

Further proviso:  
Notice of inten-  
tion to parole to  
be given to  
sentencing judge.

And provided further, That, before any parole shall be granted pursuant to the terms hereof, notice of an intention so to do shall be given, at least ten days prior thereto, by the board of prison inspectors to the judge of the county who imposed the sentence, if he be still in office, but otherwise to the judge or judges of the court of oyer and terminer or the court of quarter sessions then in session, or if there be no current term, then to the next ensuing term thereof, and having jurisdiction of cases of the like character. Similar notice shall also be given to the district attorney then in office in said county.

Similar notice to  
be given to  
district attorney.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 360

AN ACT

To amend sections one and two of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions.

Public health.

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

Sections 1 and 2,  
act of May 23,  
1945, P. L. 926,  
amended.

Section 1. Sections one and two of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," are hereby amended to read as follows:

Definitions.

Section 1. Definitions.—"Department" shall mean the State Department of Health.

The words "public eating or drinking place" shall mean any place within this Commonwealth where food or drink is served to or provided for the public, with or without charge: Provided, however, That nothing herein contained shall apply to dining cars operated by a railroad company in interstate commerce.

The word "proprietor" shall mean any person, partnership, association or corporation, conducting or operating within this Commonwealth, a public eating or drinking place.

The word "employee" shall include any cook, waiter, kitchen help, chambermaid, house servant or other employe of any kind in a public eating or drinking place, who in any manner whatever, handles or comes in contact with any food or drink served to or provided for the public, and the proprietor or any member of the proprietor's family who handles said food or drink.

"License" shall mean a grant to a licensee to conduct a restaurant, as defined in this act.

"Licensor" shall mean *the county department of health or joint-county department of health, whenever such public eating or drinking place is located in a political subdivision which is under the jurisdiction of a county department of health or joint-county department of health, or the health authorities of cities, boroughs, incorporated towns and first-class townships, whenever such public eating or drinking place is located in a city, borough, incorporated town or first-class township not under the jurisdiction of a county department of health or joint-county department of health, or [and] the State Department of Health, whenever such public eating or drinking place is located in any other area of the Commonwealth.*

Section 2. From and after a period of six months after the effective date of this act, it shall be unlawful for any proprietor to conduct or operate a public eating or drinking place without first obtaining a license, as herein provided. Such license shall be issued by the health authorities of cities, boroughs, incorporated towns and first-class townships, whenever such public eating or drinking place is located in a city, borough, incorporated town or first-class township *not under the jurisdiction of a county department of health or joint-county department of health, or by the county department of health or joint-county department of health whenever such public eating or drinking place is located in a political subdivision which is under the jurisdiction of a county department of health or joint-county department of health, or [and] in those townships of the second class which are not under the jurisdiction of a county department of health or joint-county department of health, by the department.* No license shall be issued until inspection of the premises, facilities and equipment has been made by the licensor, and they are found adequate to the protection of the public health and comfort of patrons. The fee for such license shall be one dollar (\$1.00) and shall be paid into the city, borough, incor-

Unlawful to conduct or operate public eating or drinking place without a license therefor.

By whom licenses issued.

Inspection of premises.

License fee.

- porated town, [or] first-class township or county treasury, or to the State Treasury through the Department of Revenue, depending upon the location of such public eating or drinking place. The license shall be renewed annually.
- License renewals.
- Duplicate licenses. Whenever any proprietor maintains more than one public eating or drinking place within any one city, borough, incorporated town or township he shall be required to apply for and procure a duplicate license for each additional eating or drinking place, such duplicate license to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within any one city, borough, incorporated town or township. *Where the licensor is a county department of health or joint-county department of health, any proprietor who maintains more than one public eating or drinking place within any one county shall be required to apply for and procure a duplicate license for each additional eating or drinking place, such duplicate license to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within such county; but this provision shall not apply to any public eating or drinking place within such county located in a city, borough, incorporated town or first-class township which is not within the jurisdiction of the county department of health or joint-county department of health.*
- Fee for duplicate license.
- Act effective immediately. Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 361

AN ACT

To further amend section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

"Public School Code of 1949."

Section 671, act of March 10, 1949, P. L. 30, as amended by act of May 23, 1949, P. L. 1722, further amended.

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

Section 1. Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amend-