

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 463 Session of
2007INTRODUCED BY M. WHITE, GREENLEAF, RAFFERTY, D. WHITE AND
DINNIMAN, MARCH 15, 2007

SENATOR REGOLA, LOCAL GOVERNMENT, AS AMENDED, SEPTEMBER 18, 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 sanitary sewer connections.

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

8 Section 1. Section 2502(a) of the act of May 1, 1933
9 (P.L.103, No.69), known as The Second Class Township Code,
10 reenacted and amended November 9, 1995 (P.L.350, No.60), is
11 amended and the section is amended by adding a subsection to
12 read:

13 Section 2502. Sanitary Sewer Connections.--(a) [The] Except
14 as set forth in subsection (a.1), the board of supervisors may
15 by ordinance require adjoining and adjacent property owners to
16 connect with and use the sanitary sewer system, whether
17 constructed by the township or a municipality authority or a
18 joint sanitary sewer board. In the case of a sanitary sewer

1 system constructed by the township pursuant to either section
2 2501 or 2516, the board of supervisors may impose and charge to
3 property owners who desire to or are required to connect to the
4 township's sewer system a connection fee, a customer facilities
5 fee, a tapping fee and other similar fees, as enumerated and
6 defined by [clause (t) of subsection B of section 4 of the act
7 of May 2, 1945 (P.L.382, No.164), known as the "Municipality
8 Authorities Act of 1945,"] 53 Pa.C.S. § 5607(d)(24) (relating to
9 purposes and powers) as a condition of connection to a township-
10 owned sewer collection, treatment or disposal facility. If any
11 owner of property adjoining or adjacent to or whose principal
12 building is within one hundred and fifty feet from the sanitary
13 sewer fails to connect with and use the sanitary sewer for a
14 period of sixty days after notice to do so has been served by
15 the board of supervisors, either by personal service or by
16 registered mail, the board of supervisors or their agents may
17 enter the property and construct the connection. The board of
18 supervisors shall send an itemized bill of the cost of
19 construction to the owner of the property to which connection
20 has been made, which bill is payable immediately. If the owner
21 fails to pay the bill, the board of supervisors shall file a
22 municipal lien for the cost of the construction within six
23 months of the date of completion of the connection.

24 (a.1) An owner of a dwelling unit used by a member of a
25 recognized religious sect may file an application with the board
26 of supervisors to be exempted from the requirement to make
27 connection with and use the sanitary sewer system as required
28 under subsection (a). The board of supervisors shall approve the
29 application for exemption if it is made in conformance with this
30 subsection. NO APPLICATION SHALL BE APPROVED UNLESS THE

<—

1 APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE BOARD OF
2 SUPERVISORS THAT AN ACCEPTABLE ALTERNATIVE MEANS FOR SEWAGE
3 DISPOSAL EXISTS. The application must state the manner the
4 requirements of subsection (a) conflict with the applicant's
5 religious beliefs and shall include an affidavit by the
6 applicant stating that:

7 (1) The applicant is a member of a recognized religious
8 sect.

9 (2) The religious sect has established tenets or teachings
10 which conflict with the provisions of subsection (a).

11 (3) The applicant adheres to the established tenets or
12 teachings of the sect.

13 (4) The dwelling unit will be used solely as a residence for
14 the applicant or family member of the applicant.

15 * * *

16 Section 2. The provisions of 25 Pa. Code § 243.7 are
17 abrogated to the extent of any inconsistency with the amendment
18 of section 2502 of the act.

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