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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **671** Session of  
1961

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INTRODUCED BY MR. JANE, MAY 23, 1961.

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,  
MAY 23, 1961.

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**AN ACT**

Amending the act of May 1 1933 (P L 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the assessment of the cost of sewer system construction by different methods within the same sewer district and of sewer construction under certain highways by alternative methods and authorizing the payment of costs and lease rentals from general township funds

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Section 1507 act of May 1 1933 (P L 103) known as  
2 "The Second Class Township Code" reenacted revised and amended  
3 July 10 1947 (P L 1481) and amended June 10 1955 (P L 154) is  
4 amended to read

5 Section 1507 Cost of Construction How Paid The cost of construc-  
6 tion of any such system of sewers or drains constructed by the authority  
7 of this subdivision in so far as it relates to sanitary sewers or drains  
8 shall and in so far as it relates to storm sewers or drains may be charged  
9 upon the properties accommodated or benefited thereby to the extent  
10 of such benefits in the manner hereinafter provided The unassessed and  
11 unassessable cost may be paid from sewer rentals and other charges  
12 against properties connected therewith or from general township funds  
13 or both

14 The township supervisors may finance the cost of construction of  
15 any such system of sewers or drains by the issuance of general obliga-  
16 tion bonds of the township within the constitutional and statutory limi-  
17 tations for the incurring or increasing of indebtedness and pursuant to  
18 the provisions of law relating to the borrowing of money by political

1 subdivisions Where general obligation bonds are so issued the supervisors  
2 in the case of construction of sanitary sewers or drains shall and in the  
3 case of construction of storm sewers or drains may nevertheless be re-  
4 quired to assess the cost of the construction of such sewers or drains to  
5 the extent permitted by law against the properties accommodated or  
6 benefited by such improvements as hereinafter provided and to deposit  
7 the proceeds of such assessments in the sinking fund established for  
8 the purpose of retiring such general obligation bonds

9       Nothing in this section shall be construed to prevent the financing  
10 of the cost of such construction under the provisions of the "Municipal  
11 Authorities Act of 1945" and any amendments thereto Lease rentals  
12 under any lease or service charges under any sewer service contract with  
13 a municipality authority may be payable from sewer rentals and other  
14 charges against the properties connected therewith or from general  
15 township funds or both

16       Section 2 Sections 1509 and 1526 of the act reenacted revised and  
17 amended July 10 1947 (P L 1481) are amended to read

18       Section 1509 Manner of Assessment The charge for any such sewer  
19 or drain construction in any township shall be assessed upon the proper-  
20 ties accommodated or benefited in either of the following methods

1 (a) By an assessment pursuant to a resolution or ordinance of the  
2 board of supervisors of each lot or piece of land in proportion to its  
3 frontage abutting on the sewer or drain allowing such equitable reduc-  
4 tion in the case of properties abutting on more than one sewer or drain  
5 as the resolution or ordinance may specify No assessment by frontage  
6 shall be made on properties of such a character as not to be lawfully  
7 subject to such manner of assessment and each abutting property shall  
8 be assessed with not less than the whole amount of the benefit accruing  
9 to it and legally assessable or

10 (b) By an assessment upon the several properties abutting on the  
11 sewer or drain in proportion to benefits The amount of the charge on  
12 each property shall be ascertained as hereinafter provided

13 When a township is divided into sewer districts the assessment [in  
14 each district] may be by different methods within the same district

15 Section 1526 Assessment of Cost Whenever sewers or drains have  
16 been or shall be laid or constructed by any township in or under State  
17 or county highways the township unless the same can be agreed upon  
18 may ascertain levy and collect the costs and expenses of the construction  
19 thereof from the abutting property holders either by viewers in ac-  
20 cordance with the provisions of this act relating to the assessment of

1 [damages and] benefits by viewers or in proportion to the frontage of  
 2 each property abutting on the sewer or drain in accordance with the  
 3 provisions of this act relating to the assessment of benefits according to  
 4 abutting frontage

We certify that this bill has passed the Senate and the House of  
 Representatives.

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 Chief Clerk, Senate

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 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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 Governor