

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 AND YOUNGBLOOD, FEBRUARY 5, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 5, 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 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  
18 use their own water for that purpose but are required to use the

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

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