

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

179

Session of

1961

MESSRS. STEVENSON, LANE, MALLERY, HAYS AND
HALUSKA, IN PLACE, FEBRUARY 8, 1961.

AS AMENDED ON THIRD READING, IN HOUSE OF
REPRESENTATIVES, MAY 22, 1961.

AN ACT

Amending the act of May 1 1933 (P L 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township

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. Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 Clause XLI of section 702 act of May 1 1933 (P L 103)
2 known as "The Second Class Township Code" reenacted and amended
3 July 10 1947 (P L 1481) and amended June 1 1956 (P L 2021) is
4 amended to read

5 Section 702 Supervisors to Exercise Powers The corporate powers
6 of townships of the second class shall be exercised by the township
7 supervisors Where no specific authority is given for the expenditures
8 incident to the exercise of any power hereinafter conferred or where
9 no specific fund is designated from which such expenditures shall be
10 made appropriations for such expenditures shall be made only from the
11 general township fund In addition to the duties imposed upon them
12 by section 516 hereof they shall have power

13 * * *

14 XLI Ordinances To adopt ordinances prescribing the manner in
15 which such specific powers of the township shall be carried out All
16 such ordinances unless otherwise provided by law shall be published
17 not more than sixty days nor less than seven days prior to passage
18 at least once in one newspaper circulating generally in the township
19 Such ordinances shall be recorded in the ordinance book of the town-

1 ship and shall become effective five days after such adoption In any case
2 in which maps plans or drawings of any kind are adopted as part of an
3 ordinance the supervisors may instead of publishing the same as part of
4 the ordinance refer in publishing the ordinance to the place where such
5 maps plans or drawings are on file and may be examined The board of
6 supervisors may prescribe fines and penalties not exceeding three hundred
7 dollars in any instance for the violation of any such township ordinances
8 which fines and penalties may be collected by suit or summary proceeding
9 brought in the name of the township before any justice of the peace
10 Proceedings for the violation of township ordinances and for the col-
11 lection of fines and penalties imposed thereby may be commenced by
12 warrant or by summons at the discretion of the justice of the peace
13 before whom the proceeding is begun No warrant shall be issued except
14 upon complaint on oath or affirmation specifying the ordinance for
15 the violation of which the same is issued All proceedings shall be
16 directed to and be served by a constable of the township Warrants
17 shall be returnable forthwith and upon such return like proceeding
18 shall be had as in cases of summary conviction All fines and penalties

1 collected for the violation of township ordinances shall be paid over
2 to the township treasury Upon judgment against any person by sum-
3 mary conviction or by proceedings by summons on default of the pay-
4 ment of the fine or penalty imposed and the costs the defendant may
5 be sentenced and committed to the township lockup for a period not
6 exceeding five days or to the county jail or workhouse for a period
7 not exceeding thirty days

8 Any person aggrieved may within thirty days after any ordinance
9 or resolution takes effect make complaint as to the legality of such
10 ordinance or resolution to the court of quarter sessions upon entering
11 into recognizance with sufficient surety to prosecute the same with
12 effect and for the payment of costs The determination and order of
13 the court thereon shall be conclusive

14 * * *

15 Section 2 This act shall take effect ~~immediately~~ IN NINETY
16 DAYS

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

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
Governor