

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 217

Session of
1975

INTRODUCED BY MESSRS. SHELHAMER, WEIDNER, THOMAS, YAHNER, W. W.
FOSTER, PRATT, COLE, DREIBELBIS, ZELLER, SHUMAN, KLINGAMAN,
MORRIS, DAVIS, BRANDT, DeVERTER AND BRADLEY, FEBRUARY 4, 1975

AS REPORTED FROM COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 14, 1975

AN ACT

1 Exempting the owner of certain agricultural land from the
2 payment of assessments for municipal improvements during the
3 period of time that the owner does not use the services
4 provided by the improvements.

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

7 Section 1. The owner of land that has been certified by the
8 Secretary of Agriculture as having been used primarily for
9 agricultural purposes for at least three years prior to the
10 installation of water or sewer lines in a right-of-way fronting
11 on such land, which right-of-way was not secured from the said
12 owner, shall not be liable for the cost of the installation of
13 the water or sewer lines provided that he does not avail himself
14 of the services provided by the lines. THE MUNICIPALITY OR <—
15 AUTHORITY INSTALLING THE LINES SHALL HAVE THE RIGHT TO PLACE A
16 LIEN AGAINST THE PROPERTY FOR AN AMOUNT EQUAL TO THAT WHICH
17 WOULD HAVE BEEN DUE AND PAYABLE BY THE OWNER IF HE WERE LIABLE
18 FOR THE PAYMENT, SAID LINE TO BE INTEREST FREE. THE LIEN SHALL

1 NOT HAVE PRIORITY OVER ANY JUDGMENT OR MORTGAGE PLACED AGAINST
2 THE LAND. NO EXECUTION MAY BE MADE ON THE LIEN UNLESS THE OWNER
3 AVAILS HIMSELF OF THE SERVICES PROVIDED BY THE LINES.

4 SECTION 2. IF THERE IS A FARM DWELLING LOCATED ON THE LAND
5 AND HE AVAILS HIMSELF OF THE SERVICES PROVIDED BY THE LINES FOR
6 THAT DWELLING ONLY HE SHALL BE LIABLE FOR THE COST OF
7 INSTALLATION IN SUCH AMOUNTS AS THE MUNICIPALITY OR AUTHORITY
8 SHALL DETERMINE.

9 Section 2.—If 3. EXCEPT AS PROVIDED IN SECTION 2, IF the <—
10 owner or subsequent owner of land described in section 1 avails
11 himself of the services provided by the lines he shall become
12 liable in the same manner as other property owners were assessed
13 at the time the installation was made reduced by an amount which
14 the municipality or authority installing the lines deems
15 appropriate taking into consideration the amount of land
16 utilizing the services.