

ages of cigarettes to be sold within this Commonwealth, in which case the dealer within this Commonwealth, receiving such stamped packages of cigarettes, will not be required to purchase and affix stamps on such packages of cigarettes.

Section 2. The proceeds of the additional tax shall be paid into a Special Disaster Relief Fund hereby created. All moneys remaining in the Special Disaster Relief Fund, after the payment of specific appropriations therefrom, are appropriated to the Council of Civil Defense for the payment of any and all expenses incident to furnishing men, material, supplies and equipment when a disaster occurs, other than the tornado, flood and high water of August, one thousand nine hundred fifty-five.

Special Disaster
Relief Fund.

Section 3. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 3rd day of September, A. D. 1955.

GEORGE M. LEADER

No. 140

AN ACT

Amending the act of June twenty-four, one thousand nine hundred thirty-one (Pamphlet Laws 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for the establishment of township boundary lines, the changing of wards, and the payment of premiums on bonds of township officers and employes; changing the salaries of controllers, the expense allowances for delegates to the State conventions of township commissioners and the officers eligible therefor; including shade trees in land subdivision requirements; changing the procedure for letting of contracts; and authorizing the commissioners to employ counsel for certain purposes.

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

"The First Class
Township Code."

Section 1. Sections three hundred two and four hundred two, act of June twenty-four, one thousand nine hundred thirty-one (Pamphlet Laws 1206), known as "The First Class Township Code," reenacted and amended May twenty-seven, one thousand nine hundred forty-nine (Pamphlet Laws 1955), are amended to read:

Sections 302 and
402, act of June
24, 1931, P. L.
1206, reenacted
and amended
May 27, 1949,
P. L. 1955,
further amended.

Section 302. Establishment of Boundaries.—The courts of quarter sessions may, upon the presentation of

a petition *signed by at least fifty freeholders, residents of the township*, (a) alter the lines of a township and any adjoining township, borough or city so as to suit the convenience of the inhabitants thereof; (b) cause the lines or boundaries of townships to be ascertained and established; and (c) ascertain and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs. When any such petition is presented, the court may require the petitioners to file a bond in sufficient sum to secure the payment of all costs of the proceeding.

Section 402. Signing Petition; Appointment and Powers of Commissioners.—The petition shall be signed by at least [twenty] *one hundred* freeholders, residents of the township or of the ward or wards the limits of which it is proposed to change. Upon the presentation of the petition, the court shall appoint three impartial men as commissioners, one of whom shall be a registered engineer or surveyor, to inquire into the propriety of granting the prayer of the petitioners. The commissioners, or any two of them, shall make a report to the court, and shall accompany it with a plot, showing the boundaries of the township and the wards before and after the proposed change, whenever the same cannot be fully designated by natural lines.

Section 602, act of June 24, 1931, P. L. 1206, amended July 2, 1953, P. L. 326, further amended.

Section 2. Section six hundred two of the act, amended July two, one thousand nine hundred fifty-three (Pamphlet Laws 326), is amended to read:

Section 602. Bonds.—When any officer or employe of any township is required to give bond for the faithful performance of his duties, such bond shall be with a surety company or other company authorized by law to act as surety and the township [may] *shall* pay the premium on such bond, *except the premium on bond of township treasurer as tax collector shall be paid by the respective taxing districts, as provided by the Local Tax Collection Law, approved May twenty-five, one thousand nine hundred forty-five (Pamphlet Laws 1050), and its amendments.*

Section 620, act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, further amended.

Section 3. Section six hundred twenty of the act reenacted and amended may twenty-seven, one thousand nine hundred forty-nine (Pamphlet Laws 1955), is amended to read:

Section 620. Formation of State Association Authorized.—The formation of a State association of township commissioners is hereby authorized. [Such] *The township commissioners and not more than three other* officers of the township [as may be] designated by the township

commissioners, *including the delegate provided for by section six hundred twenty-one*, may attend such meeting. The association shall hold annual meetings, at such time and place within the Commonwealth as it may designate, for the purpose of discussing various questions and subjects pertaining to the duties of township commissioners, and for the purpose of devising uniform, economical, and efficient methods of administering the affairs of townships.

Section 4. Section six hundred twenty-two of the act, amended June thirty, one thousand nine hundred fifty-one (Pamphlet Laws 973), is amended to read:

Section 622, act of June 24, 1931, P. L. 1206, amended June 30, 1951, P. L. 973, further amended.

Section 622. Expenses of Delegates Paid by Townships.—Each delegate and other officer attending the annual meeting of the State association shall be allowed *for his expenses* [actually and necessarily] incurred in [going to,] attending [and returning from] the meeting, [but such expenses shall not exceed twelve] *twenty* dollars per day *for not more than three days*, together with eight cents per mile in going to and returning from the meeting. The time spent in attending the meeting, exclusive of the time employed in traveling, shall not exceed three days. These expenses shall be paid by the respective townships.

Section 5. Section one thousand one hundred two of the act, reenacted and amended May twenty-seven, one thousand nine hundred forty-nine (Pamphlet Laws 1955), is amended to read:

Section 1102, act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, further amended.

Section 1102. Salary of Controller.—The *annual* salary of the controller shall be fixed by ordinance, [In townships having a population of fifty thousand or more the salary of the controller] *passed at least thirty days before his election. His salary* shall not exceed five thousand dollars. [In townships having a population of forty thousand or more, but less than fifty thousand inhabitants, the salary of the controller shall not exceed forty-five hundred dollars. In townships having a population of thirty thousand or more, but less than forty thousand inhabitants, the salary of the controller shall not exceed three thousand dollars. In townships having a population of twenty thousand or more, but less than thirty thousand inhabitants, the salary of the controller shall not exceed one thousand eight hundred seventy-five dollars. In townships having a population of fifteen thousand or more, but less than twenty thousand inhabitants, the salary of the controller shall not exceed fifteen hundred dollars. In townships having a popula-

tion of ten thousand or more, but less than fifteen thousand inhabitants, the salary of the controller shall not exceed eleven hundred twenty-five dollars. In townships having a population of less than ten thousand and not less than five thousand, the salary of the controller shall not exceed one thousand and fifty dollars. In townships having a population of less than five thousand and not less than twenty-five hundred, the salary of the controller shall not exceed six hundred twenty-five dollars. In townships having a population of less than two thousand five hundred the salary of the controller shall not exceed three hundred seventy-five dollars.]

Subsection (b),
section 1802,
act of June 24,
1931, P. L. 1206,
amended May 10,
1951, P. L. 255,
further amended.

Section 6. Subsection (b) of section one thousand eight hundred two of the act, amended May ten, one thousand nine hundred fifty-one (Pamphlet Laws 255), is amended to read:

Section 1802. General Regulations Concerning Contracts.—

* * * * *

(b) In every instance in which any contract for any public work, construction, materials, supplies, or other matters or things for any township shall be awarded upon competitive bids, it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder. Any published notice for bids shall contain full plans and specifications, or refer to the places where copies thereof can be obtained, and give the time and place of a *public* meeting of a *committee*, appointed by the township commissioners, at which *committee* meeting bids shall be publicly opened and read, but the contract not awarded. If, through lack of a quorum or other reason, no meeting shall be held at such time and place, notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed, and the foregoing provisions as to bids shall apply. The same course shall be pursued until a meeting of a *committee* shall actually be held for receiving and opening bids. *At the first meeting of the township commissioners, after the opening of the bids, the contract shall be awarded.* Any contract made in violation of the provisions hereof shall be void. But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year, but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding

fiscal years: Provided, That if, prior to the letting of any contract, taxpayers of the township, whose property valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township, shall sign and file, with the township secretary of the board, a written protest against such contemplated contract, then such contract shall not be let.

* * * * *

Section 7. Subsection (c) of section three thousand sixty-six of the act, reenacted and amended May twenty-seven, one thousand nine hundred forty-nine (Pamphlet Laws 1955), is amended to read:

Subsection (c), section 3066, act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, further amended.

Section 3066. Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets.—

* * * * *

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan. Before approving any subdivision plan for recording, the board of township commissioners shall either require that the necessary grading, paving and other street improvements, including where specified by the board, curbs, sidewalks, street lights, *shade trees*, fire hydrants, water mains, sanitary sewers and storm sewers, shall have been installed in strict accordance with the standards and specifications of the township, or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the township engineer, that the said improvements will subsequently be installed by the owner.

* * * * *

Section 8. The act, reenacted and amended May twenty-seven, one thousand nine hundred forty-nine (Pamphlet Laws 1955), is amended by adding, after section 3107.1, a new section to read:

Act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, further amended by adding section 3107.2.

Section 3107.2. Counsel for Board of Adjustment.—The township commissioners may appoint counsel to assist and represent the board of adjustment in any appeal to court from a decision of the board.

APPROVED—The 7th day of September, A. D. 1955.

GEORGE M. LEADER