

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

# HOUSE BILL

## No. 1652

Session of  
1975

---

INTRODUCED BY CESSAR, ROMANELLI, ZORD, FISHER, WILSON, KNEPPER,  
TRELLO, ABRAHAM, COWELL, MISCEVICH, MENHORN, GEISLER AND  
CAPUTO, JULY 21, 1975

---

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 22, 1975

---

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," permitting township supervisors to reduce rates  
5 charged senior citizens and handicapped individuals for  
6 refuse collections.

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

9 Section 1. Clause XXVII of section 1502, act of June 24,  
10 1931 (P.L.1206, No.331), known as "The First Class Township  
11 Code," reenacted and amended May 27, 1949 (P.L.1955, No.569) and  
12 amended July 1, 1955 (P.L.251, No.78), is amended to read:

13 Section 1502. The corporate power of a township of the first  
14 class shall be vested in the board of township commissioners.

15 The board shall have power

16 \* \* \*

17 XXVII. Ashes, Garbage, Rubbish and Refuse Materials. To make  
18 regulations relative to the accumulation of manure, compost and  
19 the like; to prohibit accumulation of ashes, garbage, rubbish

1 and other refuse materials upon private properties including the  
2 imposition and collection of reasonable fees and charges for the  
3 collection, removal and disposal thereof, and to prescribe fines  
4 and penalties for the violation of such regulations; to collect,  
5 remove and dispose of or to provide, by contract or otherwise,  
6 for the collection, removal and disposal by incineration, land  
7 fill or other methods of ashes, garbage, rubbish and other  
8 refuse materials; and to prescribe penalties for the enforcement  
9 thereof. Any such contract may be made for a period not  
10 exceeding three years: Provided, That this limitation shall not  
11 apply to contracts entered into with any other political  
12 subdivision or with any municipality authority. To acquire any  
13 real property and to erect, maintain, improve, operate and  
14 lease, either as lessor or lessee, facilities for incineration,  
15 land fill or other methods of disposal, either within or without  
16 the limits of the township, including equipment, either  
17 separately or jointly, with any other political subdivision or  
18 with any municipality authority in order to provide for the  
19 destruction, collection, removal and disposal of ashes, garbage,  
20 rubbish and other refuse materials; and to provide for the  
21 payment of the cost and expense thereof, either in whole or  
22 part, out of the funds of the township and to acquire and to  
23 maintain lands and places for the dumping of ashes, garbage,  
24 rubbish and other refuse material. To fix, alter, charge and  
25 collect rates, and other charges for the collection, removal and  
26 disposal of ashes, garbage, rubbish and other refuse materials  
27 and the costs of including the payment of any indebtedness  
28 incurred for the construction, purchase, improvement, repair,  
29 maintenance and operation of any facilities therefor, and the  
30 amount due under any contract with any other political

1 subdivision or with any municipality authority furnishing any of  
2 such services or facilities: Provided, however, That a township  
3 may reduce the rates charged senior citizens and handicapped  
4 individuals for the collection and disposal of refuse where such  
5 function is performed by private contractors. The township  
6 supervisors shall appropriate sufficient funds to cover the  
7 deficit resulting from the reduced rates permitted under this  
8 clause. To incur indebtedness and issue bonds for the costs of  
9 the construction, purchase, improvement and repair of any  
10 facilities for the collection, removal and disposal of ashes,  
11 garbage, rubbish and other refuse materials, including equipment  
12 to be used in connection therewith. To make appropriations to  
13 any other political subdivision or any municipality authority  
14 out of its general funds or out of any other available funds,  
15 including the proceeds of bonds of the township for the  
16 construction, purchase, improvement, repair, maintenance and  
17 operation of any facilities for the collection, removal and  
18 disposal of ashes, garbage, rubbish and other refuse materials.  
19 In the event that any such bonds were issued for such purposes,  
20 pursuant to a vote of the electors, any appropriation of such  
21 proceeds as above set forth shall not be deemed such a change of  
22 purpose from that for which such bonds were issued as shall  
23 require the question to be again submitted to a vote of the  
24 electors under any existing law. Any such funds appropriated as  
25 herein authorized, which represent the proceeds of any bonds  
26 heretofore or hereafter issued by the township for the above  
27 purposes, shall be used by such other political subdivision or  
28 municipality authority for or toward the purpose or purposes for  
29 which such bonds were issued.

30 \* \* \*

1       Section 2.   This act shall take effect immediately.