

Bond Case Briefs

Municipal Finance Law Since 1971

IMPROVEMENT DISTRICTS - PENNSYLVANIA

Schock v. City of Lebanon

Supreme Court of Pennsylvania - May 31, 2019 - A.3d - 2019 WL 2306210

Objector brought declaratory judgment action against city, seeking to declare final plan for a neighborhood improvement district (NID) to be vetoed or dead.

The Common Pleas Court granted city's motion for summary judgment, and dismissed objector's complaint. Objector appealed. The Commonwealth Court affirmed. Objector petitioned for allowance of appeal.

The Supreme Court held that:

- "benefited properties" under the Neighborhood Improvement District Act (NIDA) are the assessed properties that are presumptively benefited, and
- "affected property owners," for purposes of the final-plan-veto procedure for a proposed neighborhood improvement district (NID), would include only owners of assessed properties.

"Affected property owners," for purposes of the final-plan-veto procedure for a proposed neighborhood improvement district (NID), would be the owners of "benefited properties" located within the NID, which, as referenced under the Neighborhood Improvement District Act, would only include assessed properties.