

No. 163

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", giving township commissioners authority to accept land dedicated by deed to the township for certain purposes.

"The First Class Township Code."

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

Section 1. Sections two thousand twenty and two thousand twenty-two and subsection (j) of section three thousand sixty-six, 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 2020 and 2022, and subsection (j) of section 3066, act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, further amended.

Section 2020. Plans of Dedicated Streets.—*The commissioners of any township may accept in the name of the township any land dedicated by deed to the township to be used in any manner for road purposes.* No person shall construct, open, or dedicate any street, or any drainage facilities in connection therewith, for public use or travel in any township, without first submitting plans thereof to the township commissioners for their approval. Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the commissioners, and shall show the profiles of such streets, the course, structure, and capacity of any drainage facilities, and the method of drainage of the adjacent or contiguous territory, and also any other or further details, that may be required under the rules and regulations adopted by the township commissioners. Before acting upon any such plans, the commissioners may, in their discretion, arrange for a public hearing, after giving such notice as they may deem desirable in each case. The township commissioners are authorized to alter such plans, or order the same to be altered, and to specify any changes or modifications of any kind which they, in their discretion, may deem necessary with respect thereto, and may make their approval of such plans subject to any such alterations, changes or modifications, but no plans shall be approved until there is a solicitor's report as to municipal liens. Any plans when so approved shall be signed, in duplicate, on behalf of the township by such officer as the commissioners may designate, and an approved duplicate copy shall be filed in the township engineer's office or other proper office, where the same

shall be available to public inspection. No street, or any drainage facilities in connection therewith, shall be opened, constructed, or dedicated for public use or travel, except in strict accordance with plans so approved by the commissioners, or with further plans subsequently approved by them in the same manner, nor until such plan, and the approval thereof, has been recorded as hereinafter provided.

Section 2022. No Responsibility on Township Where Plans Not Approved.—If any street, or any drainage facilities in connection therewith, shall be opened, constructed, or dedicated for public use or travel, except in strict accordance with plans approved, [as provided in this subdivision,] *and recorded as herein provided*, neither the township commissioners nor any public authorities shall place, construct, or operate any sewer, drain, water pipe, or other facilities, or do any work of any kind, in or upon such street; and neither the township commissioners, nor any other public authorities, shall have any responsibility of any kind with respect to any such street, or drainage facilities, notwithstanding any use of the same by the public, unless such street, or drainage facilities, is accepted by ordinance, *or by deed of dedication*: Provided, however, That nothing herein contained shall prevent the laying of trunk sewers, drains, water or gas mains, if required by engineering necessity for the accommodation of other territory. If any person shall open any street, or any drainage facility, in connection therewith, without submitting and obtaining approval of plans, as approved in section two thousand twenty of this act, and if the township commissioners shall have no information that such street, or drainage facility, in connection therewith, shall be intended for public use, or travel, the township commissioners may, in their discretion, file with the recorder of deeds of the county, a certificate containing a description of the land served by such street, or drainage facility, in connection therewith and a statement that, as the township commissioners have not approved such plans, neither the township commissioners nor any other public authority shall have any responsibility to furnish any facilities, or services, with respect to such land; or any responsibility of any kind with respect to such street, or drainage facility, in connection therewith. The owner of such land shall be designated and indexed as grantor in the records of the office of the recorder of deeds, and the township shall be designated and indexed as grantee therein. It shall not be necessary for such certificate to be executed by any other party than the township commissioners filing the same. Nothing herein contained shall be deemed to

prevent the township commissioners from enforcing the provisions of this act in any case in which any such street, or any drainage facility, in connection therewith, is intended for public use, or travel.

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

(j) Streets, Parks and Other Improvements Private Until Dedicated or Condemned. Every street, park or other improvement shown on a subdivision plan, that is recorded as provided herein, shall be deemed to be a private street, park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution, *or by deed of dedication accepted by the commissioners*, or until it has been condemned for use as a public street, park or other improvement. *The commissioners of any township may accept, in the name of the township, any land dedicated by deed to the township to be used in any manner for street, park or improvement purposes.*

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER

No. 164

AN ACT

Amending the act of July seventeen, one thousand nine hundred thirty-five (Pamphlet Laws 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," further regulating transfer of funds to expense or other funds of fraternal benefit societies.

Fraternal benefit societies.

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

Section 15, act of July 17, 1935, P. L. 1092, amended July 13, 1953, P. L. 436, further amended.

Section 1. Section fifteen, act of July seventeen, one thousand nine hundred thirty-five (Pamphlet Laws 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to