
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1524 Session of
2013

INTRODUCED BY MUSTIO, TURZAI, MAHER, ENGLISH, SACCONI, BARRAR,
MILLARD, BENNINGHOFF AND LAWRENCE, JUNE 12, 2013

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 12, 2013

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 5607(d) (9) of Title 53 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5607. Purposes and powers.

9 * * *

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

14 * * *

15 (9) To fix, alter, charge and collect rates and other
16 charges in the area served by its facilities at reasonable
17 and uniform rates to be determined exclusively by it for the
18 purpose of providing for the payment of the expenses of the

1 authority, the construction, improvement, repair, maintenance
2 and operation of its facilities and properties [and,], and:

3 (i) in the case of an authority located in a county
4 of the second class created for the purposes of financing
5 working capital, for the purpose of acquiring, holding,
6 constructing, financing, improving, maintaining and
7 operating, owning or leasing an airport, may not have the
8 authority to levy, assess or collect an access fee
9 calculated using the gross receipts tax of an off--
10 airport parking lot operator. The charge for an access
11 fee shall be \$2 per round trip for an off-airport
12 operator, which will grant access to the commercial
13 curb. If no access to the commercial curb is granted to
14 an off-airport parking lot operator, the fee shall be
15 reduced to a \$1 per round trip. One year following the
16 effective date of this subparagraph, the airport
17 authority shall have the authority to increase each year
18 the fee provided in this part by an amount not to exceed
19 an annual cost-of-living adjustment calculated by
20 applying the percentage change in the Consumer Price
21 Index for All Urban Consumers (CPI-U) for the Pittsburgh
22 Metropolitan Statistical Area (MSA), which includes
23 Allegheny, Armstrong, Beaver, Butler, Fayette, Washington
24 and Westmoreland Counties for the most recent 12-month
25 period for which figures have been officially reported by
26 the United States Department of Labor, Bureau of Labor
27 Statistics, immediately prior to the date the adjustment
28 is due to take effect. No fees to register vehicles,
29 equipment and transponder usage, and no ancillary fees,
30 may be charged to an off-airport parking lot operator.

1 Permit fees that were in effect as of January 1, 2013,
2 may not be increased; and

3 (ii) in the case of an authority created for the
4 purpose of making business improvements or providing
5 administrative services, a charge for such services which
6 is to be based on actual benefits and which may be
7 measured on, among other things, gross sales or gross or
8 net profits, the payment of the principal of and interest
9 on its obligations and to fulfill the terms and
10 provisions of any agreements made with the purchasers or
11 holders of any such obligations, or with a municipality
12 and to determine by itself exclusively the services and
13 improvements required to provide adequate, safe and
14 reasonable service, including extensions thereof, in the
15 areas served. If the service area includes more than one
16 municipality, the revenues from any project shall not be
17 expended directly or indirectly on any other project
18 unless such expenditures are made for the benefit of the
19 entire service area. Any person questioning the
20 reasonableness or uniformity of a rate fixed by an
21 authority or the adequacy, safety and reasonableness of
22 the authority's services, including extensions thereof,
23 may bring suit against the authority in the court of
24 common pleas of the county where the project is located
25 or, if the project is located in more than one county, in
26 the court of common pleas of the county where the
27 principal office of the project is located. The court of
28 common pleas shall have exclusive jurisdiction to
29 determine questions involving rates or service. Except in
30 municipal corporations having a population density of 300

1 persons or more per square mile, all owners of real
2 property in eighth class counties may decline in writing
3 the services of a solid waste authority.

4 * * *

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