

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1717 Session of  
2009

INTRODUCED BY WHITE, CALTAGIRONE, FABRIZIO, GEORGE, GIBBONS,  
KORTZ, KULA, PASHINSKI, SOLOBAY, YOUNGBLOOD, SANTARSIERO,  
HALUSKA AND HORNAMAN, JUNE 16, 2009

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 16, 2009

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, in municipal authorities, further  
3 providing for purposes and powers.

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

6 Section 1. Section 5607(d)(24) introductory paragraph of  
7 Title 53 of the Pennsylvania Consolidated Statutes is amended to  
8 read:

9 § 5607. Purposes and powers.

10 \* \* \*

11 (d) Powers.--Every authority may exercise all powers  
12 necessary or convenient for the carrying out of the purposes set  
13 forth in this section, including, but without limiting the  
14 generality of the foregoing, the following rights and powers:

15 \* \* \*

16 (24) To charge enumerated fees to property owners who  
17 desire to or are required to connect to the authority's sewer  
18 or water system. Fees shall be based upon the duly adopted

1 fee schedule which is in effect at the time of payment and  
2 shall be payable at the time of application for connection or  
3 at a time to which the property owner and the authority  
4 agree. In the case of projects to serve existing development,  
5 fees shall be payable at a time to be determined by the  
6 authority. An authority may require that no capacity be  
7 guaranteed for a property owner until the tapping fees have  
8 been paid or secured by other financial security. The fees  
9 shall be in addition to any charges assessed against the  
10 property in the construction of a sewer or water main by the  
11 authority under paragraphs (21) and (22) as well as any other  
12 user charges imposed by the authority under paragraph (9),  
13 except that no reservation of capacity fee or other similar  
14 charge shall be imposed or collected from a property owner  
15 who has applied for service unless the charge is based on  
16 debt and fixed operating expenses. A reservation of capacity  
17 fee or other similar charge may not exceed 60% of the average  
18 sanitary sewer bill for a residential customer in the same  
19 sewer service area for the same billing period. Any authority  
20 opting to collect a reservation of capacity fee or other  
21 similar charge may not collect the tapping fee until the time  
22 as the building permit fee is due. If a fee charged under  
23 this paragraph is equal to or in excess of \$1,000, the  
24 property owner shall have the option to pay the fee under an  
25 installment payment plan at a fixed rate of interest not to  
26 exceed 5% or the interest charged on a municipal lien,  
27 whichever is greater, over a period of between five and ten  
28 years, which time period shall be determined at the sole  
29 discretion of the authority. Tapping fees shall not include  
30 costs included in the calculation of any other fees,

1 assessments, rates or other charges imposed under this [act.]  
2 chapter and shall be subject to the following provisions:

3 \* \* \*

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