

No. 69

AN ACT

HB 1120

Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further providing for the care of certain cemeteries and making an editorial change.

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

Section 1. Clause XXVIII of section 702, act of May 1, 1933 (P.L.103, No.69), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P.L.1481, No.567) and amended April 28, 1961 (P.L.155, No.77), is amended to read:

Section 702. Supervisors to Exercise Powers.—The corporate powers of townships of the second class shall be exercised by the township supervisors. Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred, or where no specific fund is designated from which such expenditures shall be made, appropriations for such expenditures shall be made only from the general township fund. In addition to the duties imposed upon them by section 516 hereof, they shall have power—

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XXVIII. Abandoned Cemeteries.—Whenever any cemetery or burial ground incorporated or unincorporated, is abandoned, or is being neglected although occasionally used for burial purposes, either of the following actions may be taken:

(1) The township supervisors may give notice to the owner thereof, directing him to remove the weeds, refuse and debris therefrom within thirty days. If the weeds, refuse and debris are not removed within thirty days after such notice, the supervisors shall cause the same to be done by employes of the township or persons hired for the purpose at the expense of the township. In no case shall the township supervisors expend more than **[two] five** hundred dollars in any one year on any one cemetery. All costs and expenses of such removal shall be a debt owed to the township by the owner of the cemetery or burial ground, and may be collected therefrom as like debts are collected, or (2) the court of **[quarter sessions] common pleas** of the county, upon petition of twenty-five residents of the township wherein such cemetery is located, may direct the supervisors to care for such cemetery at a cost of not more than **[two] five** hundred dollars in any one year. The supervisors shall expend moneys from the general township fund for such purpose. Such

cemetery shall remain open to the public under the regulation and control of the supervisors.

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Section 2. This act shall take effect immediately.

APPROVED—The 30th day of July, A. D. 1975.

MILTON J. SHAPP