

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1234 Session of
1981

INTRODUCED BY WILSON, APRIL 21, 1981

REFERRED TO COMMITTEE ON URBAN AFFAIRS, APRIL 21, 1981

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled
2 "An act relating to cities of the third class; and amending,
3 revising, and consolidating the law relating thereto,"
4 allowing cities to charge reasonable fees for municipal
5 services provided for tax exempt real property and for a
6 referendum thereon.

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

9 Section 1. The act of June 23, 1931 (P.L.932, No.317), known
10 as "The Third Class City Code," is amended by adding a section
11 to read:

12 Section 2539. Service Charges.--(a) The city may levy and
13 collect a service charge for municipal services from the owners
14 of organizational and institutional real property which is
15 otherwise exempt from taxation as provided by law. This charge
16 shall be calculated according to the actual cost of providing
17 the services to that real property and to the persons who use
18 that property.

19 (b) Municipal services for which a service charge may be

1 made are as follows:

2 (1) Fire protection.

3 (2) Police protection.

4 (3) Road maintenance and construction, traffic control, snow
5 and ice removal, sidewalks and streetlights.

6 (4) Sanitation services.

7 (c) (1) The city council may by resolution elect to hold a
8 referendum on whether any or all of the service charges listed
9 in subsection (b) may be levied on tax exempt real property
10 within the city. The referendum shall be held at the next
11 succeeding municipal or general election for which the
12 advertising requirements can be met. The referendum shall be
13 conducted in accordance with the act of June 3, 1937 (P.L.1333,
14 No.320), known as the "Pennsylvania Election Code."

15 (2) The question shall be as follows:

16 Shall the city of..... levy and
17 collect a service charge on tax exempt real property for the
18 following municipal services:.....?

19 (d) Upon certification by the Secretary of the Commonwealth
20 that a majority of the electors have approved the question on
21 the referendum the city council shall adopt an ordinance which
22 will carry out this section to the extent of the referendum
23 approval, subject to the following:

24 (1) The institution or organization owning the tax exempt
25 real property must receive the services for which it is charged.

26 (2) The service charge must reasonably reflect the value of
27 that service.

28 (e) Any ordinance adopted under subsection (d) shall be
29 effective at the beginning of the next following fiscal year.

30 (f) Service charges under this section shall be collected in

1 the manner as are taxes under this act and the city may use
2 those remedies as are provided by law for the collection of
3 delinquent taxes, for the collection of delinquent service
4 charges.

5 Section 2. This act shall take effect immediately.