

Ordinance No. Ord-6-2007 of 2007

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A UNIFORM PARCEL IDENTIFIER SYSTEM; PROVIDING FOR A DEPOSITORY AGENCY FOR THE COUNTY'S TAX MAPS, INCLUDING REVISIONS TO SUCH MAPS; PROVIDING FOR THE ASSIGNMENT BY SUCH AGENCY OF UNIFORM PARCEL IDENTIFIERS FOR EACH PARCEL ON THE TAX MAPS; REQUIRING PLAN OR SURVEY INFORMATION FOR CHANGES IN SIZE OR DESCRIPTION OF PARCELS; REQUIRING THAT UNIFORM PARCEL IDENTIFIERS BE AFFIXED TO DOCUMENTS PRESENTED FOR RECORDING; FIXING A FEE FOR ISSUANCE OF UNIFORM PARCEL IDENTIFIERS; AUTHORIZING RULES AND REGULATIONS FOR IMPLEMENTATION OF THE PARCEL IDENTIFIER SYSTEM; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE

Pursuant to the provisions of the Uniform Parcel Identifier Law, Act of January 15, 1988, P.L. 1, No. 1, §1 (21 P.S. § 331, *et seq.*) and the Act of January 15, 1988, P.L. 8, No. 4, §2 (16 P.S. § 9781.1), it is hereby enacted and ordained by the Commissioners of Westmoreland County as follows:

SECTION 1.: Title – This Ordinance shall be known as the Westmoreland County Uniform Parcel Identifier Ordinance.

SECTION 2: Definitions – The words and phrases as set forth hereinafter when used in this Ordinance shall have the meaning given to them in this section, unless the context clearly indicates otherwise:

A. The terms “County Tax Map”, “Governing Body”, “Municipality” and “Uniform Parcel Identifier” shall be defined as set forth in the Uniform Parcel Identifier Law as cited hereinabove or as otherwise set forth below.

B. “Uniform Parcel Identifier” – A finite, punctuated sequence of numbers indicating the land parcel or other interest in real estate.

(1) In the case of a “unit” within the meaning of the act of July 3, 1963 (P.L. 196, No. 117), known as the Unit Property Act, a designator for the number of the “unit” as indicated on the recorded “declaration plan” shall be included in the sequence of numbers forming the uniform parcel identifier for such “unit”.

(2) In the case of a “unit” within the meaning of 68 Pa.C.S. Part II Subpart B (relating to Condominiums), a designator for the number of the “unit” as indicated on the recorded declaration shall be included in the sequence of numbers forming the uniform parcel identifier for such “unit”.

(3) In the case of an interest in real estate less than fee simple, an additional designator may be included in the sequence of numbers forming the uniform parcel identifier for such interest in order to distinguish such interest from the fee simple parcel of which such interest is

a part.

C. "Document" – Any conveyance of real estate, mortgage of real estate or any other instrument affecting real estate in the County of Westmoreland, Pennsylvania. A "document" shall not include a Will or a Contract for a Deed or Agreement of Sale for the sale of realty whereby legal title does not pass to grantee until the total consideration specified in the contract or agreement has been paid; and shall not include a lease or other instrument conveying an interest in coal, oil, gas, minerals, or similar subsurface estate.

SECTION 3 – A Uniform Parcel Identifier system is established in the County of Westmoreland in accordance with the provisions of this ordinance.

SECTION 4 - The Westmoreland County Geographic Information Systems Department is hereby designated as the permanent depository for all County Tax Maps, which designation may from time to time be changed by resolution, duly adopted by the Board of County Commissioners.

SECTION 5 - The officials of the permanent depository, as from time to time designated by the Commissioners of Westmoreland County, shall record, revise, amend and maintain the County Tax Map(s) as authorized and required by Section 5 of the Uniform Parcel Identifier Law (21 P.S. § 335).

SECTION 6 – At the request of an owner subdividing or amalgamating or otherwise affecting for future transfer, mortgage, release or other purpose, of any parcel or parcels of realty within the County, or of parcels already designated on a County Tax Map, the officials of the permanent depository shall assign a uniform parcel identifier to each such parcel included in the proposed transfer, mortgage, release or other purpose, all as more particularly provided in Section 4(b) of the Uniform Parcel Identifier Law [21 P.S. 334(b)]. In the case of multiple described lots, tracts, parcels, or other described areas of land now contained in an existing and recorded "common deed" or document, a separate uniform parcel identifier shall be assigned for each lot, tract, parcel or other described area.

SECTION 7 - If the conveyance in the proposed transfer represents a change of size and/or a description of the real estate, the owner shall provide the Westmoreland County Geographic Information Systems Department with a metes and bounds description based on a precise and accurate survey or a recorded plan and a lot number with references to a recorded subdivision plan and Plat Book and page number(s). The plan or survey shall be prepared by a professional land surveyor as required by the Act of May 23, 1945, P.L. 913, as amended (63 P.S. § 148, *et seq.*), known as the Engineer, Land Surveyor and Geologist Registration Law. The metes and bounds description printed on the document as presented for a uniform parcel identifier shall match the recorded plan or survey. Any subdivision plan, land development, and/or condominium plan as approved by the applicable municipality and properly recorded in the County Recorder of Deeds Office, which was prepared prior to the initial effective date of this ordinance and which contains metes and bounds shall be acceptable for compliance with the paragraph.

SECTION 8 – No Document shall be accepted for recording in the office of Recorder of Deeds of Westmoreland County unless such Document has affixed thereon uniform parcel identifiers as provided for in this Ordinance. The character and placement of such number on Documents shall be as determined by the Recorder of Deeds in consultation with the officials of the

permanent depository.

SECTION 9 – In accordance with the Act of January 15, 1988, P.L. 8, No. 4, §2 (16 P.S. Sec. 9781.1), the written recommendation of the Recorder of Deeds of Westmoreland County is attached hereto.

SECTION 10 – The County may charge and collect a fee for the services provided pursuant to this Ordinance. Such fee shall be payable to the Recorder of Deeds as the agent for the County at the time that the Document is presented for recording with Recorder of Deeds. This fee shall be separate and distinct from any other charge or fee due upon presentation for recording of any Document subject hereto. The fee may from time to time be revised by resolution, duly adopted by the Board of Commissioners of Westmoreland County. The initial fee is hereby established at Ten (\$10.00) Dollars for each uniform parcel identifier affixed as required pursuant to the Act.

SECTION 11 – The Index arranged by uniform parcel identifiers shall be merely for the convenience of the public and shall not constitute notice or the lack thereof for all deeds, mortgages or other instruments affecting real estate left for recording with the Recorder of Deeds until further recommendation of the Recorder of Deeds to the Board of Commissioners.


SECTION 12 - The Westmoreland County Recorder of Deeds shall be authorized to issue rules and/or regulations to define with more particularity the instruments that affect real estate which are to be included or excluded from the definition of a “document” under this Ordinance; and the Director of the Westmoreland County Geographic Information Systems Department, shall be authorized to issue rules and regulations to establish procedures for implementing the Uniform Parcel Identifier system established by this Ordinance.

SECTION 13 – The provisions of this Ordinance are severable. If any provisions of this Ordinance or its application to any person, entity or circumstances is held invalid by a Court of competent jurisdiction, such determined invalidity shall not affect any other provisions or application of this Ordinance.


SECTION 14 – This Ordinance shall become effective in ninety (90) days.

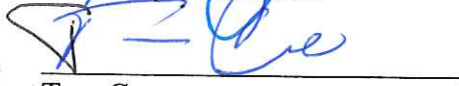
ENACTED AND ORDAINED by the Commissioners of Westmoreland County on this 27th day of December, 2007.

ATTEST:

  
Chief Clerk

COUNTY OF WESTMORELAND  
BOARD OF COMMISSIONERS

  
Tom Balya, Chairman

  
Tom Ceraso

  
Phil Light

OFFICE OF  
**Recorder of Deeds of Westmoreland County**  
**Greensburg, Pennsylvania 15601**

**TOM MURPHY**  
Recorder of Deeds

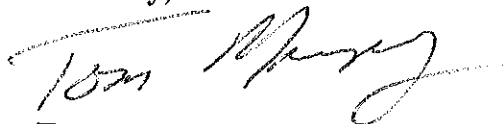
P.O. Box 160  
2 North Main Street, Suite 503  
Greensburg, PA 15601  
(724) 830-3533  
Fax (724) 853-4647

**Date: December 01, 2007**  
**To: Westmoreland County Commissioners**  
**From: Tom Murphy- Westmoreland County Recorder of Deeds**  
**RE: UPI**

**Commissioners,**

**I am writing this letter in compliance of the UPI law set forth in Title 16 P.S. Section 9781.1 of the UPI law. Let this letter set notice that I feel that it is necessary to now have the UPI law enacted by County Ordinance. I hope that you will act in all due diligence to bring about this change in Westmoreland County. Thank you in advance for your cooperation.**

**Sincerely,**



**Tom Murphy, Westmoreland County Recorder of Deeds**

**ATTESTATION**

I, Jennifer Kemerer, in my capacity as Chief Clerk for the Board of Commissioners of the County of Westmoreland, Pennsylvania, do hereby attest that the foregoing document is a true and correct copy of Proposed Ordinance Number #ORD- -2007, which will be considered for adoption by the said Board at a properly advertised public meeting scheduled for the 27<sup>th</sup> day of December 2007.

WITNESS my hand and official Seal of the County of Westmoreland, Pennsylvania, this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

\_\_\_\_\_  
Jennifer Kemerer, Chief Clerk