

## ARTICLE 119

### Registration, Sale and Transfer of Real Estate

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### CROSS REFERENCES

- Use registration permits - See 21 P.S. §611 et seq.
- Real Estate Registry - See 3rd Class §1515 et seq. (53 P.S. §36515 et seq. )
- Realty Transfer Tax - See BUS. REG. Art. 335
- Real Estate Tax - See BUS. REG. Art. 337

#### 119.01 ESTABLISHMENT OF DEPARTMENT.

There is established in the City a department for the registration of the ownership of all real estate situated in the City, which department shall be under the supervision and direction of the Director of Public Works. (1946 Code C.25 §1)

#### 119.02 BOOKS, MAPS, PLANS; PREPARATION.

The City Engineer, under the direction of the Director of Public Works, shall cause to be made all such necessary books, maps and plans as will show the situation and dimensions of each property in the City, which books, maps or plans shall be prepared so as to show the City number and the name of the owner thereof, with blank spaces for the owner of each lot, provisions for the names of future owners and dates of future transfer of title. For such purpose, the City Engineer shall have free access, without charge, to any of the records wherein the necessary information may be obtainable. He may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of the books, maps or plans.

The books, maps and plans shall be carefully preserved in the office of the City Engineer, and shall be so kept, by additions from time to time, or otherwise, as to show the ownership of every lot or piece of real estate, or subdivision thereof, within the City, with the successive transmissions of title from the date of commencement of such plans. Nothing required by this article shall invalidate any municipal or tax claim by reasons of the fact that the same is not assessed or levied against the registered owner. (1946 Code C.25 §2)

#### 119.03 BOOKS, MAPS, PLANS; CUSTODY; CERTIFIED COPIES; FEES.

The books, maps or plans made by the City Engineer, or under his direction, under the provisions of this article, shall remain in the office of the City Engineer and under his custody and control, and in no event, for any purpose, shall be removed therefrom by any person. The City Engineer, however, shall issue, under his hand and seal, to such persons as many desire the same, certified copies of any of the entries in the books or upon the maps or plans, upon the payment of a fee to be established by City Council for each separate property described in each certificate. (Ord. 2987 §4. Passed 4/2/85.)

The fee, so received by the City Engineer for such certificates, shall be turned into the City Treasury monthly, and an itemized statement thereof at the same time shall be furnished to the City Treasurer and the Business Administrator, with the affidavit of the City Engineer thereto appended. (1946 Code C.25 §3)

#### 119.04 DUTIES OF TITLE HOLDER AND SELLER.

(a) It shall be the duty of every purchaser, devisee or person acquiring title by partition or otherwise to any real estate within the City limits, within one month after acquiring such title, to furnish to the City Engineer, at his office, descriptions of his respective properties upon blanks to be furnished by the City and, at the same time, to present his conveyance to be stamped by the City Engineer, without charge, as evidence of the registration thereof. (1946 Code C. 25 §4)

(b) It shall be the duty of every seller or his agent to, within a reasonable time of offering for sale or listing for sale, but no later than ten (10) business days from the date on which the building or structure is offered or listed for sale, contact the Housing Inspections Office for the City of Bethlehem to schedule an inspection of the building or structure. A report concerning any discovered or uncorrected violations of housing, building, safety or fire ordinances shall be made by the Housing Inspections Office. Such report shall contain a statement concerning zoning classification and legality of the present use of such property. The report shall be made known to the purchaser and attached as an addendum to any offer to purchase or agreement of sale. However, in addition thereto, the seller shall likewise deliver to the purchaser any notice of assessment for public improvements. Nothing in this section shall be construed as relieving a purchaser from the obligation of obtaining a Certificate of Occupancy. (Ord. 2987 §4. Passed 4/2/85; Ord. 4044. Passed 11/21/00.)

#### 119.05 PROPERTY SOLD AT JUDICIAL SALES; DEED RECORDS.

The sheriffs of Lehigh and Northampton Counties shall present for registry the deeds of all properties within the City limits sold by them at judicial sales, whether in partition or otherwise. The prothonotaries and recorders of deeds thereof shall not admit for record any deed for any City property, bearing date subsequent to the approval of this article for the establishment of such registry, unless the same shall first have been duly stamped as herein directed, as proof of registry. (1946 Code C.25 §5)

#### 119.06 ADOPTION OF STATE ACT REQUIRING SELLER'S STATEMENTS.

The Act of the General Assembly of the Commonwealth of Pennsylvania of July 27, 1955 (P.L. 288, No. 104) entitled:

"An Act making it unlawful for owners of certain property in cities of the first class, cities of the second class and in cities of the third class adopting provisions of this act, to sell or agree to sell such property without first delivering to the purchaser a certificate of the district classification and without first delivering a certification disclosing any notice of an uncorrected violation of any housing, building, safety or fire

ordinance; and requiring such owners to insert in any agreement of sale of such property a statement concerning zoning classification, legality of the use of such property and, in addition thereto, a statement concerning uncorrected violations of housing, building, safety or fire ordinances; and providing penalties for violations."

as amended is hereby adopted by City of Bethlehem and made applicable to the City. (Ord. 2481 §1. Passed 8/26/75.)

#### 119.07 RULES AND REGULATIONS.

Rules and regulations implementing the Act of July 27, 1955, as amended, shall be promulgated by the Department of Community and Economic Development, which shall have the responsibility for its enforcement.(Ord. 2481. Sec. 4 Passed 8/26/75; Ord. 3547 Passed 4/20/93.)

#### 119.99 PENALTY.

Any person who violates any provision of this article shall be fined six hundred dollars (\$600.00) or imprisoned not more than ninety days, or both. (Ord. 1768 §1. Passed 11/13/62; Ord. 3242. Passed 2/7/89.)