

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1235 Session of  
1985

INTRODUCED BY CORDISCO, J. L. WRIGHT, GALLAGHER, DALEY AND FOX,  
MAY 28, 1985

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 28, 1985

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," further providing for contracts relating to refuse  
5 materials.

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

8 Section 1. Clause XXVII of section 1502 of the act of June  
9 24, 1931 (P.L.1206, No.331), known as The First Class Township  
10 Code, reenacted and amended May 27, 1949 (P.L.1955, No.569) and  
11 amended July 1, 1955 (P.L.251, No.78), is amended to read:

12 Section 1502. The corporate power of a township of the first  
13 class shall be vested in the board of township commissioners.

14 The board shall have power--

15 \* \* \*

16 XXVII. Ashes, Garbage, Rubbish and Refuse Materials. To make  
17 regulations relative to the accumulation of manure, compost and  
18 the like; to prohibit accumulation of ashes, garbage, rubbish  
19 and other refuse materials upon private properties including the

1 imposition and collection of reasonable fees and charges for the  
2 collection, removal and disposal thereof, and to prescribe fines  
3 and penalties for the violation of such regulations; to collect,  
4 remove and dispose of or to provide, by contract or otherwise,  
5 for the collection, removal and disposal by incineration, land  
6 fill or other methods of ashes, garbage, rubbish and other  
7 refuse materials; and to prescribe penalties for the enforcement  
8 thereof. [Any such contract may be made for a period not  
9 exceeding three years: Provided, That this limitation shall not  
10 apply to contracts entered into with any other political  
11 subdivision or with any municipality authority.] To acquire any  
12 real property and to erect, maintain, improve, operate and  
13 lease, either as lessor or lessee, facilities for incineration,  
14 land fill or other methods of disposal, either within or without  
15 the limits of the township, including equipment, either  
16 separately or jointly, with any other political subdivision or  
17 with any municipality authority in order to provide for the  
18 destruction, collection, removal and disposal of ashes, garbage,  
19 rubbish and other refuse materials; and to provide for the  
20 payment of the cost and expense thereof, either in whole or  
21 part, out of the funds of the township and to acquire and to  
22 maintain lands and places for the dumping of ashes, garbage,  
23 rubbish and other refuse material. To fix, alter, charge and  
24 collect rates, and other charges for the collection, removal and  
25 disposal of ashes, garbage, rubbish and other refuse materials  
26 and the costs of including the payment of any indebtedness  
27 incurred for the construction, purchase, improvement, repair,  
28 maintenance and operation of any facilities therefor, and the  
29 amount due under any contract with any other political  
30 subdivision or with any municipality authority furnishing any of

1 such services or facilities. To incur indebtedness and issue  
2 bonds for the costs of the construction, purchase, improvement  
3 and repair of any facilities for the collection, removal and  
4 disposal of ashes, garbage, rubbish and other refuse materials,  
5 including equipment to be used in connection therewith. To make  
6 appropriations to any other political subdivision or any  
7 municipality authority out of its general funds or out of any  
8 other available funds, including the proceeds of bonds of the  
9 township for the construction, purchase, improvement, repair,  
10 maintenance and operation of any facilities for the collection,  
11 removal and disposal of ashes, garbage, rubbish and other refuse  
12 materials. In the event that any such bonds were issued for such  
13 purposes, pursuant to a vote of the electors, any appropriation  
14 of such proceeds as above set forth shall not be deemed such a  
15 change of purpose from that for which such bonds were issued as  
16 shall require the question to be again submitted to a vote of  
17 the electors under any existing law. Any such funds appropriated  
18 as herein authorized, which represent the proceeds of any bonds  
19 heretofore or hereafter issued by the township for the above  
20 purposes, shall be used by such other political subdivision or  
21 municipality authority for or toward the purpose or purposes for  
22 which such bonds were issued.

23 \* \* \*

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