

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **605** Session of
1961

MR. HAYS, IN PLACE, MAY 3, 1961.

AS AMENDED ON THIRD READING, IN HOUSE OF
REPRESENTATIVES, AUGUST 15, 1961.

AN ACT

Amending the act of January 29 1844 (P L 25) entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg" permitting additional persons to vote for the directors further providing who shall be taxed increasing one tax providing for flat rates and tap on charges ~~REQUIRING APPROVAL OF RATES BY THE PUBLIC UTILITY COMMISSION~~ and repealing inconsistent legislation

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

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

1 Section 1 Sections 1 and 3 act of January 29 1844 (P.L. 25) entitled
2 "An act supplementary to an act to incorporate the president and direc-
3 tors of the water pipes in Aaronsburg" are amended to read

4 Section 1 Be it enacted by the Senate and House of Representatives
5 of the Commonwealth of Pennsylvania in General Assembly met and
6 it is hereby enacted by the authority of the same That it shall and may
7 be lawful for the inhabitants of the [town of Aaronsburg] TOWN-
8 SHIP OF HAINES in the county of Centre ~~and such other persons~~
9 [who are freeholders housekeepers or others exercising the right of
10 suffrage] WHO HAVE ATTAINED THE AGE OF TWENTY-ONE
11 YEARS AND SUCH OTHER PERSONS who are the consumers of
12 the water to meet at the house of Jacob Snyder or any other house in
13 said [town] TOWNSHIP a majority shall appoint on the first Saturday
14 of June next between the hours of one and six o'clock p m of said day
15 and then and there to elect by ballot five citizens who shall be resident
16 in said [town] TOWNSHIP and who shall be termed directors of the
17 water pipes of Aaronsburg and who shall serve as such but one year
18 unless they are re-elected and the like number of directors as aforesaid
19 shall annually be elected on the first Saturday of March thereafter in
20 manner aforesaid but previous to any election being held in pursuance

1 of this act the electors who may be present at the time of opening the
2 same shall appoint two citizens resident in the [town] TOWNSHIP to
3 receive the tickets from persons qualified by this act to vote and to
4 count the votes and certify the result of the election under their hands
5 and seals to the persons elected and immediately after the said annual
6 election respectively the directors elected shall appoint out of their
7 own body a president and secretary and in the absence of one or the
8 other their absence shall be supplied by pro tempore appointments or to
9 enter upon the duties thereof he shall pay a fine of ten dollars to be re-
10 covered upon the complaint of any person as debts of equal amount are
11 recoverable and if any vacancy occurs in the directorship in any wise
12 it shall be immediately supplied by an election in manner aforesaid
13 upon notice being given through advertisements by the president fixed
14 up at five of the most public places in the [town] TOWNSHIP at least
15 five days previous to the election which special election shall be held at
16 the same place and conducted in the same manner as the annual election
17 under this act and the directors have perpetual succession by the name
18 style and title of the president and directors of the water pipes of
19 Aaronsburg and under the same name and title they shall be and are

1 hereby made able and capable in law to sue and be sued implead and be
2 impleaded and they or a majority of them shall form a quorum for
3 doing business and they shall have power to make by-laws and to appoint
4 officers and agents necessary for carrying the object of this act into
5 effect not inconsistent with or repugnant to the constitution and laws of
6 the United States or of this Commonwealth INCLUDING REGULA-
7 TIONS OF THE PENNSYLVANIA PUBLIC UTILITY COMMIS-
8 SION and from time to time to alter or abolish and enforce the same
9 by certain fines and penalties which shall be recovered by the president
10 and directors in the same manner as debts of equal amount are or may
11 be by law recoverable and the said by-laws shall be signed by the presi-
12 dent and countersigned by the secretary which shall be immediately pub-
13 lished after they are passed in at least six written or printed handbills or
14 otherwise fixed up at as many of the most public places in the said
15 [town] TOWNSHIP and which shall also be recorded in a book to be
16 provided for that purpose by the president and directors and they shall
17 also provide another book in which they shall record the certificates of
18 their election and enter all their contracts and the appointment of officers
19 and agents and proceedings generally under this act which book shall be
20 kept by the secretary and who shall submit them to the inspection of any

1 of the inhabitants as aforesaid INCLUDING GOVERNMENT REP-
2 RESENTATIVES OF THE COMMONWEALTH OF PENNSYL-
3 VANIA at convenient hours when they apply for the same

4 Section 3 That all fines and forfeitures under this act shall be paid
5 to the president and directors to be by them applied to defray the ex-
6 penses arising under the same in addition to which they shall have power
7 from time to time to assess taxes for that purpose in the following man-
8 ner to wit On each [male taxable] ~~inhabitant in said town~~ [the] IN-
9 HABITANT] WATER CONSUMER CUSTOMER OF THE COR-
10 PORATION IN SAID [TOWN THE] TOWNSHIP who is qualified
11 to register to vote a sum [of sixty-two and a half cents] not exceed-
12 ing ten dollars (\$10) yearly but if the proceeds of the moneys
13 arising from such taxation be not sufficient to defray the expenses for
14 which they are intended to be applied to then an additional tax agree-
15 ably to the latest valuation under the act for raising county rates and
16 levies shall be assessed on real and personal property in said [town]
17 TOWNSHIP not in any one year to exceed one cent in the dollar of
18 that valuation and to be collected and applied in like manner as afore-
19 said and the personal property of the occupant of the real property shall

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1 be liable for the taxes and in case the occupant is a tenant the landlord
2 shall refund the same to him or her but nothing in this act shall be
3 construed to interfere with any agreement made between the landlord
4 and tenant about the payment of taxes In addition to the above men-
5 tioned taxes the president and directors may charge consumers who are
6 not inhabitants CORPORATIONS PARTNERSHIPS ASSOCIA-
7 TIONS AND OTHER ENTITIES WHO ARE CONSUMERS WITH-
8 IN THE TOWNSHIP a flat rate per year for the privilege of being a
9 consumer They may also charge an amount that shall be determined by
10 the president and directors from time to time for the privilege of tapping
11 on to the system by future consumers PROVIDED HOWEVER THAT
12 NO RATE OR CHARGE HEREIN PROVIDED SHALL BE
13 CHARGED OR COLLECTED UNTIL THE PROPOSED RATE OR
14 CHARGE HAS BEEN FIRST PRESENTED TO AND APPROVED
15 BY THE PUBLIC UTILITY COMMISSION OF THE COMMON-
16 WEALTH OF PENNSYLVANIA

17 Section 2 The act of March 15 1867 (P L 465) entitled "An act
18 relative to the per capita tax to be assessed by the water directors of
19 the town of Aaronsburg county of Centre" is repealed

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