

direct and report the same to the court, with his findings of facts and conclusions of law. The court may reverse, or affirm, in whole or in part, or may modify the decision appealed from as to it may appear just and proper.

(m) Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Section 8. Remedies.—In case any building or structure is erected, constructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this act or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the incorporated town, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

Section 9. Certain Buildings of Public Utility Corporations Exempted.—This act shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations, if, upon petition of the corporation, the Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

Section 10. Finances.—The council is empowered to appropriate out of the general incorporated town fund, such moneys, otherwise unappropriated, as it may deem fit to finance the work of the incorporated town zoning commission and the board of adjustment, and to enforce the zoning regulations and restrictions which are adopted, and to accept grants of money and service for these purposes from either private or public sources, State or Federal.

Section 11. Effective Date.—This act shall take effect immediately.

APPROVED—The 28th day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 283

AN ACT

HB 1664

Amending the act of June 25, 1941 (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds

as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," increasing the debt limit of school districts of the first class and school districts of the first class A.

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

Section 1. Section 201 and subsection (b) of section 203, act of June 25, 1941 (P. L. 159), known as the "Municipal Borrowing Law," amended February 28, 1961 (P. L. 59), are amended to read:

Section 201. Limitation on Municipal Debt.—Whenever the net debt of any municipality shall be equal to ten per centum, in the case of municipalities authorized by the provisions of section fifteen, article nine of the Constitution to incur debt to said amount, and seven per centum, in the case of all other municipalities (except [school districts of the first class A which shall be limited to two per centum and except] school districts of the first class and school districts of the first class A which shall be limited to [three (3)] five (5) per centum), of the assessed valuation, it shall be unlawful to increase the same by borrowing money (except in the case of issuing evidences of debt in anticipation of current revenues), and any such increase shall be void, and any general obligation bonds issued to evidence such increase of debt shall be of no binding force upon such municipality. Each of the officers thereof wilfully authorizing such increase or executing any general obligation bond therefor shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding ten thousand dollars, or undergo imprisonment not exceeding one year, or both.

Section 203. Increase of Debt by Issuance of General Obligation Bonds by Corporate Authorities and with the Assent of Electors.— * * *

(b) The debt of any municipality except a school district of the first class or first class A may be authorized to be increased by the corporate authorities thereof by the issue of general obligation bonds, with the assent of a majority of the electors thereof voting on the question submitted at a public election to be held in the municipality, to an amount not exceeding seven per centum of the assessed valuation. The debt of a school district of the first class and a school district of the first class A, may be authorized to be increased by the board of public education thereof by the issue of general obligation bonds, with the assent of a majority of the electors thereof voting on the question

submitted at a public election to be held in the school district, to an amount not exceeding [three (3)] five (5) per centum of the assessed valuation. [The debt of any school district of the first class A shall not be increased to an amount exceeding two (2) per centum of the assessed valuation.]

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 284

AN ACT

HB 1693

Amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," further providing for revisions by the board and providing for refunds in case of certain errors in assessments.

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

Section 1. Subsection (a) of section 701, act of May 21, 1943 (P. L. 571), known as "The Fourth to Eighth Class County Assessment Law," amended January 18, 1952 (P. L. 2138), is amended to read:

Section 701. Appeal Notices.—(a) Upon receipt of the assessment roll from the assessor, or as soon thereafter as possible and not later than the fifteenth day of August, the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act, and shall revise the same, increasing or decreasing the assessments and valuations as in their judgment may seem proper, and shall add thereto such property or subjects of taxation as may have been omitted. The board may revise and decrease the assess-