

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1325** Session of
2015

INTRODUCED BY MUSTIO, GODSHALL, MAHONEY, MURT, ZIMMERMAN,
MARSICO AND BRIGGS, JUNE 12, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 4, 2015

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," in storm water management
5 plans and facilities, further providing for ordinances and
6 providing for fees.

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

9 Section 1. Section 2704 of the act of May 1, 1933 (P.L.103,
10 No.69), known as The Second Class Township Code, reenacted and
11 amended November 9, 1995 (P.L.350, No.60), is amended to read:

12 Section 2704. Ordinances.--(a) The board of supervisors may
13 enact storm water management ordinances and require persons
14 conducting earthmoving activities to obtain approval from the
15 board of supervisors for those activities. Ordinances must be
16 consistent with watershed storm water management plans where
17 they exist and in all cases must be consistent with the act of
18 October 4, 1978 (P.L.864, No.167), known as the "Storm Water
19 Management Act."

1 (b) The board of supervisors may enact and enforce
2 ordinances to govern and regulate the planning, management,
3 implementation, construction and maintenance of storm water
4 facilities.

5 Section 2. The act is amended by adding a section to read:

6 Section 2705. Fees.--(a) For the purposes of funding the
7 construction, maintenance and operation of storm water
8 management facilities, systems and management plans authorized
9 under this article and the act of October 4, 1978 (P.L.864, <--
10 No.167), known as the "Storm Water Management Act," a township <--
11 may assess reasonable and uniform fees based in whole or in part
12 on the characteristics of the property benefited by the
13 facilities, systems and management plans. In establishing the
14 fees, the township may consider and provide appropriate
15 exemptions or credits for properties which have installed and
16 are maintaining storm water facilities that meet best management
17 practices and are approved or inspected by the township.

18 (b) Any fee levied by the township can be assessed in one of
19 the following methods:

20 (1) On all properties in the township.

21 (2) On all properties benefited by a specific storm water
22 project.

23 (3) By establishing a storm water management district and
24 assessing the fee on all property owners in the district.

25 (c) Any fee collected for the purposes of storm water
26 management may only be used for the purposes authorized by this
27 article.

28 (d) The assessments shall be filed with the township
29 treasurer.

30 (e) An ordinance shall specify whether payments are to be

1 made by annual or more frequent installments.

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