

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2693

Session of
1996

INTRODUCED BY VAN HORNE, DEMPSEY, STISH, FICHTER, WOGAN, BAKER,
GEIST, PETRONE, ARGALL, HABAY, HARHART, D. W. SNYDER,
ROBINSON, BATTISTO, STETLER, WALKO, STABACK, BROWNE, TRELLO,
ARMSTRONG, RUBLEY, STEELMAN, BOSCOLA, RAMOS, DENT AND
J. TAYLOR, JUNE 11, 1996

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 7, 1996

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, "An
2 act concerning townships of the second class; and amending,
3 revising, consolidating and changing the law relating
4 thereto," further providing for real property; AND PROVIDING <—
5 FOR FILING AND SERVICE FEES BY MUNICIPALITIES.

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

8 Section 1. ~~Section 1503(e)~~ SECTIONS 1503(C) AND 1601(C) of <—
9 the act of May 1, 1933 (P.L.103, No.69), known as The Second
10 Class Township Code, reenacted and amended November 9, 1995
11 (P.L.350, No.60), ~~is~~ ARE amended to read: <—

12 Section 1503. Real Property.--* * *

13 (c) The requirements of this section do not apply to
14 conveyances or leases of real property by a township to any
15 municipal corporation, the Federal Government, the Commonwealth,
16 or any institution district, school district, municipality
17 authority, county, public utility, volunteer fire company,

1 nonprofit corporation engaged in community industrial,
2 commercial or affordable housing development or reuse, volunteer
3 ambulance service or volunteer rescue squad located within the
4 township, nonprofit corporation organized as a public library,
5 nonprofit medical service corporation, nonprofit housing
6 corporation, nonprofit organizations providing community service
7 or development activities or nonprofit corporation established
8 for the preservation of historical, architectural or aesthetic
9 sites or artifacts. THE EXEMPTION GRANTED BY THIS SUBSECTION TO <—
10 NONPROFIT CORPORATIONS ENGAGED IN COMMUNITY, INDUSTRIAL,
11 COMMERCIAL OR AFFORDABLE HOUSING DEVELOPMENT OR REUSE SHALL NOT
12 APPLY TO PROPERTY OWNED AND OPERATED BY THE TOWNSHIP OR
13 SUBCONTRACTED OR OPERATED ON THE BEHALF OF THE TOWNSHIP IN ORDER
14 TO CONDUCT EXISTING GOVERNMENTAL FUNCTIONS.

15 * * *

16 SECTION 1601. ORDINANCES.--* * * <—

17 (C) THE BOARD OF SUPERVISORS MAY PRESCRIBE FINES NOT
18 EXCEEDING ONE THOUSAND DOLLARS (\$1,000) FOR A VIOLATION OF A
19 BUILDING, HOUSING, PROPERTY MAINTENANCE, HEALTH, FIRE OR PUBLIC
20 SAFETY CODE OR ORDINANCE AND FOR WATER, AIR AND NOISE POLLUTION
21 VIOLATIONS AND NOT EXCEEDING SIX HUNDRED DOLLARS (\$600) FOR A
22 VIOLATION OF ANY OTHER TOWNSHIP ORDINANCE. ANY PERSON WHO
23 VIOLATES OR PERMITS THE VIOLATION OF A TOWNSHIP ORDINANCE SHALL,
24 UPON BEING FOUND LIABLE THEREFOR IN A CIVIL ENFORCEMENT
25 PROCEEDING COMMENCED BY A MUNICIPALITY, PAY THE FINE SET BY THE
26 BOARD OF SUPERVISORS PLUS ALL COURT COSTS, INCLUDING REASONABLE
27 ATTORNEY FEES, INCURRED BY A MUNICIPALITY. NO JUDGMENT SHALL BE
28 IMPOSED UNTIL THE DATE OF THE DETERMINATION OF A VIOLATION BY
29 THE DISTRICT JUSTICE. IF THE DEFENDANT NEITHER PAYS NOR TIMELY
30 APPEALS THE JUDGMENT, THE MUNICIPALITY MAY ENFORCE THE JUDGMENT

1 PURSUANT TO THE APPLICABLE RULES OF CIVIL PROCEDURE. AT NO TIME
2 WILL THE MUNICIPALITY BE RESPONSIBLE FOR PAYING THE FILING AND
3 SERVICE FEES ASSOCIATED WITH THE COMPLAINT.

4 * * *

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