

No. 62

AN ACT

HB 1029

Amending the act of April 17, 1929 (P.L.527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit, without the necessity of entering liens for such claims, and repealing existing laws," granting the privilege to all townships and bodies politic and corporate created as municipal authorities and extending the same to water or sewer rates or cost of abating a nuisance which heretofore became payable.

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

Section 1. Section 1, act of April 17, 1929 (P.L.527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit, without the necessity of entering liens for such claims, and repealing existing laws," amended August 7, 1961 (P.L.960), is amended to read:

Section 1. Be it enacted, &c., That in addition to the remedies provided by law for the filing of liens for the collection of municipal claims, including but not limited to water rates, sewer rates and the removal of nuisances, all cities, boroughs, incorporated towns, **[and first class] townships and bodies corporate and politic created as municipal authorities pursuant to law** may proceed for the recovery and collection of all of the foregoing claims by action of assumpsit against the person or persons who were the owner or owners of the property at the time of the completion of the improvement, or at the time the water or sewer rates or the cost of the removal of nuisances first became payable notwithstanding the fact that there was a failure on the part of any such city, borough, town, **[or] township, or body politic and corporate created as a municipal authority pursuant to law**, or its agents, to enter any such municipal claim as a lien against the property assessed for the improvement, or for the furnishing of water or sewer services and for the removal of nuisances and for the recovery of which the action of assumpsit was brought. Any such action in assumpsit shall be commenced either within six years after the completion of the improvement from which said claim arises or within six years after the water or sewer rates or the cost of abating a nuisance first became payable.

Section 2. Section 2 of the act is amended to read:

Section 2. This act shall extend to all municipal claims where the improvement was heretofore made, **[where the action of assumpsit has been instituted under the provisions of prior acts of Assembly, and] or to municipal claims for water or sewer rates or cost of abating a nuisance which heretofore became payable** where the claim is not barred by the

¹"town," omitted in original.

statute of limitations affecting actions of debt or assumpsit.

APPROVED—The 9th day of March, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly
No. 62.

A handwritten signature in cursive script, reading "Louis J. Kelly, Jr.", written in black ink.

Secretary of the Commonwealth.