

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**HOUSE BILL****No. 1325** Session of  
2015

---

INTRODUCED BY MUSTIO, GODSHALL, MAHONEY, MURT, ZIMMERMAN,  
MARSICO AND BRIGGS, JUNE 12, 2015

---

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, NOVEMBER 18, 2015

---

## AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as  
2 reenacted and amended, "An act concerning townships of the  
3 second class; and amending, revising, consolidating and  
4 changing the law relating thereto," in storm water management  
5 plans and facilities, further providing for ordinances and  
6 providing for fees.

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

9 Section 1. Section 2704 of the act of May 1, 1933 (P.L.103,  
10 No.69), known as The Second Class Township Code, reenacted and  
11 amended November 9, 1995 (P.L.350, No.60), is amended to read:

12 Section 2704. Ordinances.--(a) The board of supervisors may  
13 enact storm water management ordinances and require persons  
14 conducting earthmoving activities to obtain approval from the  
15 board of supervisors for those activities. Ordinances must be  
16 consistent with watershed storm water management plans where  
17 they exist and in all cases must be consistent with the act of  
18 October 4, 1978 (P.L.864, No.167), known as the "Storm Water  
19 Management Act."

1 (b) The board of supervisors may enact and enforce  
2 ordinances to govern and regulate the planning, management,  
3 implementation, construction and maintenance of storm water  
4 facilities.

5 Section 2. The act is amended by adding a section to read:

6 ~~Section 2705. Fees. A township may assess reasonable and~~ <--  
7 ~~uniform fees based in whole or in part on the characteristics of~~  
8 ~~the subject property, which may include installation or~~  
9 ~~maintenance of storm water facilities that meet best management~~  
10 ~~practices and are approved or inspected by the township.~~

11 SECTION 2705. FEES.--(A) FOR THE PURPOSES OF FUNDING THE <--  
12 CONSTRUCTION, MAINTENANCE AND OPERATION OF STORM WATER  
13 MANAGEMENT FACILITIES, SYSTEMS AND MANAGEMENT PLANS AUTHORIZED  
14 UNDER THIS ARTICLE AND THE ACT OF OCTOBER 4, 1978 (P.L.864,  
15 NO.167), KNOWN AS THE "STORM WATER MANAGEMENT ACT," A TOWNSHIP  
16 MAY ASSESS REASONABLE AND UNIFORM FEES BASED IN WHOLE OR IN PART  
17 ON THE CHARACTERISTICS OF THE PROPERTY BENEFITED BY THE  
18 FACILITIES, SYSTEMS AND MANAGEMENT PLANS. IN ESTABLISHING THE  
19 FEES, THE TOWNSHIP MAY CONSIDER AND PROVIDE APPROPRIATE  
20 EXEMPTIONS OR CREDITS FOR PROPERTIES WHICH HAVE INSTALLED AND  
21 ARE MAINTAINING STORM WATER FACILITIES THAT MEET BEST MANAGEMENT  
22 PRACTICES AND ARE APPROVED OR INSPECTED BY THE TOWNSHIP.

23 (B) ANY FEE LEVIED BY THE TOWNSHIP CAN BE ASSESSED IN ONE OF  
24 THE FOLLOWING METHODS:

25 (1) ON ALL PROPERTIES IN THE TOWNSHIP.

26 (2) ON ALL PROPERTIES BENEFITED BY A SPECIFIC STORM WATER  
27 PROJECT.

28 (3) BY ESTABLISHING A STORM WATER MANAGEMENT DISTRICT AND  
29 ASSESSING THE FEE ON ALL PROPERTY OWNERS IN THE DISTRICT.

30 (C) ANY FEE COLLECTED FOR THE PURPOSES OF STORM WATER

1 MANAGEMENT MAY ONLY BE USED FOR THE PURPOSES AUTHORIZED BY THIS  
2 ARTICLE.

3 (D) THE ASSESSMENTS SHALL BE FILED WITH THE TOWNSHIP  
4 TREASURER.

5 (E) AN ORDINANCE SHALL SPECIFY WHETHER PAYMENTS ARE TO BE  
6 MADE BY ANNUAL OR MORE FREQUENT INSTALLMENTS.

7 Section 3. This act shall take effect in 60 days.