

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1823 Session of 2015

INTRODUCED BY HARPER, ROSS, GINGRICH, FREEMAN AND M. DALEY, JANUARY 28, 2016

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 23, 2016

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," further providing for
5 ordinances.

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

8 Section 1. Section 1601(c.1) of the act of May 1, 1933
9 (P.L.103, No.69), known as The Second Class Township Code,
10 reenacted and amended November 9, 1995 (P.L.350, No.60), is
11 amended by adding a paragraph to read:

12 Section 1601. Ordinances.--* * *

13 (c.1) An ordinance enacted by the board of supervisors
14 pursuant to this act shall prescribe the fines and penalties
15 which may be imposed for its violation and shall, unless
16 otherwise specified in another statute, designate the method of
17 its enforcement in accordance with the following:

18 * * *

19 (8) Ordinances related to township services.--

1 Notwithstanding any other provision of law, a township may
2 impose penalties and late fees on solid waste rates and charges,
3 sewer rental fees, water rents and charges for other township
4 services that are not expressly collected in the manner provided
5 in Article XXXIII and that are delinquent by no less than thirty
6 days. The amount of the DELINQUENCY, penalties and late fees <--
7 shall constitute a lien against the property receiving the
8 services and may be collected by action of assumpsit or as
9 provided under law for the filing and recovery of municipal
10 claims. THE TOWNSHIP SHALL PROVIDE NOTICE OF THE DELINQUENCY AND <--
11 THE AMOUNT AND RATE OF PENALTIES AND LATE FEES TO THE OWNER OF
12 THE PROPERTY RECEIVING THE SERVICE, BY FIRST CLASS MAIL, AT
13 LEAST TWENTY DAYS PRIOR TO THE FILING OF ANY MUNICIPAL CLAIM TO
14 RECOVER THE DELINQUENCY, PENALTIES AND LATE FEES.

15 * * *

16 Section 2. The addition of section 1601(c.1)(8) of the act
17 shall not be construed to invalidate any township ordinance,
18 resolution, rate or charge in effect, or any lien imposed, prior
19 to the effective date of this section.

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