

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 316 Session of  
2003

INTRODUCED BY R. MILLER, BARRAR, CLYMER, DeWEESE, HARHAI,  
HARPER, HENNESSEY, HERSHEY, HORSEY, LAUGHLIN, MACKERETH,  
NICKOL, PICKETT, ROSS, SAYLOR, SCAVELLO, SOLOBAY, STERN,  
E. Z. TAYLOR, YEWIC, YOUNGBLOOD AND WASHINGTON,  
FEBRUARY 18, 2003

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, FEBRUARY 4, 2004

## AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as  
2 reenacted and amended, "An act concerning townships of the  
3 second class; and amending, revising, consolidating and  
4 changing the law relating thereto," further providing for  
5 connection to water system.

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

8 Section 1. Section 2603 of the act of May 1, 1933 (P.L.103,  
9 No.69), known as The Second Class Township Code, reenacted and  
10 amended November 9, 1995 (P.L.350, No.60), is amended to read:

11 Section 2603. Connection to Water System.--The board of  
12 supervisors may by ordinance require that [abutting] property <—  
13 owners whose principal building is within one hundred fifty feet  
14 of a water system provided by the township or a municipality  
15 authority or a joint water board connect with and use the  
16 system. Those industries and farms which have their own supply  
17 of water for uses other than human consumption may continue to

1 use their own water for that purpose but are required to use the  
2 township water system to provide water for human consumption. In  
3 the case of a water system provided by the township or a joint  
4 water board, the board of supervisors may impose and charge to  
5 property owners who desire to or are required to connect to the  
6 water system a connection fee, a customer facilities fee, a  
7 tapping fee and other similar fees as enumerated [and defined by  
8 clause (t) of subsection B of section 4 of the act of May 2,  
9 1945 (P.L.382, No.164), known as the "Municipality Authorities  
10 Act of 1945." ] under 53 Pa.C.S. § 5607 (d)(24) (relating to  
11 purposes and powers). Whenever a water system or any part or  
12 extension thereof owned by a township has been constructed by  
13 the township at the expense of a private person or corporation  
14 or has been constructed by a private person or corporation under  
15 the supervision of the township at the expense of the private  
16 person or corporation, the board of supervisors shall have the  
17 right to charge a tapping fee, including a reimbursement  
18 component, and refund said reimbursement component to the person  
19 or corporation who has paid for the construction of said water  
20 system or any part or extension thereof. If any [owner of  
21 property abutting] ~~abutting~~ property owner whose principal  
22 building is within one hundred fifty feet of the water system  
23 fails to connect with and use the system within ninety days  
24 after notice to do so has been served by the board of  
25 supervisors, the board of supervisors or their agents may enter  
26 the property and construct the connection. The board of  
27 supervisors shall send an itemized bill of the cost of  
28 construction of connection to the owner of the property to which  
29 connection has been made, which bill is payable immediately, or  
30 the board of supervisors may authorize the payment of the cost

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1 of construction of connections in equal installments under  
2 Article XXXIII.  
3 Section 2. This act shall take effect in 60 days.