

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2527 Session of
1976

INTRODUCED BY RYAN, JUNE 14, 1976

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 14, 1976

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," further providing for paving and grading of streets
5 and alleys.

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

8 Section 1. The act of June 24, 1931 (P.L.1206, No.331),
9 known as "The First Class Township Code," is amended by adding a
10 section to read:

11 Section 2060.1. Private Alleys; Driveways and Retaining
12 Walls as Nuisances.--(a) The Board of Health, or health officer
13 appointed by the township may declare any private alley,
14 driveway, or retaining wall appurtenant thereto, to be a
15 nuisance by reason of improper grading or defective paving of
16 said alley or driveway, or retaining wall appurtenant thereto,
17 and upon so doing, shall notify the township commissioners and
18 the commissioners are hereby empowered to abate such nuisance
19 upon the neglect or refusal of the registered owners of the
20 proper abutting on, or having the use, or actually using said

1 alley, driveway or retaining wall appurtenant thereto to abate
2 said nuisance within sixty days after service of notice to do so
3 by the commissioners upon said registered owners.

4 (b) The commissioners are hereby empowered to charge the
5 cost and expense of the grading, paving or repaving of said
6 alleys or driveways and the construction or repair of any
7 retaining walls appurtenant thereto, or parts of said alleys,
8 driveways or retaining walls, upon said owners in proportion to
9 the width of their properties abutting thereon, or having the
10 use thereof by deed or otherwise, or actually using the alley,
11 driveway or retaining wall appurtenant thereto, or in any other
12 proportions as may, under the facts and circumstances of the
13 case, be deemed just and proper by said commissioners and also
14 to charge the cost of removal of any encroaching fence to the
15 owner of the said fence. Upon failure to pay any of the said
16 charge, the commissioners shall cause liens to be filed
17 therefor, in the name of the township, in the manner and
18 according to the practice prescribed by law with respect to
19 municipal claims.

20 Section 2. This act shall take effect immediately.