

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1126 Session of
1979

INTRODUCED BY FREIND, L. E. SMITH AND BENNETT, MAY 1, 1979

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 1, 1979

AN ACT

1 Amending the act of May 2, 1945 (P.L.382, No.164), entitled "An
2 act providing for the incorporation as bodies corporate and
3 politic of 'Authorities' for municipalities, counties and
4 townships; prescribing the rights, powers and duties of such
5 Authorities heretofore or hereafter incorporated; authorizing
6 such Authorities to acquire, construct, improve, maintain and
7 operate projects, and to borrow money and issue bonds
8 therefor; providing for the payment of such bonds, and
9 prescribing the rights of the holders thereof; conferring the
10 right of eminent domain on such Authorities; authorizing such
11 Authorities to enter into contracts with and to accept grants
12 from the Federal Government or any agency thereof; and
13 conferring exclusive jurisdiction on certain courts over
14 rates," further providing for the disposition of certain
15 tapping fees.

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

18 Section 1. Clause (t) of subsection B of section 4, act of
19 May 2, 1945 (P.L.382, No.164), known as the "Municipality
20 Authorities Act of 1945," amended May 15, 1963 (P.L.33, No.30),
21 is amended to read:

22 Section 4. Purposes and Powers; General.--* * *

23 B. Every Authority is hereby granted, and shall have and may
24 exercise all powers necessary or convenient for the carrying out
25 of the aforesaid purposes, including but without limiting the

1 generality of the foregoing, the following rights and powers:

2 * * *

3 (t) To charge a tapping fee whenever the owner of any
4 property connects such property with a sewer system or water
5 main constructed by the Authority which fee shall be in addition
6 to any charges assessed and collected against such property in
7 the construction of such sewer or water main by the Authority or
8 any rental charges assessed by the Authority. Whenever a sewer
9 system or water main or any part or extension thereof owned by
10 an Authority has been constructed by the Authority at the
11 expense of a private person or corporation or has been
12 constructed by a private person or corporation under the
13 supervision of the Authority at the expense of the private
14 person or corporation, the Authority shall have the right to
15 charge a tapping fee and refund said tapping fee or any part
16 thereof to the person or corporation who has paid for the
17 construction of said sewer system or water main or any part or
18 extension thereof. If the Authority exercises its right to
19 charge such tapping fee it shall refund said tapping fees to the
20 person or corporation who has paid for the construction of said
21 sewer system or water main or any part or extension thereof
22 within three years after the said sewer system or water main or
23 any part or extension thereof has been tapped. The total of said
24 refunds shall never exceed the cost of said system or main or
25 any part or extension thereof to the person or corporation
26 paying for construction thereof. In any case where the property
27 connected or to be connected with the sewer system of the
28 Authority is not equipped with a water meter, the Authority may
29 install such a meter at its own cost and expense: Provided,
30 however, That if the property is supplied with water from the

1 facilities of a public water supply agency, the authority shall
2 not install such meter without the consent and approval of the
3 public water supply agency.

4 * * *

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