

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2741 Session of
1980

INTRODUCED BY PITTS, BRANDT, GEIST, DeWEESE AND PETRARCA,
JUNE 18, 1980

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 18, 1980

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 levy for fire protection.

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

7 Section 1. Clause 4 of subsection A of section 905, act of
8 May 1, 1933 (P.L.103, No.69), known as "The Second Class
9 Township Code," reenacted and amended July 10, 1947 (P.L.1481,
10 No.567), and amended July 16, 1975 (P.L.69, No.40), is amended
11 to read:

12 Section 905. Township and Special Tax Levies.--A. The board
13 of township supervisors may, by resolution, levy taxes upon all
14 real property and upon all occupations, or upon real property
15 alone, within the township made taxable for township purposes,
16 as ascertained by the last adjusted valuation for county
17 purposes, for the purposes and at the rates hereinafter
18 specified. All taxes shall be collected in cash.

1 * * *

2 4. (i) An annual tax, not exceeding three mills, pursuant to
3 provision therefor in the township budget, for the purpose of
4 purchasing and maintaining fire apparatus, for the purpose of
5 making appropriations to fire companies both within and without
6 the township and of contracting with adjacent municipalities or
7 volunteer fire companies therein for fire protection, for the
8 purchase and maintenance of fire apparatus, and for the purposes
9 of providing a suitable place for the housing of fire apparatus.
10 If an annual tax for the purposes specified in this clause is
11 proposed to be set at a level higher than three mills, the
12 question shall be submitted to the voters of the township, and
13 the county board of elections shall frame the question in
14 accordance with the election laws of the Commonwealth for
15 submission to the voters of the township.

16 (ii) A levy of one mill shall be levied annually unless
17 taxes are levied on other than a millage basis. The proceeds of
18 every one mill levy or of one mill of every levy shall be
19 divided among the volunteer fire companies of the township in
20 such proportion as the assessed valuation of the area served by
21 each company bears to the entire assessed valuation of the
22 township, State and county realty to be excluded in both cases.
23 Where independent volunteer rescue companies service the
24 township, an additional two-tenths mill shall be levied, the
25 proceeds to be paid to the independent volunteer rescue
26 companies in the same proportions and manner as hereinbefore
27 provided for payments to volunteer fire companies. The proceeds
28 of the mandatory one mill or one and two-tenths mills may be
29 used by the volunteer fire or rescue companies for purchase,
30 renewal or repair of fire or rescue vehicles, protective

1 accessory or communications equipment and apparatus used in fire
2 or rescue service or for the purchase of land upon which to
3 erect a fire or rescue service house, or for the erection and
4 maintenance of a fire or rescue service house, or for training
5 or for insurance premiums. Such funds shall be annually audited
6 by the township.

7 Where township taxes are levied on other than a millage
8 basis, the amounts of taxes collected which shall be annually
9 allocated for fire protection under this subclause, in lieu of
10 the one mill or one and two-tenths mills levies, shall be seven
11 and one-tenth per centum or eight and six tenths per centum
12 respectively of the amount of township taxes allocated for road,
13 bridge and general township purposes.

14 * * *

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