

SUPPLEMENTING ACT, WATER SUPPLY COMPANIES

Act of Jul. 7, 1913, P.L. 688, No. 387

Cl. 32

A SUPPLEMENT

To an act, entitled, "An act creating the Water Supply Commission of Pennsylvania, defining its duties, fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," approved the fourth day of May, one thousand nine hundred five; and providing penalties for violations of this act.

Section 1. Be it enacted, &c., That the Water Supply Commission of Pennsylvania is hereby authorized to prepare and publish rules and regulations, defining the procedure to be followed in all matters pertaining to or coming within its powers or authority. All hearings shall be public, and the Commission may at its discretion require that notice of any application presented to it, shall be published by the applicants, in at least one newspaper of general circulation in the proper county, two weeks prior to the hearing. Said notice shall include the purpose of the application, names of the applicants, location of the proposed work, and the date of the hearing. Sufficient proof of the publication thereof, shall be filed with the Commission prior to the hearing. The Commission is hereby empowered to subpoena witnesses to appear before it at any time, and to require under subpoena the production of books, papers and records on any matter coming within its powers or authority. Witnesses may be required to testify under oath or affirmation, which may be administered by any member of the Commission; and any person wilfully swearing falsely in any proceeding before the Commission shall be guilty of perjury.

Section 2. Any person who shall appear at any hearing or investigation held by the Commission, who shall refuse to be sworn, or, being sworn, shall refuse to give testimony or produce any documentary evidence in his possession or custody at such hearing or investigation, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment in the county jail, not exceeding one year, or both, at the discretion of the court.

Section 3. In the exercise of the powers, or in the performance of the duties now or hereafter conferred or imposed by law on the said Commission, the said Commission, or any of the members thereof, its engineers, employes, or any other agent or person appointed by it, shall have the right to enter and re-enter upon any land or premises, and have free access to the works, structures, buildings or grounds of any person or persons, partnership, association, municipality, township or corporation, within this Commonwealth, and to make any survey or measurement and collect any data or information which the Commission may deem necessary.

Any person who shall prevent or obstruct, or attempt to prevent or obstruct, the exercise of the right of entry, access or examination aforesaid, shall be guilty of a violation of the provisions of this act, and, upon conviction thereof, in a summary proceeding before any magistrate or justice of the peace of the proper county, shall be sentenced to pay a fine of not less than fifty dollars, nor more than one hundred dollars, or to undergo an imprisonment in the jail of such county for a period not exceeding thirty days.

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.