

## No. 2000-55

## AN ACT

## SB 369

Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," providing for conservation district appropriations and for the procedure for assessment.

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

Section 1. The act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended November 9, 1995 (P.L.350, No.60), is amended by adding a section to read:

**Section 1550. Conservation District.**—*The board of supervisors may make appropriations to a conservation district as defined in the act of May 15, 1945 (P.L.547, No.217), known as the "Conservation District Law."*

Section 2. Sections 2509 and 2613 of the act are amended to read:

Section 2509. Procedure for Assessments.—[If any taxpayer states, by petition,] *If taxpayers of the district whose property valuation as assessed for taxable purposes within the district amounts to fifty percent of the total property valuation so assessed or if taxpayers representing fifty percent of the parcels within the district present a petition* within three months of the adoption of a resolution or ordinance levying an assessment under section 2508 to the court of common pleas *stating* that the assessment insufficiently represents the benefits accruing to abutting properties, they may include in the petition a request for the appointment of viewers to assess benefits. The court shall appoint three *disinterested* viewers, none of whom shall be a resident of that portion of the township which is accommodated by the sanitary sewer system in question, and the viewers shall proceed under this act for the assessment of damages and benefits *by viewers*. Upon the filing of a petition by taxpayers for appointment of viewers, any assessment made by the board of supervisors and any proceedings shall be stayed pending the disposition of the petition by the court.

Section 2613. Procedure for Assessment.—[If any taxpayer or taxpayers, by petition,] *If taxpayers of the district whose property valuation as assessed for taxable purposes within the district amounts to fifty percent of the total property valuation so assessed or if taxpayers representing fifty percent of the parcels within the district present a petition* within three months of the adoption of a resolution or ordinance levying an assessment under section 2612[, state] to the court of common pleas *stating* that the assessment insufficiently represents the benefits accruing to abutting properties, they may include in the petition a request

for the appointment of viewers to assess benefits. The court shall appoint three disinterested [**persons from the board of county**] viewers, none of whom shall be a resident of that portion of the township which is accommodated by the water system in question, and the viewers shall proceed under this act for the assessment of damages and benefits by viewers. Upon the filing of the petition by taxpayers *for appointment of viewers*, any assessment made by the board of supervisors and any proceedings shall be stayed pending the disposition of the petition by the court.

Section 3. This act shall take effect immediately.

APPROVED—The 22nd day of June, A.D. 2000.

THOMAS J. RIDGE