

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1770** Session of  
1981

INTRODUCED BY DAIKELER, SAURMAN, NAHILL, CORNELL AND GLADECK,  
JULY 21, 1981

REFERRED TO COMMITTEE ON JUDICIARY, JULY 21, 1981

AN ACT

1 Amending the act of August 24, 1963 (P.L.1175, No.497), entitled  
2 "An act to codify, amend, revise and consolidate the laws  
3 relating to mechanics' liens," further providing for  
4 definitions.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Clauses (1), (10) and (12) of section 201, act of  
8 August 24, 1963 (P.L.1175, No.497), known as the "Mechanics'  
9 Lien Law of 1963," are amended and a clause is added to read:

10 Section 201. Definitions.--The following words, terms and  
11 phrases when used in this act shall have the meaning ascribed to  
12 them in this section, except where the context clearly indicates  
13 a different meaning:

14 (1) "Improvement" includes any building, structure or other  
15 improvement of whatsoever kind or character erected or  
16 constructed on land, together with the fixtures and other  
17 personal property used in fitting up and equipping the same for  
18 the purpose for which it is intended, including any fixtures or

1 improvements constructed on the property which are permanent in  
2 nature and which improve the property, including but not limited  
3 to swimming pools, tennis courts and ancillary equipment  
4 necessary thereto, fences, paving, curbing, sewers, water lines  
5 and drains, even though not directly connected to or a part of  
6 the building or structure associated with the land and property.

7 \* \* \*

8 (10) "Erection and construction" means the erection and  
9 construction of a new improvement or of a substantial addition  
10 to an existing improvement or any adaptation of an existing  
11 improvement rendering the same fit for a new or distinct use and  
12 effecting a material change in the interior or exterior thereof,  
13 and shall include fixtures or improvements constructed on the  
14 property which are permanent in nature, including but not  
15 limited to swimming pools and tennis courts and the ancillary  
16 equipment necessary thereto, fences, paving, curbing, sewers,  
17 water lines and drains.

18 \* \* \*

19 (12) "Erection, construction, alteration or repair"  
20 includes:

21 (a) Demolition, removal of improvements, excavation,  
22 grading, filling, paving and landscaping[, when such work is  
23 incidental to the erection, construction, alteration or repair];

24 (b) Initial fitting up and equipping of the improvement with  
25 fixtures, machinery and equipment suitable to the purposes for  
26 which the erection, construction, alteration or repair was  
27 intended; [and]

28 (c) Furnishing, excavating for, laying, relaying, stringing  
29 and restringing rails, ties, pipes, poles and wires, whether on  
30 the property improved or upon other property, in order to supply

1 services to the improvement; and

2 (d) Construction of permanent improvements or fixtures on  
3 the property, including all ancillary equipment necessary  
4 thereto, even though such improvements are not necessary to the  
5 intended use of existing improvements to the property.

6 \* \* \*

7 (14) "Permanent improvement" for the purpose of this act, is  
8 work and materials which have been incorporated into the  
9 property so as to become a fixture or such a part thereof that  
10 its removal would diminish its value to the contractor or  
11 supplier.

12 Section 2. This act shall take effect in 60 days.