

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1146 Session of
1977

INTRODUCED BY PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, VROON,
SIRIANNI, LEHR, MANMILLER AND DeVERTER, MAY 24, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 24, 1977

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for levy for fire protection.

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

7 Section 1. Clause Two of section 1709, act of June 24, 1931
8 (P.L.1206, No.331), known as "The First Class Township Code,"
9 reenacted and amended May 27, 1949 (P.L.1955, No.569) and
10 amended July 16, 1975 (P.L.63, No.38), is amended to read:

11 Section 1709. Tax Levies.--The board of township
12 commissioners may levy taxes upon all property and upon all
13 occupations within the township made taxable for township
14 purposes, as ascertained by the valuation for county purposes
15 made by the assessors of the several counties of this
16 Commonwealth for the year for which the township taxes are
17 levied, for the purposes and at the rate hereinafter specified:
18 Provided, however, That such valuation shall be subject to
19 correction by the county commissioners of the several counties,

1 and to appeal by the taxable persons in accordance with existing
2 laws.

3 * * *

4 Two. An annual tax not exceeding three mills for the purpose
5 of building and maintaining suitable places for the housing of
6 fire apparatus and for the purpose of purchasing, maintaining
7 and operating fire apparatus and for the purposes of making of
8 appropriations to fire companies within or without the township
9 and of contracting with adjacent municipalities or volunteer
10 fire companies therein for fire protection. If an annual tax for
11 the purposes specified in this clause is proposed to be set at a
12 level higher than three mills the question shall be submitted to
13 the voters of the township, and the county board of elections
14 shall frame the question in accordance with the election laws of
15 the Commonwealth for submission to the voters of the township.

16 A levy of one mill shall be levied annually unless taxes are
17 levied on other than a millage basis. The proceeds of every such
18 one mill levy, or of one mill of every levy, shall be divided
19 among the volunteer fire companies of the township in such
20 proportion as the assessed valuation of the area served by each
21 company bears to the entire assessed valuation of the township,
22 State and county realty to be excluded in both cases. Where
23 independent volunteer rescue companies service the township, an
24 additional two-tenths mill shall be levied, the proceeds to be
25 paid to the independent volunteer rescue companies in the same
26 proportions and manner as hereinbefore provided for payments to
27 volunteer fire companies. The proceeds of the mandatory one mill
28 or one and two-tenths mills may be used by the volunteer fire or
29 rescue companies for purchase, renewal or repair of fire or
30 rescue vehicles, protective accessory or communications

1 equipment and apparatus used in fire or rescue service or for
2 the purchase of land upon which to erect a fire or rescue
3 service house, or for the erection and maintenance of a fire
4 house, or for training or for insurance premiums. Such funds
5 shall be annually audited by the township.

6 Where township taxes are levied on other than a millage
7 basis, the amounts of taxes to be annually allocated for fire
8 protection under this clause; in lieu of the one mill or one and
9 two-tenths mills levies, shall be three and one-third per centum
10 or four per centum respectively of the amount of township taxes
11 allocated for general township purposes.

12 * * *

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