
ARTICLE 1102
Vacant and Abandoned Property Registration

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1102.01 TITLE

The official title of this Ordinance shall be the City of Franklin Vacant Abandoned Property Registration Ordinance.

1102.02 SPECIFIC TERMS

As used in this Ordinance, the following words and phrases shall have the meanings indicated, unless the context clearly indicates a different meaning.

ABANDONED:

A property or structure that is vacant for more than thirty (30) days and is, or has been, the subject of (i) a mortgage foreclosure action or notice; (ii) a bankruptcy sale or notice; (iii) a delinquent tax sale or notice; or (iv) a mortgage foreclosure action where the title to property has been retained by the beneficiary of a deed of trust involved in the foreclosure or transferred under a deed in lieu of foreclosure/sale.

ASSESSED VALUE:

The amount posted or listed on the public records as assessed value for a property either recorded or published by the Venango County, Pennsylvania.

CITY:

City of Franklin, Venango County, Pennsylvania

EVIDENCE OF VACANCY:

Any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, past due utility notices and/or disconnected utilities, accumulation of trash, junk and/or debris, the absence of window coverings such as curtains, blinds and/or shutters, the absence of furnishings and/or personal items consistent with residential habitation, statements by neighbors, passersby, delivery agents, or government employees that the property is vacant.

FORECLOSURE:

The process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the trustor (borrower) defaults.

GARBAGE:

The animal or vegetable waste resulting from the handling, preparation, cooking and the consumption of food.

HIGH GRASS:

All grasses, annual plants and vegetation, other than trees or shrubs, in excess of twelve (12) inches high, provided, however, this term shall not include cultivated flowers and gardens.

OWNER:

Any person (i) having a legal or equitable interest in a property; (ii) having a legal interest in a property recorded in the official records of the state, county or municipality as holding title to the property; or (iii) otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON:

An individual, corporation, partnership, financial institution, bank, credit union, savings and loan company, investment firm, government agency, government authority, municipal corporation or any other group acting as a unit.

PREMISES:

Has the same meaning as property.

PROPERTY:

Any unimproved or improved real property, or portion thereof, located within the City and includes the buildings or structures located on the property regardless of condition.

RUBBISH:

Combustible and noncombustible waste materials, except garbage. The term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

STRUCTURE:

That which is built or constructed or a portion thereof.

VACANT:

Any building, structure or property that is not legally occupied.

1102.03 INSPECTION

Any person who owns property located within the City shall perform, or contract to have performed, an inspection of the property within ten (10) days of purchase, and again prior to January 21 of each year, and, if a property is vacant, it shall be inspected by the owner or his designee monthly until the property becomes legally occupied or the property is legally sold to another person.

1102.04 REGISTRATION

- (a) If any property is found to be vacant or abandoned, or shows evidence of vacancy, then the owner shall register the property with the City of Franklin Code Enforcement Office on a form or forms provided by the City and pay an appropriate registration fee established in accordance with Section 1102.08 of this Ordinance.
- (b) Registration shall contain (i) the name of the owner(s) of the property; (ii) the direct street/office mailing address of the owner(s) (no post office box addresses are allowed); (iii) a direct contact name and phone number for the owner(s); (iv) the local property management company responsible for the security, maintenance and marketing of the property; and (v) any other information deemed necessary by the City of Franklin Code Enforcement Officer.
- (c) Registration fees shall not be prorated.
- (d) The annual registration fee shall accompany the registration form.
- (e) The fee and registration shall be valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required.
- (f) Subsequent registrations and fees are due January 1 of each year and must be received no later than January 31 of the year due.
- (g) Properties subject to registration under this Ordinance shall remain under the annual registration requirement, security and maintenance standards of this Ordinance for so long as they remain vacant.
- (h) Any owner or his designee that has registered a property under this Ordinance must report any change of information contained in the registration within ten (10) days of the change.

1102.05 MAINTENANCE REQUIREMENTS

Properties subject to registration under this Ordinance shall be kept free of weeds, high grass, dry brush, dead vegetation, trash, garbage, junk, debris, rubbish, building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by Federal, State, or Local law), discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned; and

- (a) The property shall be maintained free of graffiti, tagging or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior of the structure; and
- (b) Visible front and side yards shall be landscaped and maintained. Landscape includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark, or artificial turf/sod designed specifically for residential installation. Landscape does not include weeds, gravel, broken concrete, asphalt, decomposed granite, plastic sheeting, mulch, indoor-outdoor carpet or any similar material; and
- (c) Pools and spas shall be kept in working order so the water remains clear and free of pollutants and debris, or drained and kept dry. In either case, a property with pool or spa must comply with the minimum security fencing requirements of the City of Franklin Property Maintenance Code; and
- (d) Adherence to this Ordinance does not relieve any property owner of any obligations set forth in any other Ordinance of the City of Franklin, including but limited to, the City of Franklin Property Maintenance Code.

1102.06 SECURITY REQUIREMENTS

- (a) Properties subject to registration under this Ordinance shall be maintained in a secure manner so as not to be accessible to unauthorized persons, vermin, rats and pests.
- (b) Secure manner includes, but is not limited to, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and/or structure(s). In the case of broken windows, securing means the re-glazing or boarding of the window.
- (c) If property has been condemned, the property shall be posted with the name and 24-hour contact phone number of the owner and

local property management company. The posting shall be no less than 3" x 5" and shall be of a font and writing that is legible and shall contain along with the name, the City of Franklin Vacant Properties Registration Number, a 24-hour contact number, and the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL". The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible, or secured to the exterior of the building or structure facing the street to the front of the property, or, if no such area exists, on an area of sufficient size to support the posting in a location that is visible to the front of the property, but not readily accessible to vandals. Exterior posting must be constructed of and printed with weather-resistant materials.

1102.07 ADDITIONAL AUTHORITY

In addition to the enforcement remedies established in this Ordinance, the City of Franklin Code Enforcement Officer, or his designee, shall have the authority to require the owner of any property affected by this Ordinance to implement additional maintenance and/or security measures, including, but not limited to, securing any and all door, window or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard, or other measures as may be reasonably required to arrest the decline of the property.

1102.08 FEES

The registration fee required under Section 1102.04 of this Ordinance shall be established by resolution of the Council of the City of Franklin. In addition to yearly fee required by this Ordinance, any person who is found to be in violation of this Ordinance shall, upon conviction in any summary proceeding, post a one (1) time non-refundable security deposit for each and every property owned and required to be registered by this Ordinance in an amount equal to one-half the assessed value of registered property.

1102.09 ENFORCEMENT

Violations of this Ordinance shall be enforced by the City of Franklin Code Enforcement Officer or his designee.

1102.10 VIOLATIONS AND PENALTIES

Any person who violates or permits the violation of any provision of this Ordinance shall, upon conviction in a summary proceeding, be subject to a fine of Five Hundred (\$500.00) Dollars, and costs of the prosecution, for each offense, or imprisonment not to exceed thirty (30) days, or both fine and imprisonment.