

## No. 8

## AN ACT

## SB 64

Amending the act of November 30, 1967 (Act No. 305), entitled "An act authorizing townships, boroughs, cities of the second class A and cities of the third class to designate business improvement districts, create bonded indebtedness to acquire and finance improvements in such districts, and assess and collect special ad valorem assessments from benefited properties in such districts," providing for the method of making objections to the enabling ordinance, changing the method of making assessments on property benefited and providing the manner of collecting assessments.

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

Section 1. Clause (b) of section 2 and sections 3 and 4, act of November 30, 1967 (Act No. 305), known as the "Business Improvement District Act of 1967," are amended to read:

Section 2. Powers of Governing Body.—The governing body of every township, borough, city of the second class A and city of the third class shall have the power:

\* \* \*

(b) To appropriate and expend such amounts as may be necessary for preliminary planning or feasibility studies to determine needed improvements in such districts and to recommend improvement to individual properties and to provide where required basic design criteria. Public hearings shall be required before passage of the enabling ordinance. Said ordinance shall specify improvements, with respective costs, to be undertaken. Said ordinance shall not become effective if **[property owners representing a majority of the total assessed valuation of the proposed district object thereto.]** *before the expiration of twenty days after its enactment, property owners of the proposed district whose property valuation as assessed for taxable purposes shall amount to more than fifty per cent of the total property valuation of the district, shall sign and file, in the office of the prothonotary of the court of common pleas of the county in which the district is located, a written protest against said ordinance.*

\* \* \*

Section 3. **[Ad Valorem] Assessment Authorized.**—The governing body is hereby authorized to impose an **[ad valorem]** assessment on each benefited property within a business improvement district which shall be determined by the total cost of the improvements in such district including preliminary planning, feasibility studies and financing *costs but not in excess of the amount legally assessable.*

Section 4. **[Proration of Ad Valorem] Method of Assessment.**—The total cost of the improvements in such district shall be assessed to all of the

benefited properties in the district [**Each individual**] *by either of the following methods:*

(a) *By an assessment [shall be] determined by multiplying the total improvement cost by the ratio of the assessed value of the benefited property to the total assessed valuation of all benefited properties in the district.*

**[The assessed cost to each benefited property shall be collected on an annual basis and may be prorated over such period of time as will provide for the amortization of any bond issue made pursuant to this act.]**

(b) *By an assessment upon the several properties in the district in proportion to benefits as ascertained by viewers appointed in accordance with law.*

*The governing body may by ordinance authorize the payment of such assessment in equal annual, or more frequent installments over such time and bearing interest at such rate not in excess of six per cent as may be specified in said ordinance provided that where bonds shall have been issued and sold to provide for the cost of the improvements such assessment in equal installments shall not be payable beyond the term for which such bonds are payable.*

*Claims to secure the assessments shall be entered in the prothonotary's office of the county at the same time and in the form and shall be collected in the same manner as municipal claims are filed and collected notwithstanding the provisions of this section as to installment payments.*

*In the case of default in the payment of any installment and interest for a period of sixty days after the same shall become due, the entire assessment and accrued interest shall become due.*

*Any owner of property, against whom an assessment has been made, may pay the same in full, at any time, with accrued interest and costs thereon, and such payment shall discharge the lien of such assessment.*

Section 2. This act shall take effect immediately.

APPROVED—The 3rd day of April, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 8.



Secretary of the Commonwealth.