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In Re Chester Water Authority Trust

Commonwealth Court of Pennsylvania - September 16, 2021 - A.3d - 2021 WL 4200770

“The narrow issue for our consideration is whether section 5622(a) of the Municipality Authorities Act (MAA), 53 Pa.C.S. § 5622(a), authorizes (or, more appropriately, continues to authorize) a municipality to obtain the assets of a water authority that it created—a water authority that eventually expanded to provide water services outside the borders of the municipality and into other counties—in light of section 1 of Act 73 of 2012,³ which added section 5610(a.1) to the MAA, 53 Pa.C.S. § 5610(a.1.), and transformed the governance structure of such an authority.”

“Upon review, we conclude that section 5610(a.1) did not abrogate, supersede, or otherwise alter a municipality’s longstanding power under section 5622(a) and its statutory predecessors to unilaterally obtain an authority and/or its assets.”