

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 239 Session of  
2007

INTRODUCED BY R. MILLER, BAKER, BARRAR, BOYD, CALTAGIRONE,  
CLYMER, FLECK, GEORGE, GIBBONS, GINGRICH, GRUCELA, HARPER,  
HENNESSEY, HERSHEY, KAUFFMAN, MARSHALL, NICKOL, PICKETT,  
REICHLEY, ROSS, SCAVELLO, SIPTROTH, SONNEY, STERN, SWANGER,  
WATSON, J. WHITE, YOUNGBLOOD, DALEY AND HORNAMAN,  
FEBRUARY 5, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
APRIL 25, 2007

## 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 LIENS FOR ASSESSMENTS AND FOR 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 1. SECTION 2510 OF THE ACT OF MAY 1, 1933 (P.L.103, <—  
12 NO.69), KNOWN AS THE SECOND CLASS TOWNSHIP CODE, REENACTED AND  
13 AMENDED NOVEMBER 9, 1995 (P.L.350, NO.60), AND AMENDED DECEMBER  
14 18, 1996 (P.L.1142, NO.172), IS AMENDED TO READ:

15 SECTION 2510. LIENS FOR ASSESSMENTS; COSTS OF PROCEEDINGS.--  
16 AFTER THE AMOUNT OF THE ASSESSMENT CHARGED UPON THE SEVERAL  
17 PROPERTIES HAS BEEN ESTABLISHED BY RESOLUTION MAKING ASSESSMENTS

1 ACCORDING TO SECTION 2508 OR BY CONFIRMATION OF ANY REPORT OF  
2 VIEWERS, IN WHOLE OR IN PART, THE AMOUNTS OF ALL ASSESSMENTS ARE  
3 PAYABLE TO THE TOWNSHIP TREASURER FOR THE USE OF THE SANITARY  
4 SEWER DISTRICT OR DISTRICTS OR THE TOWNSHIP IN WHICH THEY ARE  
5 ASSESSED. THE BOARD OF SUPERVISORS SHALL MAKE OUT BILLS FOR THE  
6 AMOUNTS CHARGED AGAINST EACH PROPERTY, WHICH SHALL BE SENT TO  
7 ALL PROPERTY OWNERS WHOSE PROPERTY WILL BE SERVED BY THE  
8 SANITARY SEWER SYSTEM. IF THE ASSESSMENT IS NOT PAID WITHIN  
9 [SIXTY] NINETY DAYS AFTER THE MAILING OF A BILL THEREFOR, THE  
10 BOARD OF SUPERVISORS SHALL COLLECT IT BY ACTION OF ASSUMPSIT OR  
11 UNDER LAW FOR THE FILING AND RECOVERY OF MUNICIPAL CLAIMS.

12 SECTION 2. SECTION 2603 OF THE ACT IS AMENDED TO READ:

13 Section 2603. Connection to Water System.--The board of  
14 supervisors may by ordinance require that [abutting] property  
15 owners whose principal building is within one hundred fifty feet  
16 of a water system provided by the township or a municipality  
17 authority or a joint water board connect with and use the  
18 system. Those industries and farms which have their own supply  
19 of water for uses other than human consumption may continue to  
20 use their own water for that purpose but are required to use the  
21 township water system to provide water for human consumption. In  
22 the case of a water system provided by the township or a joint  
23 water board, the board of supervisors may impose and charge to  
24 property owners who desire to or are required to connect to the  
25 water system a connection fee, a customer facilities fee, a  
26 tapping fee and other similar fees as enumerated [and defined by  
27 clause (t) of subsection B of section 4 of the act of May 2,  
28 1945 (P.L.382, No.164), known as the "Municipality Authorities  
29 Act of 1945." ] under 53 Pa.C.S. § 5607(d)(24) (relating to  
30 purposes and powers). Whenever a water system or any part or

1 extension thereof owned by a township has been constructed by  
2 the township at the expense of a private person or corporation  
3 or has been constructed by a private person or corporation under  
4 the supervision of the township at the expense of the private  
5 person or corporation, the board of supervisors shall have the  
6 right to charge a tapping fee, including a reimbursement  
7 component, and refund said reimbursement component to the person  
8 or corporation who has paid for the construction of said water  
9 system or any part or extension thereof. If any [owner of  
10 property abutting] property owner whose principal building is  
11 within one hundred fifty feet of the water system fails to  
12 connect with and use the system within ninety days after notice  
13 to do so has been served by the board of supervisors, the board  
14 of supervisors or their agents may enter the property and  
15 construct the connection. The board of supervisors shall send an  
16 itemized bill of the cost of construction of connection to the  
17 owner of the property to which connection has been made, which  
18 bill is payable immediately, or the board of supervisors may  
19 authorize the payment of the cost of construction of connections  
20 in equal installments under Article XXXIII.

21 Section 2 3. This act shall take effect in 60 days.

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