

ABATEMENT OF NUISANCES

Act of Jun. 19, 1939, P.L. 433, No. 243

Cl. 53

AN ACT

Authorizing the abatement of certain portions of the interest charges, expenses or debt of claims imposed or assessed for improvements or for the abatement of nuisances, by any city, county, borough, incorporated town, township, school district or institution district.

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

Section 1. Whenever after due investigation, it has been determined by the corporate authorities of any county, city, borough, incorporated town, township, school district or institution district, that the fair market value of any property against which such political subdivision has theretofore entered a lien for municipal improvements or for the abatement of nuisances, or against which such political subdivision has secured judgment by revival of a lien theretofore entered, is insufficient, in the judgment of the corporate authorities of such political subdivision, to realize the amount thereof at a sheriff's sale of the same, such portions of the interest, penalties, and total debt of said claim, as in the judgment of said corporate authorities may be uncollectible from said property, may be abated by the political subdivision in behalf of which the claim was filed: Provided, however, That no such abatement of any portion of the debt, interest or penalties shall be made except in cases where immediate payment of the reduced amount with costs is made in cash to such political subdivision: And provided further, That no such abatement shall be made unless the same is authorized by a resolution passed by a two-thirds vote of the corporate authorities of the county, city, borough, incorporated town, township, school district or institution district so abating the same.

Section 2. The provisions of this act shall not apply to or in any manner affect any assessments which are the sole basis of improvement bonds issued by any political subdivision, and which are the security for the payment thereof, or to any assessments which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under the terms of the contract for the improvement for which the assessment was levied.

Section 3. All acts and parts of acts, general, local and special, inconsistent with the provisions of this act, are hereby repealed.

Section 4. This act shall become effective immediately upon final enactment.