

**FOSTER TOWNSHIP
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 03-2010

**AN ORDINANCE OF THE TOWNSHIP OF FOSTER, A
SECOND CLASS TOWNSHIP, IN THE COUNTY OF
SCHUYLKILL AND COMMONWEALTH OF PENNSYLVANIA,
TO ESTABLISH A REAL ESTATE REGISTRY AND TO REQUIRE
THE REGISTRATION OF DEEDS AFTER RECORDING BY THE
RECORDER OF DEEDS FOR SCHUYLKILL COUNTY**

The Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania (the "Township"), hereby enacts and ordains as follows:

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by Section 1 of the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. 66506, entitled "General Powers", authorizes any board of township supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, the Foster Township Board of Supervisors recognizes the importance of keeping accurate and updated records of property ownership and transfer within the Township; and

WHEREAS, in order to effectively and efficiently ensure that the Board of Supervisors has knowledge of property ownership transfers within the Township in order to ensure that property sellers are in compliance with all Township property Codes, Regulations and Ordinances, and property buyers are purchasing properties which comply with same; and

WHEREAS, the Foster Township Board of Supervisors believes that adding such a Registry and recording requirements will aid in maintain minimum safety standards and zoning

and Code compliance of properties within the Township of Foster for the betterment of Foster Township commerce and the general health, safety, welfare and property of all residents; and

WHEREAS, the Foster Township Board of Supervisors wishes to comply with the Uniform Municipal Deed Registration Act (Act 110 of 2008), imposing certain restrictions on municipal registration of deeds;

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Second Class Township Code (53 P.S. 65101, et seq.) and the statutes noted above, as follows:

SECTION 1 – REAL ESTATE REGISTRY

A registry of the ownership of all real estate in the Township of Foster, County of Schuylkill, Commonwealth of Pennsylvania, is hereby established. Said registry shall include the list of tax parcels and property owners set forth in the most recent real estate duplicate provided by the County of Schuylkill.

SECTION 2 – REGISTRATION OF DEED; FEE; USE AND TRANSFER CERTIFICATE

A. All persons acquiring title to real estate within the Township, whether by purchase, devise or partition or in any other manner whatsoever, or the agent of such persons, within two (2) business days after recording a Deed or other conveyance by which such title was acquired, shall register the Deed or conveyance with the Township by delivering a certified copy of the Deed or conveyance in person or by sending such by registered or

certified mail, return receipt requested, addressed to Foster Township Supervisors, 1540 Sunbury Road, Pottsville, Pennsylvania 17901. In each case a copy of the real estate transfer tax certificate delivered to the Recorder of Deeds of Schuylkill County must accompany the certified copy of the Deed or other conveyance.

B. A registration fee of \$10.00 must accompany the certified copy of a Deed or other conveyance; provided, however, that in the event the Uniform Municipal Deed Registration Act (Act 110 of 2008)(the “Act”) is amended to permit a greater fee, the fee for registration of each Deed or instrument of conveyance shall be established by Resolution of the Board of Supervisors of Foster Township, but shall not exceed the amount of the fee permitted by the Act.

C. For any real estate deed or conveyance being registered under this Section, which real estate contains a dwelling unit, single family dwelling unit, multiple family dwelling unit or other building unit, the certified copy of the Deed or other conveyance must be accompanied by a Property Transfer Use and Occupancy Certificate.

SECTION 3 – PENALTIES

Any person or entity, who shall violate any provision of this Ordinance, shall be, upon conviction thereof, sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. In addition to any penalty imposed in accordance with this Ordinance, the property owner shall be required to correct the violation(s) of any and all applicable rules and regulations of the Township, which are discovered at the premises.

SECTION 4 – REPEAL OF ORDINANCES

Any ordinance, parts of ordinances, resolution or parts of resolutions conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provisions.

SECTION 5 – SAVINGS CLAUSE

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion other than the part or portion declared void or inoperable.

SECTION 6 – EFFECTIVE DATE

This Ordinance shall become effective five (5) days after the adoption hereof.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania, this 3rd day of February, 2010 in lawful session duly assembled.

ATTEST:

FOSTER TOWNSHIP BOARD OF
SUPERVISORS, FOSTER TOWNSHIP,
SCHUYLKILL COUNTY, PENNSYLVANIA


Secretary


Chairperson

(SEAL)


