

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

IN RE: DELAWARE COUNTY REASSESSMENT : NO. 2020-003507  
EMERGENCY PETITION TO EXTEND :  
APPEAL DEADLINE FOR COUNTYWIDE :  
REASSESSMENT APPEALS :

ORDER

AND NOW, this 12<sup>th</sup> day of June, 2020, upon consideration of the Emergency Petition of Delaware County and though such the Delaware County Board of Assessment Appeals to Extend the Appeal Deadline for Countywide Reassessment Appeals,<sup>1</sup> as well as the record of bar generally applicable to such concerns, and all that relevant thereto, presented of-record, at the hearing thereon,<sup>2</sup> and the salient and yet ongoing public health crisis underlining the past issued and still in effect emergent decrees declared by the Commonwealth of Pennsylvania,<sup>3</sup> Delaware County,<sup>4</sup> as well as those of this court,<sup>5</sup> and there having been such general, unforeseeable, and anomalous circumstances warranting this court, *inter alia*, exercising in the above-captioned matter its emergent authorities,<sup>6</sup> it is hereby **ORDERED** and **DECREED**, without any objections, that the instant application is **GRANTED** and resultantly, the deadline for all appeals from the July 1, 2020, countywide reassessment notifications of values is **EXTENDED** to and including **SEPTEMBER 1, 2020**.

BY THE COURT:

Kevin F. Kelly

P.J

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<sup>1</sup> The petitioner, Delaware County Council, and through the same the Delaware County Board of Assessment Appeals, request via this emergent lodging that the court extend the deadline for the appeals from the July 1, 2020, countywide reassessment notifications of values to and including September 1, 2020. *See* Emergency Petition dated June 8, 2020.

<sup>2</sup> A hearing regarding this emergency petition as then listed commenced and concluded on today's date (June 12, 2020) before this court. *See* Scheduling Order dated June 9, 2020. *See also* Emergency Petition dated June 8, 2020.

<sup>3</sup> *See* Gubernatorial Disaster Emergency Proclamation dated March 6, 2020. (Although the general assembly has most recently passed legislation supposedly terminating this gubernatorial disaster declaration, Governor Wolf has publicly countered the state legislature does not have such lawful authority to unilaterally end his previously declared emergency disaster. The office of the governor is relatedly of the apparent position that this most recent enactment by the general assembly did not in any manner set aside any of those orders past directed by the commonwealth's secretary of health material to restricted businesses reopenings, as well as general building and/or worker safety concerns. *See Philadelphia Inquirer* dated June 11, 2020, Section B, pp. 1, 5.)

<sup>4</sup> Delaware County Council Chair, Brian P. Zidek, signed on March 7, 2020, an emergency declaration which by a vote of all council members on March 14, 2020, was extended until such further action is such taken to revoke the same. This county emergent declaration presently remains in place. *See* Delaware County Emergency Declaration dated March 7, 2020.

<sup>5</sup> *See* Application ... for Authorization to Declare Judicial Emergency dated March 15, 2020; Order dated March 17, 2020; Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020 – Pennsylvania Supreme Court No. 30 MM 2020 – Delaware County No. 5120-17. *See also* Order dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; March 24, 2020; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. *See generally* Pa.R.J.A. No. 1952(B)(2)(a-s).

<sup>6</sup> *See* Application ... for Authorization to Declare Judicial Emergency dated March 15, 2020; Order dated March 17, 2020; Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020 – Pennsylvania Supreme Court No. 30 MM 2020 – Delaware County No. 5120-17. *See also* Pa.R.J.A. No. 1952(B)(2)(a-s).