

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1120 Session of
1975

INTRODUCED BY DeMEDIO, RITTER, FRYER, MEBUS AND WEIDNER,
APRIL 28, 1975

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 29, 1975

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An
2 act concerning townships of the second class; and amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for the care of certain
5 cemeteries and making an editorial change.

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

8 Section 1. Clause XXVIII of section 702, act of May 1, 1933
9 (P.L.103, No.69), known as "The Second Class Township Code,"
10 reenacted and amended July 10, 1947 (P.L.1481, No.567) and
11 amended April 28, 1961 (P.L.155, No.77), is amended to read:

12 Section 702. Supervisors to Exercise Powers.--The corporate
13 powers of townships of the second class shall be exercised by
14 the township supervisors. Where no specific authority is given
15 for the expenditures incident to the exercise of any power
16 hereinafter conferred, or where no specific fund is designated
17 from which such expenditures shall be made, appropriations for
18 such expenditures shall be made only from the general township
19 fund. In addition to the duties imposed upon them by section 516

1 hereof, they shall have power--

2 * * *

3 XXVIII. Abandoned Cemeteries.--Whenever any cemetery or
4 burial ground incorporated or unincorporated, is abandoned, or
5 is being neglected although occasionally used for burial
6 purposes, either of the following actions may be taken:

7 (1) The township supervisors may give notice to the owner
8 thereof, directing him to remove the weeds, refuse and debris
9 therefrom within thirty days. If the weeds, refuse and debris
10 are not removed within thirty days after such notice, the
11 supervisors shall cause the same to be done by employes of the
12 township or persons hired for the purpose at the expense of the
13 township. In no case shall the township supervisors expend more
14 than [two] five hundred dollars in any one year on any one
15 cemetery. All costs and expenses of such removal shall be a debt
16 owed to the township by the owner of the cemetery or burial
17 ground, and may be collected therefrom as like debts are
18 collected, or (2) the court of [quarter sessions] common pleas
19 of the county, upon petition of twenty-five residents of the
20 township wherein such cemetery is located, may direct the
21 supervisors to care for such cemetery at a cost of not more than
22 [two] five hundred dollars in any one year. The supervisors
23 shall expend moneys from the general township fund for such
24 purpose. Such cemetery shall remain open to the public under the
25 regulation and control of the supervisors.

26 * * *

27 Section 2. This act shall take effect immediately.