

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3034 Session of  
1994

INTRODUCED BY LEE, STABACK, SAYLOR, BUXTON, NAILOR,  
M. N. WRIGHT, RUDY, KREBS, WAUGH, NICKOL, YOUNGBLOOD, LAUB,  
TIGUE, SATHER, HENNESSEY, FARGO, GLADECK, BAKER, HESS,  
MILLER, LEH, B. SMITH, PRESTON, MERRY AND DEMPSEY,  
SEPTEMBER 27, 1994

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 27, 1994

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 the care of certain  
5 cemeteries.

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

8 Section 1. Clause XXVIII of section 702 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 July 30, 1975 (P.L.137, No.69), is amended to read:

12 Section 702. Supervisors to Exercise Powers.--The corporate  
13 powers of townships of the second class shall be exercised by  
14 the township supervisors. Where no specific authority is given  
15 for the expenditures incident to the exercise of any power  
16 hereinafter conferred, or where no specific fund is designated  
17 from which such expenditures shall be made, appropriations for  
18 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 XXVIII. Abandoned Cemeteries.--Whenever any cemetery or  
5 burial ground incorporated or unincorporated, is abandoned, or  
6 is being neglected although occasionally used for burial  
7 purposes, either of the following actions may be taken:

8 (1) The township supervisors may give notice to the owner  
9 thereof, directing him to remove the weeds, refuse and debris  
10 therefrom within thirty days. If the weeds, refuse and debris  
11 are not removed within thirty days after such notice, the  
12 supervisors shall cause the same to be done by employes of the  
13 township or persons hired for the purpose at the expense of the  
14 township. In no case shall the township supervisors expend more  
15 than [five hundred] one thousand dollars in any one year on any  
16 one cemetery. All costs and expenses of such removal shall be a  
17 debt owed to the township by the owner of the cemetery or burial  
18 ground, and may be collected therefrom as like debts are  
19 collected, or (2) the court of common pleas of the county, upon  
20 petition of twenty-five residents of the township wherein such  
21 cemetery is located, may direct the supervisors to care for such  
22 cemetery at a cost of not more than [five hundred] one thousand  
23 dollars in any one year. The supervisors shall expend moneys  
24 from the general township fund for such purpose. Such cemetery  
25 shall remain open to the public under the regulation and control  
26 of the supervisors.

27 \* \* \*

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