

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 914 Session of 2017

INTRODUCED BY EVERETT, MILLARD, PICKETT, FREEMAN, WHEELAND, HARPER, READSHAW AND MUSTIO, MARCH 22, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 7, 2017

AN ACT

1 Amending Title 8 (Boroughs and Incorporated Towns) of the
2 Pennsylvania Consolidated Statutes, in storm sewers and
3 watercourses, further providing for authority of boroughs and
4 for manner of financing work.

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

7 Section 1. Section 2201 of Title 8 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:

9 § 2201. Authority of boroughs.

10 \* \* \*

11 (c) Ordinances.--A borough may enact and enforce ordinances
12 to govern and regulate the planning, management, implementation,
13 construction and maintenance of storm water facilities.

14 Section 2. Section 2003 of Title 8 is amended to read:

15 § 2203. Manner of financing [work].

16 (a) General rule.--A borough may pay for the costs and
17 expenses of any work or activity authorized under section 2201
18 (relating to authority of boroughs) wholly or in part from money

1 of the borough available for the purpose.

2 (b) Assessments.--To the extent that a borough does not  
3 receive assistance from the Federal, State or county government  
4 for the costs and expenses of the work, the borough may assess  
5 the benefited properties located within the drainage area of the  
6 watercourse in accordance with Chapter 21A (relating to  
7 assessments and charges for public improvements).

8 (c) Fees.--For the purposes of funding the construction,  
9 maintenance and operation of storm water management facilities,  
10 systems and management plans authorized under this chapter, a  
11 borough may assess reasonable and uniform fees based in whole or  
12 in part on the characteristics of the property benefited by the  
13 facilities, systems and management plans. In establishing the  
14 fees the borough ~~may~~ SHALL consider and provide appropriate <--  
15 exemptions or credits for properties which have installed and  
16 are maintaining storm water facilities that meet best management  
17 practices and are approved or inspected by the borough. The  
18 assessed fees shall be filed with the borough treasurer. An  
19 ordinance shall specify whether payments are to be made by  
20 annual or more frequent installments.

21 (d) Methods of assessment.--Any fee levied by the borough  
22 can be assessed in one of the following methods:

23 (1) On all properties in the borough.

24 (2) On all properties benefited by a specific storm  
25 water project.

26 (3) By establishing a storm water management district  
27 and assessing the fee on all property owners in the district.

28 (e) Use.--Any fee collected for the purposes of storm water  
29 management may only be used for the purposes authorized by this  
30 chapter.

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