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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. **149**

Session of  
1961

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INTRODUCED BY MESSRS. DONOLOW, MULLIN AND STIEFEL,  
JANUARY 31, 1961.

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,  
JANUARY 31, 1961.

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**AN ACT**

Amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards and of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

imposing penalties" authorizing city council of any city of the first class to legislate with respect to worldly employment sports games diversion or business on Sunday and with respect to the sale of liquor and malt and brewed beverages on Sunday

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

1 Section 1 Section 18 act of April 21 1949 (P. L. 665) known as  
2 the "First Class City Home Rule Act" is amended to read

3 Section 18 Limitations No city shall exercise any powers or author-  
4 ity beyond the city limits except such as are conferred by an act of  
5 the General Assembly and no city shall engage in any proprietary or  
6 private business except as authorized by the General Assembly Not-  
7 withstanding the grant of powers contained in this act no city shall ex-  
8 ercise powers contrary to or in limitation or enlargement of powers  
9 granted by acts of the General Assembly which are

10 (a) Applicable to a class or classes of cities on the following sub-  
11 jects

12 (1) Providing for the filing and collection of municipal and tax  
13 claims or liens and for the sale of real or personal property in satisfac-  
14 tion thereof

1 (2) Providing for the exercise of the power of eminent domain  
2 and the procedure for the condemnation of property for public purposes

3 (3) Providing for the assessment of damages and benefits for prop-  
4 erty taken injured or destroyed

5 (4) Providing methods for the incurring or increasing of indebted-  
6 ness

7 (5) Providing for the annexation or exclusion or detachment of  
8 territory

9 (6) Regulating public schools

10 (7) Providing for the personal registration of electors

11 (8) Limiting rates and fixing subjects of taxation

12 (9) Providing for the assessment of real or personal property and  
13 persons for taxation purposes

14 (b) Applicable in every part of the Commonwealth Provided That  
15 the city council of any city of the first class shall have full powers to  
16 legislate subject to the provisions of its home rule charter

17 (1) With respect to worldly employment or business on Sunday or  
18 the use or practice of any game sport or other diversion otherwise pro-  
19 hibited by law whether or not a charge is made for admission thereto

1 within the limits of the city

2 (2) With respect to any person, partnership association or corpora-  
3 tion conducting staging or engaging in any baseball basketball bowling  
4 football or hockey game on Sunday whether or not a charge is made  
5 for admission thereto or whether labor or business is necessary to con-  
6 duct manage stage or operate the same within the limits of the city

7 (3) With respect to permitting licensed hotels and restaurants to sell  
8 liquor and malt and brewed beverages until the hour of two o'clock  
9 ante meridian on Sunday and between the hours of two o'clock post  
10 meridian on Sunday and two o'clock ante meridian on the following  
11 Monday within the limits of the city

12 Ordinances adopted under the authority of this subsection shall  
13 supersede all acts or parts of acts local special or general affecting any  
14 matter covered by this subsection so far as such ordinances are consistent  
15 with the grant of powers and the limitations herein prescribed

16 (c) Applicable to all the cities of the Commonwealth

17 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor