

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1236 Session of
1981

INTRODUCED BY WILSON, APRIL 21, 1981

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 21, 1981

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," allowing townships to charge reasonable fees for
5 municipal services provided for tax exempt real property and
6 for a referendum thereon.

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

9 Section 1. The act of May 1, 1933 (P.L.103, No.69), known as
10 "The Second Class Township Code," reenacted and amended July 10,
11 1947 (P.L.1481, No.567), is amended by adding a section to read:

12 Section 913. Service Charges.--(a) The township may levy
13 and collect a service charge for municipal services from the
14 owners of organizational and institutional real property which
15 is otherwise exempt from taxation as provided by law. This
16 charge shall be calculated according to the actual cost of
17 providing the services to that real property and to the persons
18 who use 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 township supervisors may by resolution elect to
8 hold a referendum on whether any or all of the service charges
9 listed in subsection (b) may be levied on tax exempt real
10 property within the township. The referendum shall be held at
11 the next 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.....Township 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 township supervisors shall adopt an ordinance
22 which will carry out this section to the extent of the
23 referendum 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 article and the township may
2 use 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.