. If the Land Bank acquires a residential property occupied by Owner-Occupants, it shall be the Land Bank's policy to show a preference for keeping the Owner-Occupants within their homes.
- D. The Land Bank shall acquire, hold and dispose of Real Property in accordance with the Land Bank Law.
- E. Any person may submit recommendations to the Land Bank concerning Real Property that could be acquired and the proposed uses for which such property could be redeveloped.

SECTION 8. POLICIES

- A. The Land Bank shall develop Policies which are consistent with the Land Bank Law and with this Ordinance.
- B. After the adoption of the Policies by the Land Bank, the Policies shall be reviewed at least annually by the Land Bank with the opportunity for public input and comment. The Policies shall be published on the Land Bank's website.

C. The Policies adopted by the Land Bank shall include ethical standards, financial disclosure standards, and conflict of interest guidelines consistent with § 2115 of the Land Bank Law and all other applicable state and local laws.

SECTION 9. FINANCIAL PROVISIONS

A. The Land Bank shall finance Land Bank Activities through any means authorized under the Land Bank Law or any other applicable law.

B. Finances of the Land Bank shall be retained and accounted for separately from any other entity and shall be subject to the annual auditing and reporting requirements of § 2119 of the Land Bank Law.

SECTION 10. REVOCATION OF THE DESIGNATION

The designation of the Land Bank may be revoked in the same manner as the dissolution of a land bank under § 2114 of the Land Bank Law.

SECTION 11. AMENDMENT BY RESOLUTION

This Ordinance may be amended or modified from time to time by majority vote of the Hazle Township Board of Supervisors.

SECTION 12. SEVERABILITY

If any article, section, subsection, provisions, regulation, limitations, restriction, sentence, clause, phrase or word in this Ordinance is, for any reason, declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provisions, regulation, limitations, restriction, sentence, clause, phrase, word or remaining portion of the Ordinance herein.

SECTION 13. FILING OF THE ORDINANCE

Upon adoption of this Ordinance, Hazle Township shall file a copy of the Ordinance with the Pennsylvania Department of State and provide a copy to the Pennsylvania Department of Community and Economic Development.

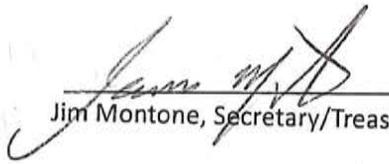
SECTION 14. EFFECTIVE DATE

This ordinance shall be effective as provided by the laws of the Commonwealth of Pennsylvania on the date of endorsement.

ORDAINED AND ENACTED by the Board of Supervisors of Hazle Township this 11th day of August, 2025.

ATTEST

HAZLE TOWNSHIP BOARD OF SUPERVISORS


Jim Montone, Secretary/Treasurer


Anthony Griguoli, Chairman


Robert Fiume, Vice Chairman