

**Westmoreland County - Act 152 County Wide Demolition Program  
DEMOFUND**

**PROGRAM ADMINISTRATOR**

Westmoreland County Department of Planning and Development (DPD)

**PROGRAM DELIVERY**

Redevelopment Authority of the County of Westmoreland (RACW)

**PROGRAM BENEFITS**

Brings in much needed revenue to address ongoing blight situations countywide.

Funding is not tied or regulated to federal CDBG “opt-in” communities.

Aligned focus with Comprehensive Plan and Housing Plan strategies and goals.

Can be used as match for other state and federal funding programs as well as potential supplemental to “gaming” revenues.

Focus on residential or commercial but could be used for larger redevelopment projects.

**STATEMENT OF PURPOSE**

The Westmoreland County Demolition Fund, which shall be referred to as “DEMOFUND,” was established by the Westmoreland County Board of Commissioners by Resolution #45-2017. The Board of Commissioners deemed it to be in the best interest of the County of Westmoreland to establish a demolition fund in order to help alleviate the costs associated with the demolition of blighted property, as defined by the Abandoned and Blighted Property Conservatorship Act.

**AUTHORIZING LEGISLATION**

The Commonwealth of Pennsylvania through an Act dated November 4, 2016, P.L. 1170, No. 152, 42 P.S. Section 21052.2, provided the Board of Commissioners with the power, by resolution, to authorize an additional recording fee to be imposed by the Recorder of Deeds with said fees to be deposited in a demolition fund.

**ELIGIBLE APPLICANTS**

A municipality which includes any city, township, borough or home rule within the County of Westmoreland.

- Funding can be used for blighted properties within the County owned by the municipality, non-profit, for profit or resident with the municipality serving as applicant.

**ELIGIBLE PROJECTS**

Eligible projects will include any residential, commercial, institutional or industrial use.

**ELIGIBLE USES OF FUNDING**

Eligible DEMOFUND activities are those that include the proper removal of hazardous materials, the disconnection of utilities, the obtaining of proper demolition permits, the razing of structures, the proper disposal of demolition waste, the backfilling and regrading of the site, the placement of cover materials such as seeding or gravel, and site clean-up.

## PROGRAM REQUIREMENTS

**Matching Funds** – Matching funds are not required by applicant.

**Funds** – Applicants may request a maximum of \$25,000 per application. For multiple residential unit projects as well as commercial, institutional or industrial projects included in a redevelopment plan or neighborhood stabilization project or those having significant economic or community development impact, amounts greater than \$25,000 will be considered.

**Site Control/Ownership** – Applicants must identify and demonstrate site control or legal ownership at the time of application. Site control requires the municipality to demonstrate that it has taken action to require demolition or repair of the proposed property from the property owner and that the applicant has committed and is able to exercise the necessary police powers or has identified alternative legal authority to enable demolition of the proposed property or that the owner agrees for the municipality to serve as the applicant.

**Title Search** - As a condition precedent to the award, the applicant shall furnish or cause to be furnished to the County a current title search demonstrating that the proposed property is free and clear of any lien or security interest. A bring-down title search must be submitted by the applicant within thirty (30) days prior to the demolition date.

**Blighted Property** - The property(s) is required to meet the definition of “blighted property”. Blighted Property is defined as a property which meets at least three (3) of the criteria under the Abandoned & Blighted Property Conservatorship Act listed below, as determined by the governing body of the County:

1. The building or physical structure is a public nuisance.
2. The building is in need of substantial rehabilitation and no rehabilitation has taken place during the previous 12 months.
3. The building is unfit for human habitation, occupancy or use.
4. The condition and vacancy of the building materially increase the risk of fire to the building and to adjacent properties.
5. The building is subject to unauthorized entry leading to potential health and safety hazards and one of the following applies:
  - a. The owner has failed to take reasonable and necessary measures to secure the building.
  - b. The municipality has secured the building in order to prevent such hazards after the owner has failed to do so.
6. The property is an attractive nuisance to children, including, but not limited to, the presence of abandoned wells, shafts, basements, excavations and unsafe structures.
7. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health hazard and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards.
8. The dilapidated appearance or other condition of the building negatively affects the economic well-being of residents and businesses in close proximity to the building, including decreases in

property value and loss of business, and the owner has failed to take reasonable and necessary measures to remedy appearance or the condition.

9. The property is an attractive nuisance for illicit purposes, including prostitution, drug use and vagrancy.

**Cost Estimate** – A cost estimate prepared by a certified engineer or architect must be submitted with the application. Submissions must be signed, dated, and sealed by the certified professional. Please note that if the application is approved, the cost estimate becomes a binding part of the agreement between the applicant and the County, therefore the projected figures must be accurate. Cost estimates are subject to the following:

1. An asbestos report must be submitted for commercial, industrial, institutional, or multi-unit residential exceeding 4 units. If asbestos containing material is detected, an asbestos removal specification will be required for the project. This is an eligible project cost but must be accounted for in the Cost Estimate.
2. Any project of \$25,000 or more, **regardless of funding source**, will be subject to Pennsylvania Prevailing Wage Rates.

**Checklist**—A *Demolition Project Checklist* must be completed and included with all applications.

#### **APPLICATION EVALUATION**

Each application will be evaluated based on the following factors:

1. Duration of current state/history of conditions and violations as well as impact on adjacent properties.
2. Property is identified in a redevelopment plan, blight strategy, neighborhood stabilization plan or municipal comprehensive plan.
3. Reuse plan is established.
4. Impact (visual, economic, safety) of demolition to community.
5. Site control/ownership. The applicant meets the site control/legal ownership criteria.
6. Blighted Property - The proposed property(s) is required to meet the definition of “blighted property”. Blighted Property is defined as a property which meets at least three (3) of the nine (9) criteria under the Abandoned & Blighted Property Conservatorship Act.
7. Match - Although no match is required, the DEMOFUND will consider leveraged funds and level of match. A cash match can be provided by the applicant. Any “non-county” source whether it be a grant or loan also will be considered as a match. All required expenses associated with gaining site control/ownership and determination of blight (3 of 9) is considered an in-kind match and will not to be considered a “match.”
8. Assists with the implementation of the Westmoreland County Comprehensive Plan – Reimagining Our Westmoreland.

## **PROGRAM DELIVERY**

The RACW will provide program delivery services for successfully awarded applications. This service includes coordination of remediation activities, coordination of bidding procedures, conducting periodic inspections, authorizing payments and certifying project completion. The RACW services do not include predevelopment activities required for application completeness including project identification, site control/ownership, asbestos reporting and specifications, and blight certification.

Any approved project which includes cash contribution provided by the applicant, as per the Program Requirements section, shall be responsible for paying an additional administrative fee of fifteen (15%) percent of the cash contribution. The applicant shall deposit with the County a sum equal to fifteen (15%) percent prior to the commencement of program delivery services for administration costs based upon the estimate for the project.

## **GUIDELINES**

The DEMOFUND guidelines may be modified or waived by the DPD unless otherwise required by law. All modifications or requested waivers should be requested in writing at time of application.

## **CONFLICTS OF INTEREST**

An elected official, officer, director or employee of an applicant who is a party to or who has a private interest in a project shall disclose the nature and extent of the interest to the DPD as part of the application process. The elected official, officer, director or employee may not vote on any action of the applicant concerning the project, participate in the deliberations of the applicant concerning the project or being involved in administration of the demo funds if awarded.

## **PROGRAM INQUIRIES**

Program inquiries should be directed to:

Janet Thomas, Deputy Director  
Westmoreland County Department of Planning and Development  
Fifth Floor, Suite 520  
40 North Pennsylvania Avenue  
Greensburg, PA 15601

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***Application deadline – October 31, 2019***