

No. 1988-171

## AN ACT

SB 691

Amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," further providing for emergency repairs to sidewalks.

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

Section 1. Section 1806 of the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, is amended to read:

Section 1806. Emergency Repairs to Sidewalks.—In addition to the remedies now vested in boroughs to make repairs to sidewalks, any borough shall have power to make emergency repairs to any sidewalks thereon, where, in the opinion of the officer or head of the department or committee lawfully having charge of sidewalk repairs, a dangerous condition exists that can be repaired by an expenditure of not more than **[one hundred dollars (\$100)] five hundred dollars (\$500)**. Before any such repairs are made, a notice to make the repairs within forty-eight hours shall be served upon the owner of the said property. If the owner cannot be served within the county, notice may be served upon the agent of the owner or the party in possession, or if there is no agent or party in possession, the notice may be served by posting the same upon such premises.

Upon the completion of the work, the cost thereof shall be a charge against the owner of the property, and shall be a lien, until paid, upon the abutting property, provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims. Any such charge may also be collected by action of assumpsit. This section is intended to provide an additional remedy for boroughs in connection with emergency repairs, where the actual cost of doing the work does not exceed **[one hundred dollars (\$100)] five hundred dollars (\$500)**, and the certificate of the officer or head of the department or committee in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying the repair under the terms of this section.

Section 2. This act shall take effect in 60 days.

APPROVED—The 21st day of December, A. D. 1988.

ROBERT P. CASEY