

Bond Case Briefs

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MUNICIPAL ORDINANCE - PENNSYLVANIA

Rufo v. Board of License and Inspection Review

Supreme Court of Pennsylvania - September 13, 2018 - A.3d - 2018 WL 4355212

Owner of vacant building appealed from decision of city's board of license and inspection review affirming issuance of violation notice arising from building's noncompliance with city ordinance requiring certain vacant buildings to be secured with operable windows and doors, rather than boards or masonry.

The Court of Common Pleas reversed the board's decision. City appealed, and the Commonwealth Court affirmed. City petitioned for allowance of appeal, which was granted.

The Supreme Court of Pennsylvania held that City ordinance requiring owners of vacant buildings that are a "blighting influence" to secure all spaces designed as windows with working glazed windows and all entryways with working doors was a constitutionally valid exercise of city's police power to fight against blight; overarching intent of city code was to maintain existing structures in the city to insure public health, safety, and welfare, city considered multiple studies which suggested that properties with boarded windows and doors contributed to blight, and city concluded that the lack of windows and/or entry doors led to deterioration and/or safety of the property and the surrounding community, adversely impacted value of intact, occupied properties nearby and the marketability of the property, and hurt community morale.