
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1145 Session of
1979

INTRODUCED BY STOUT AND LEWIS, DECEMBER 3, 1979

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 5, 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 assessments for lighting.

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

7 Section 1. Clause II of section 702, act of May 1, 1933
8 (P.L.103, No.69), known as "The Second Class Township Code,"
9 reenacted and amended July 10, 1947 (P.L.1481, No.567) and
10 amended May 24, 1951 (P.L.370, No.85), 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

1 fund. In addition to the duties imposed upon them by section 516
2 hereof, they shall have power--

3 * * *

4 II. Contracts and Assessments for Lighting.--[On] TO PROVIDE <—
5 STREET LIGHTS AND MAKE REGULATIONS FOR THE PROTECTION THEREOF;
6 AND UPON the petition of the owners of a majority of the lineal
7 feet frontage along any road, highway, or portion thereof within
8 the township, to enter into contract with electric, gas, or
9 other lighting companies to light and illuminate said roads and
10 highways and other public places with electric light, gas light,
11 or other illuminant.

12 [The] WHEN STREET LIGHTS ARE PROVIDED PURSUANT TO SUCH A <—
13 PETITION OF PROPERTY OWNERS THE township supervisors [shall] MAY <—
14 annually assess or cause to be assessed the cost and expense of
15 the maintenance of said lights, whether or not the property is
16 exempt from taxation by existing law, by an equal assessment on
17 all property [within two hundred and fifty (250) feet of such <—
18 lighting] in proportion to the number of feet the same fronts on <—
19 the street or highway or portion thereof to be lighted. In lieu <—
20 of making assessments to property owners for street lighting the
21 township supervisors may pay the cost and expense of maintenance
22 for said lights from the general township fund. The supervisors
23 may provide for an equitable reduction from the frontage of lots
24 at intersections or where, from the peculiar or pointed shape of
25 lots, an assessment of the full frontage would be inequitable.
26 No such assessment shall be made against any farm land, but
27 vacant lots between built-up sections, whether tilled or
28 untilled, shall not be deemed to be farm lands: Provided,
29 however, That the assessment per front foot against vacant lots
30 shall be only twenty-five per centum of the assessment per foot

1 front against property with improvements thereon. All such
2 assessments for street lighting shall be filed with the township
3 tax collector, who shall give thirty days written or printed
4 notice that the assessments are due and payable; stating the due
5 date to each party assessed, either by service on the owner of
6 the property, or by mailing such notice to the owner at his last
7 known post office address. The tax collector shall be entitled
8 to the same commission for the collection of such assessments as
9 he is entitled to by law for the collection of the township road
10 tax. If the assessments, or any of them, remain unpaid at the
11 expiration of not exceeding ninety days, the exact time to be
12 fixed by the township supervisors, they shall be placed in the
13 hands of the township solicitor for collection. The solicitor
14 shall collect the same, together with five per centum as
15 attorney's commission, and interest, from the date such
16 assessments were due, by a municipal claim filed against the
17 property of the delinquent owner in like manner as municipal
18 claims are by law filed and collected. Where an owner has two or
19 more lots against which there is an assessment for the same
20 year, all such lots shall be embraced in one claim. All
21 assessments, when collected, shall be paid over to the township
22 treasurer, who shall receive and shall keep the same in a
23 separate account, and pay out the same only upon orders signed
24 by the chairman of the township supervisors, attested by the
25 secretary. The tax collector and the treasurer shall make a
26 report to the auditors of the township annually.

27 * * *

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