

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1156 Session of
2013

INTRODUCED BY EICHELBERGER, OCTOBER 24, 2013

REFERRED TO LOCAL GOVERNMENT, OCTOBER 24, 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 1. Section 5607(d)(11) of Title 53 of the
7 Pennsylvania 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 (11) (i) In the case of an authority which has agreed
16 to provide sewer service to a residential dwelling unit
17 in which the owner does not reside, to impose and enforce
18 the owner's duty to pay a tenant's bill for service
19 rendered by the authority to the tenant. The authority

1 shall notify the owner and the tenant within 30 days
2 after the tenant's bill for that service first becomes
3 overdue. Notification shall be provided by first class
4 mail to the address of the owner provided to the
5 authority by the owner and to the billing address of the
6 tenant, respectively. Nothing in this paragraph shall be
7 construed to relieve the owner of liability for such
8 service unless the authority fails to provide the notice
9 required in this paragraph.

10 (ii) In the case of an authority that has agreed to
11 provide sewer service to a nonresidential property owner
12 and that owner has failed to pay a sewer bill for at
13 least six months, the right to seek a judicial order for
14 termination of sewer service for nonpayment. If a lien
15 has been filed under the act of May 16, 1923 (P.L.207,
16 No.153), referred to as the Municipal Claim and Tax Lien
17 Law, an action for termination of service may be brought
18 in any court of competent jurisdiction. If an order is
19 issued, termination of service to the premises may be
20 commenced by the authority only after:

21 (A) the sending of notice to the defendant by
22 certified mail at least one week prior to the sewer
23 service shutoff date;

24 (B) a posting on the premises that sewer service
25 shutoff will occur in 24 hours; and

26 (C) a written notice to the local or county
27 health department, if one exists, and the regional
28 office of the Department of Environmental Protection
29 one week prior to the service shutoff.

30 * * *

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