

Section 5. The prothonotary shall not be required to issue any writ, docket any order of court or enter any judgment thereon or perform any service whatsoever until the requisite fee is paid.

Section 6. (a) The act of May 31, 1957 (P. L. 225), entitled "An act fixing fees to be received by the prothonotary in counties of the first class and providing for the time of payment," is repealed.

(b) All other acts or parts of acts are repealed in so far as they are inconsistent herewith.

Section 7. This act shall take effect in thirty days.

APPROVED—The 30th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 187

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," authorizing assessments for the cost of water systems on property within seven hundred and eighty feet of any fire hydrant.

The Second Class Township Code.

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

Clause III., section 702, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481, amended June 1, 1956, P. L. 2021, further amended.

Section 1. Clause III of section 702, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481), amended June 1, 1956 (P. L. 2021), is amended to read:

Section 702. Supervisors to Exercise Powers.—* * *

III. Contracts and Tax Levy for Fire Purposes.—On the petition of the surface property owners of a majority of the lineal feet frontage along any highways, streets, roads and alleys, or portion thereof, within the township, to enter into contract with water companies for the placing of fire hydrants, to water mains maintaining pressures approved by the fire insurance underwriters along said highways, streets, roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire.

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B, as follows:

A. The supervisors shall annually assess, or cause to be assessed, the cost and expense for the acquisition of a water system, for the maintenance of such fire hydrants and for the purchase of hose, et cetera, by an equal assessment upon all property, whether or not exempt from taxation by existing law, abutting upon said highways, streets, roads and alleys and upon property within [six hundred] *seven hundred and eighty* feet of any fire hydrant in the district benefited thereby, based upon the assessment for county purposes. No such assessment shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby. Such assessment shall be collected in the same manner as taxes. The collector shall receive the same commission as on the township tax. The township treasurer shall receive all such assessments collected for fire protection, and keep the same in a separate account, and pay the same out only upon orders signed by the chairman of the board of supervisors, attested by the secretary. The treasurer shall make a report to the auditors of the township annually.

B. The township supervisors shall annually assess, or cause to be assessed, the cost and expense for the acquisition of a water system, for the maintenance of such fire hydrants and for the purchase of hose, et cetera, by an equal assessment on all property, whether or not exempt from taxation under existing law, abutting upon said highways, streets, roads and alleys within [six hundred] *seven hundred and eighty* feet of any fire hydrant in the district benefited thereby, in proportion to the number of feet the said property fronts on any street, highway, road or alley upon which a water main is laid, or within [six hundred] *seven hundred and eighty* feet of any fire hydrant on such street, highway, road or alley. The supervisors may provide for an equitable reduction from the frontage of lots at intersections, or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable. No such assessment shall be made against any farm land, but vacant lots between built-up sections, either tilled or untilled, shall not be deemed to be farm lands. All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable, stating the due date to each party assessed, either by service on the owner of the property or by mailing such notice to the owner at his last known post office address. The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax. If the assessments or any of them

remain unpaid at the expiration of not exceeding ninety (90) days, the exact time to be fixed by the township supervisors, they shall be placed in the hands of the township solicitor for collection. The solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected. Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim. All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary. The tax collector and the treasurer shall make a report to the auditors of the township, annually.

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APPROVED—The 30th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 188

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," authorizing the adoption of housing ordinances; prescribing the contents and form of such ordinances; authorizing the appointment of housing inspectors and actions to restrain violations of housing ordinances; and validating certain housing ordinances heretofore adopted.

The Third Class City Code.

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

Article heading of Article XLI., subdivision heading of subdivision (d), Article XLI., and sections 4130, 4131, 4132 and 4133, act of June 23, 1931, P. L. 932, reenacted and amended June 28, 1951, P. L. 662, further amended.

Section 1. The article heading of Article XLI., the subdivision heading of subdivision (d) of Article XLI., and sections 4130, 4131, 4132 and 4133, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), are amended to read:

ARTICLE XLI.

ZONING, BUILDING AND HOUSING ORDINANCES, AND PUBLIC NUISANCES

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(d) Building and Housing Ordinances

Section 4130. Building Ordinance and Housing Ordinance.—Each city may enact a building ordinance