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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No.

**212**

Session of

1961

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INTRODUCED BY MR. McMENAMIN, FEBRUARY 14, 1961.

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,  
FEBRUARY 14, 1961.

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**AN ACT**

Changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans

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

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.

1 Section 1 Whenever the population of any city of the second class  
2 A has regressed to a figure below the minimum fixed for that classifi-  
3 cation the court of quarter sessions of the county in which the city is  
4 located shall upon petition of fifteen per cent of the registered voters  
5 of the city appoint a charter commission to study and make recom-  
6 mendations on the adoption of a form of city government

7 Section 2 The charter commission so appointed shall consist of not  
8 less than nine nor more than fifteen members who shall be qualified  
9 electors of the city In every case at least three members of the charter  
10 commission shall be appointed from among the members of city council

11 Section 3 The charter commission shall organize and function in  
12 accordance with the provisions of the Optional Third Class City Charter  
13 Law and in so far as the same are applicable shall exercise the same  
14 powers and perform the same duties as are conferred or imposed upon  
15 charter commissions elected under the provisions of the Optional Third  
16 Class City Charter Law

17 Members of the charter commission shall serve without compensa-  
18 tion but shall be reimbursed by the city for their necessary expenses  
19 incurred in the performance of their duties The city council shall ap-  
20 propriate reasonable sums of money necessary for such purpose and

1 for the work of the charter commission as provided in the Optional  
2 Third Class City Charter Law

3 The charter commission shall report its recommendations at the  
4 time and in the manner provided in the Optional Third Class City Char-  
5 ter Law In its report the charter commission shall recommend retention  
6 of the existing classification or adoption of the commission form of gov-  
7 ernment or adoption of one of the optional forms of city government  
8 provided in the Optional Third Class City Charter Law

9 Section 4 Within five days after the charter commission reports  
10 its recommendations the city council shall certify a copy of the com-  
11 missions report to the county board of elections which shall cause the  
12 question to be placed upon the ballot or voting machines at such time  
13 as the commission shall in its report specify The question shall be sub-  
14 mitted to the electors in the manner and at the time provided in the  
15 Optional Third Class City Charter Law and shall be framed by city  
16 council

17 Section 5 The county board of elections shall make return of the  
18 vote cast on the question as provided by law If at such election the  
19 electors have voted against retaining the existing classification or have

1 voted in favor of adopting the commission form of government or have  
2 voted in favor of adopting one of the optional forms of government  
3 provided in the Optional Third Class City Charter Law the city shall  
4 become a city of the third class and shall be governed under the ap-  
5 propriate provisions of the Third Class City Code or the Optional Third  
6 Class City Charter Law The transition to a new form of government  
7 shall take effect as provided in the Optional Third Class City Charter  
8 Law

9 Whenever by the returns of any such election it shall appear that  
10 a majority favor retention of existing classification or there is a ma-  
11 jority against the different form of city government recommended by  
12 the charter commission the city shall retain its existing classification  
13 and no further proceedings shall be had and it shall be unlawful to  
14 hold another election on the question in such city

15 Section 6 The act of June 25 1895 (P L 275) entitled "An act  
16 dividing the cities of this State into three classes with respect to their  
17 population and designating the mode of ascertaining and changing the  
18 classification thereof in accordance therewith" is repealed in so far as  
19 it is inconsistent with the provisions of this act

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