

MUNICIPAL CLAIMS, REVIVAL
Act of Mar. 20, 1935, P.L. 5, No. 3
AN ACT

CL. 53

To authorize cities of the third class, boroughs, and townships to sue out writs of scire facias on certain municipal claims, or to revive judgments on such claims, where more than five years have elapsed since said claims were filed or such judgments were entered or revived, and to reduce such claims to judgment or to revive such judgment; and providing for the revival and collection of such judgments.

Section 1. Be it enacted, &c., That whenever any city of the third class, borough, or township has heretofore filed, in the office of the prothonotary of the proper county, any municipal claim or claims, and the city, borough, or township has not, within the period of five years after the date on which any such claim was filed, sued out a writ of scire facias to reduce the same to judgment, or whenever any such municipal claim or claims have been reduced to judgment and the borough or township has not, within the period of five years after the date on which such judgment or judgments were entered or within five years after the date on which such judgment or judgments were last revived, filed a suggestion of nonpayment and an averment of default, or sued out a writ of scire facias to revive the same, then, in any such case, any such city, borough, or township may, within six months after the passage and approval of this act, issue its praecipe for a writ of scire facias on any such municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon municipal claims, or, in case judgment has been entered, either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival, and such judgment, so entered or revived, shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered, and said judgment may be revived or further revived and collected as other judgments upon municipal claims are revived and collected: Provided however, That, the lien of any such judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such municipal claim or judgment was lost; nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien, which gained priority because of the failure of the city or borough or township to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period, or was entered of record during the time the lien of such municipal claim or judgment was lost.

Section 2. This act shall be in effect immediately upon its final enactment.