
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 239

Session of
2007

INTRODUCED BY R. MILLER, BAKER, BARRAR, BOYD, CALTAGIRONE,
CLYMER, FLECK, GEORGE, GIBBONS, GINGRICH, GRUCELA, HARPER,
HENNESSEY, HERSHEY, KAUFFMAN, MARSHALL, NICKOL, PICKETT,
REICHLEY, ROSS, SCAVELLO, SIPTROTH, SONNEY, STERN, SWANGER,
WATSON, J. WHITE, YOUNGBLOOD, DALEY AND HORNAMAN,
FEBRUARY 5, 2007

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 23, 2008

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," further providing for
5 liens for assessments and for connection to water system.

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

8 Section 1. Section 2510 of the act of May 1, 1933 (P.L.103,
9 No.69), known as The Second Class Township Code, reenacted and
10 amended November 9, 1995 (P.L.350, No.60), and amended December
11 18, 1996 (P.L.1142, No.172), is amended to read:

12 Section 2510. Liens for Assessments; Costs of Proceedings.--
13 After the amount of the assessment charged upon the several
14 properties has been established by resolution making assessments
15 according to section 2508 or by confirmation of any report of
16 viewers, in whole or in part, the amounts of all assessments are
17 payable to the township treasurer for the use of the sanitary

1 sewer district or districts or the township in which they are
2 assessed. The board of supervisors shall make out bills for the
3 amounts charged against each property, which shall be sent to
4 all property owners whose property will be served by the
5 sanitary sewer system. If the assessment is not paid within
6 [sixty] ninety days after the mailing of a bill therefor, the
7 board of supervisors shall collect it by action of assumpsit or
8 under law for the filing and recovery of municipal claims.

9 Section 2. Section 2603 of the act is amended to read:

10 Section 2603. Connection to Water ~~System.~~ The SYSTEM.--(A) <—
11 THE board of supervisors may by ordinance require that
12 [abutting] ~~property owners whose principal building is within~~ <—
13 ~~one hundred fifty feet of a water system provided by the~~
14 ~~township or a municipality authority or a joint water board~~
15 ~~connect with and use the system. Those industries and farms~~
16 ~~which have their own supply~~ PROPERTY OWNERS] A PROPERTY OWNER: <—

17 (1) WHOSE PRINCIPAL BUILDING IS CONSTRUCTED AFTER AUGUST 31,
18 2008, AND IS LOCATED WITHIN ONE HUNDRED FIFTY FEET OF A WATER
19 SYSTEM PROVIDED BY THE TOWNSHIP OR A MUNICIPALITY AUTHORITY OR A
20 JOINT WATER BOARD; OR

21 (2) WHOSE PRINCIPAL BUILDING IS CONSTRUCTED ON OR BEFORE
22 AUGUST 31, 2008, BUT WHOSE OWN SUPPLY OF WATER IS UNSAFE FOR
23 HUMAN CONSUMPTION,

24 CONNECT WITH AND USE THE SYSTEM.

25 (B) THOSE INDUSTRIES AND FARMS WHICH HAVE THEIR OWN SUPPLY
26 of water for uses other than human consumption may continue to
27 use their own water for that purpose but are required to use the
28 ~~township water system to provide water for human consumption. In~~ <—
29 ~~the case of a water system provided by the township or a joint~~
30 TOWNSHIP WATER SYSTEM TO PROVIDE WATER FOR HUMAN CONSUMPTION. <—

1 (C) IN THE CASE OF A WATER SYSTEM PROVIDED BY THE TOWNSHIP
2 OR A MUNICIPALITY AUTHORITY OR A JOINT water board, the board of
3 supervisors may impose and charge to property owners who desire
4 to or are required to connect to the water system a connection
5 fee, a customer facilities fee, a tapping fee and other similar
6 fees as enumerated [and defined by clause (t) of subsection B of
7 section 4 of the act of May 2, 1945 (P.L.382, No.164), known as
8 the "Municipality Authorities Act of 1945."] under 53 Pa.C.S. §
9 5607(d)(24) (relating to ~~purposes and powers~~). Whenever a water <—
10 ~~system or any part or~~ PURPOSES AND POWERS). <—

11 (D) WHENEVER A WATER SYSTEM OR ANY PART OR extension thereof
12 owned by a township has been constructed by the township at the
13 expense of a private person or corporation or has been
14 constructed by a private person or corporation under the
15 supervision of the township at the expense of the private person
16 or corporation, the board of supervisors shall have the right to
17 charge a tapping fee, including a reimbursement component, and
18 refund said reimbursement component to the person or corporation
19 who has paid for the construction of said water ~~system or any~~ <—
20 ~~part or extension thereof. If any [owner of property abutting]~~
21 ~~property owner whose principal building is within one hundred~~
22 ~~fifty feet of the water system fails to~~ SYSTEM OR ANY PART OR <—
23 EXTENSION THEREOF.

24 (E) (1) IF ANY [OWNER OF PROPERTY ABUTTING THE WATER SYSTEM
25 FAILS] PROPERTY OWNER REQUIRED UNDER SUBSECTION (A) TO connect
26 with and use the system FAILS TO DO SO within ninety days after <—
27 notice to do so has been served by the board of supervisors, the
28 board of supervisors or their agents may enter the property and
29 ~~construct the connection. The board of supervisors shall send an~~ <—
30 CONSTRUCT THE CONNECTION. <—

1 (2) THE BOARD OF SUPERVISORS SHALL SEND AN itemized bill of
2 the cost of construction of connection to the owner of the
3 property to which connection has been made, which bill is
4 payable immediately, or the board of supervisors may authorize
5 the payment of the cost of construction of connections in equal
6 installments under Article XXXIII.

7 Section 3. This act shall take effect in 60 days.