

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 621 Session of 1989

INTRODUCED BY PITTS, NAILOR, VROON, DEMPSEY, D. W. SNYDER, REBER, JACKSON, FARGO, SCHEETZ, FLEAGLE, LEVDANSKY, HESS, WOGAN, FOX, HECKLER, CARLSON, TRELLO, MICOZZIE, BELARDI, ROBBINS, VEON, CIVERA, PHILLIPS, ITKIN, HALUSKA, MARKOSEK, NOYE, CAWLEY, JOHNSON, J. L. WRIGHT, GIGLIOTTI, DISTLER, MERRY, STUBAN, GRUPPO, OLASZ, CLYMER, BUNT, SERAFINI, FLICK, MORRIS, E. Z. TAYLOR, MELIO, McVERRY, LAUGHLIN, SEMMEL, STAIRS, BARLEY, GEIST, DeLUCA AND SAURMAN, MARCH 6, 1989

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 6, 1989

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," authorizing townships to enter into contracts with  
5 the Commonwealth for police protection.

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

8 Section 1. Subsection B of section 590 of the act of May 1,  
9 1933 (P.L.103, No.69), known as The Second Class Township Code,  
10 reenacted and amended July 10, 1947 (P.L.1481, No.567) and  
11 amended June 29, 1965 (P.L.152, No.102), is amended to read:

12 Section 590. Petition for Appointment of Police; Contracts  
13 for Police Services.--\* \* \*

14 B. Any township may contract with the Commonwealth or with  
15 any adjacent township of the first or second class, or with any  
16 borough or city, and may expend moneys from the general fund for

1 the purpose of securing the services within the township of the  
2 police of the Commonwealth or of such adjacent township, borough  
3 or city. When any such contract has been entered into, the  
4 police of the Commonwealth or of employing township, borough or  
5 city shall have all the powers and authority conferred by law on  
6 township police in the territory of the township which has  
7 contracted to secure such police service.

8 \* \* \*

9 Section 2. Clause XLIII of section 702 of the act, amended  
10 May 20, 1949 (P.L.1562, No.474), is amended to read:

11 Section 702. Supervisors to Exercise Powers.--The corporate  
12 powers of townships of the second class shall be exercised by  
13 the township supervisors. Where no specific authority is given  
14 for the expenditures incident to the exercise of any power  
15 hereinafter conferred, or where no specific fund is designated  
16 from which such expenditures shall be made, appropriations for  
17 such expenditures shall be made only from the general township  
18 fund. In addition to the duties imposed upon them by section 516  
19 hereof, they shall have power--

20 \* \* \*

21 XLIII. Police Protection Districts; Assessments.--To provide  
22 police protection and promote the public safety, health,  
23 convenience and welfare of its citizens the board of township  
24 supervisors is hereby empowered, with the approval of the  
25 township auditors, on petition of a majority of the property  
26 owners of any territory within the township, to designate,  
27 definitely define, set apart and limit any part of such  
28 territory, as a district for the purpose of providing such  
29 districts adequate police protection. Such police protection may  
30 be furnished jointly with one or more other townships or

1 boroughs under an agreement with such townships and boroughs or  
2 may be furnished pursuant to an agreement with the Commonwealth  
3 whereby the Pennsylvania State Police shall furnish the  
4 necessary police protection. The township supervisors shall  
5 annually assess or cause to be assessed the cost and expense of  
6 the maintenance of said police protection by an equal assessment  
7 on all property benefited by such protection in proportion to  
8 the number of feet the same fronts on the street or highway or  
9 portion thereof to be protected. The supervisors may provide for  
10 an equitable reduction from the frontage of lots at  
11 intersections or where from the peculiar or pointed shape of  
12 lots an assessment of the full frontage would be inequitable. No  
13 such assessment shall be made against any farm land, but vacant  
14 lots between built-up sections, whether tilled or untilled,  
15 shall not be deemed to be farm lands: Provided, however, That  
16 the assessment per front foot against vacant lots shall be only  
17 twenty-five per centum (25%) of the assessment per foot front  
18 against property with improvements thereon. All such assessments  
19 for police protection shall be filed with the township tax  
20 collector, who shall give thirty days' written or printed notice  
21 that the assessments are due and payable, stating the due date  
22 to each party assessed either by service on the owner of the  
23 property or by mailing such notice to the owner at his last  
24 known post office address. The tax collector shall be entitled  
25 to the same commission for the collection of such assessments as  
26 he is entitled to by law for the collection of the township road  
27 tax. If the assessments or any of them remain unpaid at the  
28 expiration of not exceeding ninety days, the exact time to be  
29 fixed by the township supervisors, they shall be placed in the  
30 hands of the township solicitor for collection. The solicitor

1 shall collect the same together with five per centum (5%) as  
2 attorney's commission, and interest from the date such  
3 assessments were due, by a municipal claim filed against the  
4 property of the delinquent owner in like manner as municipal  
5 claims are by law filed and collected. Where an owner has two or  
6 more lots against which there is an assessment for the same year  
7 all such lots shall be embraced in one claim. All assessments,  
8 when collected, shall be paid over to the township treasurer,  
9 who shall receive and shall keep the same in a separate account,  
10 and pay out the same only upon orders signed by the chairman of  
11 the township supervisors, attested by the secretary. The tax  
12 collector and the treasurer shall make a report to the auditors  
13 of the township annually.

14 \* \* \*

15 Section 3. This act shall take effect immediately.