

Chapter 78**IMPROVEMENT COSTS:
COLLECTION BY INSTALLMENTS**

- § 78.1. Authority to require payment of costs by installment.**
- § 78.2. Filing of liens.**
- § 78.3. Payment of assessments; interest rates; disposition of moneys.**
- § 78.4. Default in payment of installment.**
- § 78.5. Payments in full; subdivisions of property.**

[HISTORY: Adopted by the Board of Commissioners of the Township of Upper St. Clair at time of adoption of Code; see Ch. 1, Adoption of Township Code. Amendments noted where applicable.]

GENERAL REFERENCES

Definitions and rules of interpretation - See Ch. 3.

Penalty for failure to pay assessments - See Ch. 43.

Assessment of sewer construction costs - See Ch. 106, Art. III.

Collection of costs for paving and curbing sidewalks - See Ch. 109.

Assessments for street improvements - See Ch. 112, Arts. V and VI.

- § 78.1. Authority to require payment of costs by installment.**

When the township authorizes the grading, subgrading or permanent paving and improvement of any street thereof or the construction of curbs, sidewalks or sewers, and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement, whether by the foot front rule or according to benefits¹, the Board of Commissioners may provide in the authorizing ordinance that the assessment on any of them may be paid in semiannual or annual installments, and it may also provide that sewer assessments may be paid in twelve (12) monthly installments or in quarterly installments. Such installments shall bear interest at a rate, not exceeding six percent (6%) per year, to be fixed by the Board of Commissioners in the ordinance, commencing at such time as may be fixed by the ordinance.

- § 78.2. Filing of liens.**

¹ Editor's Note: For provisions pertaining to assessment of costs for street improvement or sewer, sidewalk or curb construction, see Ch. 106, Sewers and Drains, Art. III; Ch. 109, Sidewalks; and Ch. 112, Streets and Highways, Arts, V and VI.

Liens to secure the assessments or any part thereof remaining due shall be entered in the prothonotary's office of Allegheny County, in the same form and collected in the same manner as municipal claims are filed and collected; provided, however, that when any person has accepted the monthly or quarterly payment plan for any sewer assessment, as herein provided, no lien shall be filed for such assessment except upon a default in payment, as provided in § 78.4.

§ 78.3. Payment of assessments; interest rates; disposition of moneys.

Such assessments shall be payable at the office of the Township Treasurer, or such other place as the ordinance shall provide, in semiannual or annual installments, or, in the case of sewer assessments, in monthly or quarterly installments, with interest at the rate provided from the date from which interest is computed on the amount of the assessments.

§ 78.4. Default in payment of installment.

78.4.1. In case of default in the payment of any semiannual or annual installment and interest for a period of sixty (60) days after the same shall become due, the entire assessment and accrued interest shall become due, and the Township Attorney shall proceed to collect the same under the general laws relating to the collection of municipal claims.

78.4.2. In case of default in the payment of any monthly or quarterly installment and interest of a sewer assessment for a period of thirty (30) days after the same shall become due, a lien shall be filed for the balance due on such assessment and interest accrued thereon. In no case shall the township lose its right to file a lien for any sewer assessment by reason of its failure to file the same within the time fixed by general law relating to the filing of municipal liens for any sewer assessment which is being paid under the installment plan herein provided; and if any lien is filed after the time fixed by said general law for the filing thereof because of default in the payment of any installment such delayed filing is hereby validated, and the lien of such assessment claim so filed shall be in full force and effect from the time of such filing.

§ 78.5. Payments in full; subdivisions of property.

Any owner of property against whom any such assessment has been made may pay the same in full, at any time, with interest thereon to the next semiannual or annual payment and such payment shall discharge the lien. If any owner shall subdivide any property after the lien attaches, he may, in like manner, discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable.