

the number of component municipalities and such additional number elected at large in the union or merged district as are necessary to make up an odd number of directors but never less than two nor more than three. In such event, the number of directors shall be divided into three groups, as nearly equal as possible, but in such manner that at all times every municipality shall be represented by a director elected from that municipality. The members of each group shall be elected at three successive municipal elections and shall serve for terms of six years each. If a component school district which was not coterminous with a municipality did not have an active or elected school board prior to its becoming a part of the union or merged school district, it shall not be entitled to representation on the board of school directors of the union or merged school district.

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APPROVED—The 19th day of September, A. D. 1961.

DAVID L. LAWRENCE

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No. 628

AN ACT

Amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg," permitting additional persons to vote for the directors; further providing who shall be taxed, increasing one tax; providing for flat rates and tap on charges; and repealing inconsistent legislation.

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

Water pipes in Haines Township.

Section 1. Sections 1 and 3, act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg," are amended to read:

Sections 1 and 3, act of January 29, 1844, P. L. 25, amended.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the inhabitants of the [town of Aaronsburg] township of Haines, in the county of Centre, [who are freeholders, housekeepers or others, exercising the right of suffrage,] who have attained the age of twenty-one years and such other persons who are the consumers of the water, to meet at the house of Jacob Snyder, or any other house in said [town] township a majority shall

First election.

appoint, on the first Saturday of June next, between the hours of one and six o'clock, P. M., of said day, and then and there to elect, by ballot, five citizens who shall be resident in said [town] *township*, and who shall be termed directors of the water pipes of Aaronsburg, and who shall serve as such but one year unless they are re-elected; and the like number of directors as aforesaid shall annually be elected on the first Saturday of March thereafter, in manner aforesaid; but previous to any election being held in pursuance of this act, the electors who may be present at the time of opening the same, shall appoint two citizens, resident in the [town] *township*, to receive the tickets from persons qualified by this act to vote, and to count the votes and certify the result of the election, under their hands and seals, to the persons elected; and immediately after the said annual election respectively, the directors elected shall appoint, out of their own body, a president and secretary, and in the absence of one or the other, their absence shall be supplied by pro tempore appointments, or to enter upon the duties thereof he shall pay a fine of ten dollars, to be recovered upon the complaint of any person, as debts of equal amount are recoverable; and if any vacancy occurs in the directorship in any wise, it shall be immediately supplied by an election in manner aforesaid, upon notice being given through advertisements by the president, fixed up at five of the most public places in the [town] *township*, at least five days previous to the election, which special election shall be held at the same place, and conducted in the same manner, as the annual election under this act; and the directors have perpetual succession by the name, style and title of the president and directors of the water pipes of Aaronsburg; and under the same name and title they shall be, and are hereby made, able and capable in law to sue and be sued, implead and be impleaded; and they, or a majority of them, shall form a quorum for doing business; and they shall have power to make by-laws, and to appoint officers and agents necessary for carrying the object of this act into effect, not inconsistent with or repugnant to the constitution and laws of the United States or of this commonwealth; and from time to time, to alter or abolish and enforce the same by certain fines and penalties, which shall be recovered by the president and directors in the same manner as debts of equal amount are or may be by law recoverable; and the said by-laws shall be signed by the president and countersigned by the secretary, which shall be immediately published after they are passed, in at least six written or printed handbills or otherwise, fixed up at as many of the most public places in the said [town] *township*, and which shall also be recorded

Directors.

Annual elections.

President, etc.

Vacancy.

Special election.

Name.

**Powers.
Quorum.
By-laws.**

in a book to be provided for that purpose by the president and directors; and they shall also provide another book, in which they shall record the certificates of their election, and enter all their contracts, and the appointment of officers and agents, and proceedings generally under this act; which book shall be kept by the secretary, and who shall submit them to the inspection of any of the inhabitants as aforesaid, at convenient hours, when they apply for the same.

Section 3. That all fines and forfeitures under this act, shall be paid to the president and directors, to be by them applied to defray the expenses arising under the same; in addition to which they shall have power from time to time to assess taxes for that purpose, in the following manner, to wit: On each [male taxable inhabitant] *water consumer customer of the corporation* in said [town the] *township who is qualified to register to vote*, a sum [of sixty-two and a half cents] *not exceeding ten dollars (\$10)* yearly; but if the proceeds of the moneys arising from such taxation, be not sufficient to defray the expenses for which they are intended to be applied to, then an additional tax, agreeably to the latest valuation, under the act for raising county rates and levies, shall be assessed on real and personal property in said [town] *township*, not in any one year to exceed one cent in the dollar of that valuation, and to be collected and applied in like manner as aforesaid; and the personal property of the occupant of the real property, shall be liable for the taxes, and in case the occupant is a tenant, the landlord shall refund the same to him or her; but nothing in this act shall be construed to interfere with any agreement made between the landlord and tenant about the payment of taxes. *In addition to the above-mentioned taxes, the president and directors may charge corporations, partnerships, associations and other entities, who are consumers within the township, a flat rate per year for the privilege of being a consumer. They may also charge an amount that shall be determined by the president and directors, from time to time, for the privilege of tapping on to the system by future consumers.*

Fines.

Taxes.

Flat rates.

Section 2. The act of March 15, 1867 (P. L. 465), entitled "An act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre," is repealed.

Specific repeal.

APPROVED—The 19th day of September, A. D. 1961.

DAVID L. LAWRENCE