

No. 2025-18
ORDINANCE

*An Ordinance County Council for the County of Luzerne Pursuant to Act 48 of 2024
Establishing a County Demolition and Rehabilitation Fund and Imposing a Fee
to be Collected by the Luzerne County Tax Claim Bureau or its Agent from Purchasers
at Sales Under the Real Estate Tax Sale Law and by the Luzerne County Sheriff from
Judicial Sales in Mortgage Foreclosure Actions*

NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE LUZERNE COUNTY COUNCIL, as follows:

SECTION ONE. Short Title.

The within Ordinance may be referred to herein and elsewhere as the “Demolition and Rehabilitation Fund Ordinance.”

SECTION TWO. Definitions.

As used in this Ordinance, the following terms shall have the meanings set forth below:

“Tax Sale” shall mean any upset tax sale, private tax sale, judicial free and clear sale or repository sale conducted by the Luzerne County Tax Claim Bureau and/or its agent for delinquent real property taxes pursuant to the Pennsylvania Real Estate Tax Sale Law, 72 P.S. §5860.101, *et. seq.*, but shall not include any property that is sold for delinquent real property taxes to a non-profit entity, land bank or government entity or to a property acquired by the Pennsylvania Housing Finance Agency.

“Mortgage Foreclosure Sale” shall mean any sale of real property conducted by the Luzerne County Sheriff’s Department in connection with a mortgage foreclosure action pursuant to the authority of Article XII of the Pennsylvania County Code, 16 P.S. §1201, *et. seq.*, and the Pennsylvania Rules of Civil Procedure, 231 Pa. Code §51, *et. seq.*

SECTION THREE. Establishment of the Luzerne County Demolition and Rehabilitation Fund.

Effective February 15, 2026, a Luzerne County Demolition and Rehabilitation Fund shall be established by the Luzerne County Treasurer pursuant to Pennsylvania Act 48 of 2024.

SECTION FOUR. Directives.

- a. Effective as of March 1, 2026, which is not less than ninety (90) days after the effective date of this Ordinance, Luzerne County Council authorizes and directs the Luzerne County Tax Claim Bureau or its agent and the Luzerne County Sheriff's Department to collect a fee in the amount of one hundred dollars (\$100.00) from each and every purchaser of real property from a Tax Sale or Mortgage Foreclosure Sale in addition to the purchase price of the property and all other associated fees and costs. Each and every separate parcel of real estate sold at a Tax Sale or Mortgage Foreclosure Sale shall be subject to the purchaser's obligation to pay the said fee in the amount of one hundred dollars (\$100.00).
- b. As soon as practicable after each Tax Sale or Mortgage Foreclosure Sale, the Luzerne County Tax Claim Bureau or its agent and the Luzerne County Sheriff's Department shall promptly deliver any and all funds collected pursuant to this Ordinance to the Office of the Luzerne County Treasurer for deposit into the Luzerne County Demolition and Rehabilitation Fund.

SECTION FIVE. Administration of the Luzerne County Demolition and Rehabilitation Fund.

- a. Any and all funds collected by the Luzerne County Tax Claim Bureau or its agent and the Luzerne County Sheriff's Department pursuant to this Ordinance shall be promptly deposited by the Luzerne County Treasurer into a dedicated interest-bearing bank account for the exclusive purposes of the Luzerne County Demolition and Rehabilitation Fund.
- b. The methods of custody, divestiture, disbursement and application of any and all funds deposited into the Luzerne County Demolition and Rehabilitation Fund shall be consistent with generally accepted accounting principles (GAAP) and the laws of the Commonwealth of Pennsylvania.
- c. Funds deposited and maintained in the Luzerne County Demolition and Rehabilitation Fund shall be administered by the Luzerne County Executive Branch, with approval by a Resolution of Luzerne County Council, which may use the funds for its own demolition and/or rehabilitation projects, or may award funds by application on a competitive basis to municipalities, school districts, redevelopment authorities and/or other non-profit entities for demolition and/or rehabilitation of blighted properties located within Luzerne County, Pennsylvania.
- d. Additionally, Luzerne County Council may approve the use of funds deposited and maintained in the Luzerne County Demolition and Rehabilitation Fund by a non-profit or for-profit corporation that has a contract with Luzerne County or with any taxing district, redevelopment authority, land bank or other government entity, for the demolition and/or rehabilitation of blighted properties located within Luzerne County, Pennsylvania.

SECTION SIX. Form and Method of Notice to Affected Agencies.

Notice of the establishment of the Luzerne County Demolition and Rehabilitation Fund and the fee imposed and collected as provided herein shall be transmitted to each of the offices of the Luzerne County Treasurer, Luzerne County Prothonotary, Luzerne County Sheriff's Department and Elite Revenue by providing a true, correct and accurate copy of this Ordinance to the department head of each office via U.S. First Class Mail, electronic mail and/or hand-delivery within two (2) business days of its enactment.

SECTION SEVEN. Severability.

The provisions of this Ordinance shall be severable and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, same shall not affect the validity of any of the remaining provisions of this Ordinance.

SECTION EIGHT. Repealer.

Any Resolution or Ordinance or parts thereof that conflict with or are inconsistent with this Ordinance are hereby repealed to the extent of the conflict or inconsistency with this Ordinance.

SECTION NINE. Effective Date.

This Ordinance shall take effect on the fifteenth (15th) day following its enactment.

Enacted by County Council this the 10th day of November, 2025.

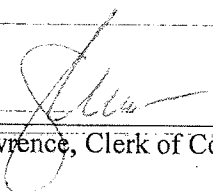
ROLL CALL VOTE (8-1)

YES: Krushnowski, Lombardo, McDermott, Perry, Sabatino, Stephenson, Thornton and Wolovich

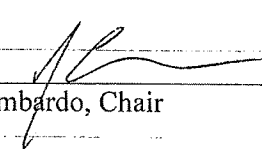
NO: Haas

LUZERNE COUNTY COUNCIL

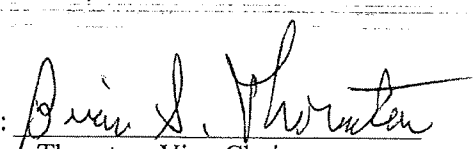
Attest:


Sharon Lawrence, Clerk of Council

By:


John Lombardo, Chair

By:


Brian Thornton, Vice-Chair