

Sandra Fisk
Mahanoy City Borough Manager
239 E. Pine St.
Mahanoy City, PA 17948
mcboromanager@ptd.net
(570)773-2150 ext 213
(570)204-9418 (cell)

Blight Remediation in Mahanoy City Borough:

The Borough of Mahanoy City was originally part of Mahanoy Township and was settled in 1859. It was incorporated as a borough in Schuylkill County in 1863. The Borough spans approximately .51 square mile of area and the primary industry has been historically the mining and shipping of coal. As the coal industry has declined so has the population of Mahanoy City Borough. Census data reports that the Borough population in the early 1900s was counted as 15,936 in 1910. With the decline of coal demand and production, the Borough has decreased in population. The latest estimates for 2021 are 3912 people. The majority of the residences in the Borough are "row" homes and there remains many of the same units and infrastructure that was required back in the height of the coal production years. Today, the Borough has so many abandoned and unoccupied properties. It has been necessary over the years to establish a Blight/Demolition Fund and to administer programs to assist residents in rehabilitating as many properties as possible.

Funding:

In 2014, Borough Council and administration saw the need to establish a Blight/Demolition Fund in the Borough. It was funded with Real Estate Tax dollars and continues to be funded that way today. As of 2021, the Blight/Demolition Fund earns approximately 1.5 mils of real estate tax dollars as well as a commitment of \$50,000 per year in Earned Income Tax revenue. These funding sources are generally used for Borough operations; however, the borough recognizes the need to put money into this program to improve the quality of the lives of the residents and taxpayers.

Up until this year, the Borough has also been received entitlements from the County administered Community Development Block Grant (CDBG) program. In 2021, the total allocation was \$96,056.00. \$17,110.00 is the percentage used by the County for administration. The remaining funds are allocated by Council based on the Borough's needs. \$32,800.00 is earmarked to finance a full time Code Enforcement Officer. The CDBG program allows the use of 30% of the allocation for Blight/Demolition projects. For this year, Mahanoy City's allowance would have been \$28,516.80. The Borough has the option to reallocate more of the CDBG funds to demolition if the rest of Schuylkill County does not use their 30% allotment. This year, the Borough was given

that option and Council has chosen to allocate \$45,146.00 to demolition. As of 2022, the Borough is in jeopardy of losing that funding based on the Act 179 requirement for a population of 4000.

The Borough also seeks out additional funding sources whenever possible. This year, there was a County-wide grant available for demolition. The Borough applied and was approved for three (3) properties for a total of \$133,000. An application is also being considered for a competitive grant to fight Blight through a CDBG program. We are in the process of identifying properties to earmark for future demolition.

Strategies:

Mahanoy City Borough sets blight remediation as a priority to keep the blight from spreading.

One of the first challenges in fighting blight is identifying the properties for demolition and rehabilitation. Some of the considerations are whether the property is attached to other blighted properties, or whether they are attached to occupied properties in good repair. We also use tax data to determine whether taxes are delinquent. How long the property has been vacant is also important. The number one consideration, however, is safety. It can be challenging to decide which blighted properties are a priority. We must also consider eligibility based on the funding source. Some grant programs have specific requirements. Here is an example. A property in the Borough was deeded in the 1950s. For approximately 20 years after the owner's death the family continued to pay the taxes on the property, even though they had no obligation to do so. This house was located between 2 occupied homes and would have been a perfect candidate for the CDBG program. The problem there was that the criteria for that program required the property be in delinquency on taxes. So that program would not apply. The Borough eventually raised the property with the Blight Fund revenues since it was a safety hazard.

Barriers and Legislative Issues:

Researching Tax Claim Sales is something that would be very helpful. Often a property is bought off the repository list by an LLC and there is no information for us to find out who the owner is. This makes code enforcement challenging. The stringent service rules require the owner to be present for hearings. For example, a homeowner is sent a notice of violation. If they fail to correct the violation, a citation is issued. If they fail to respond to the notification of hearing, a bench warrant is issued. It would be helpful if they could proceed with the hearing without the defendant present. This would allow for the Borough to establish a history on the property to help meet the blight criteria.

One change that has been helpful in enforcement is a change in the crimes code. The repeal of Title 18, Chapter 75 Municipal Housing Code Avoidance allows code officers to turn the case over to the police department. This allows the homeowner to be charged with a Misdemeanor (M2) upon 4 convictions and an M3 with 5 convictions bringing more severe punishment.

Title 18, Chapter 65, section 6504 Public Nuisances. There are no "Book Ends" on the definition. The law applies to anything that affects the public. There is nothing that addresses a violation where a property with a violation is directly affecting an adjoining structure. This would be considered a civil matter between two property owners. We actually lost a case just like this.

It would also be helpful to have legislation to prevent an individual, firm or corporation from using Bankruptcy to avoid code compliance.

As for remediation, we currently can deny permits, however, it would be helpful to have a way to track offenders throughout the Commonwealth.

Summary:

The Borough of Mahanoy City has been concentrating efforts to remediate blight and improve the quality of life for the Borough Community. We will continue to advocate for policies and funding to help all blighted communities in the Borough.