

## No. 87

## 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," providing for the creation of capital reserve funds for capital \*expenditures.

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

The Second  
Class Township  
Code.

Section 1. Section 702, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481), is amended by adding, after clause LIV., a new clause to read:

Section 702, act  
of May 1, 1933,  
P. L. 103,  
reenacted and  
amended July  
10, 1947, P. L.  
1481, amended  
by adding a new  
clause LV.

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

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*LV. Creation of Capital Reserve Fund for Anticipated Capital Expenditures.—To create and maintain a separate capital reserve fund for any anticipated legal capital expenditures, which fund shall be designated for a specific purpose or purposes at the time of its creation. The money in the fund shall be used, from time to time, for the construction, purchase or replacement of or addition to municipal buildings, equipment, machinery, motor vehicles or other capital assets of the township as specified at the time of the creation of the fund and for no other purpose: Provided, That it may be used for capital expenditure other than the purpose or purposes specified at the time it was created, if the supervisors by a unanimous vote shall declare that the original purpose or purposes have become impracticable, inadvisable or impossible, or that conditions have arisen in the township which make other capital expenditures more urgent than those for which the fund was created.*

*The township supervisors may appropriate moneys from the general township funds to be paid into the capital reserve fund, or place in the fund any moneys received from the sale, lease or other disposition of any*

\* "expenditures" in original.

*township property or from any other source, unless received or acquired for a particular purpose. The fund shall be controlled, invested, reinvested and administered and the moneys therein and income from such moneys expended for the specific purpose or purposes for which the fund is created in such manner as may be determined by the township supervisors. The money in the fund, when invested, shall be invested in securities designated by law as legal investments for sinking funds of municipalities.*

APPROVED—The 20th day of May, A. D. 1957.

GEORGE M. LEADER

No. 88

AN ACT

Amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for the creation of capital reserve funds for capital expenditures.

The First Class  
Township Code.

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

Section 1502,  
act of June 24,  
1931, P. L. 1206,  
reenacted and  
amended May  
27, 1949, P. L.  
1955, amended  
by adding a new  
clause LVIII.

Section 1. Section 1502, act of June 24, 1931 (P. L. 1206), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P. L. 1955), is amended by adding, after clause LVII., a new clause to read:

Section 1502. The corporate power of a township of the first class shall be vested in the board of township commissioners. The board shall have power—

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*LVIII. Creation of Capital Reserve Fund for Anticipated Capital Expenditures. To create and maintain a separate capital reserve fund for any anticipated legal capital expenditures, which fund shall be designated for a specific purpose or purposes at the time of its creation. The money in the fund shall be used, from time to time, for the construction, purchase or replacement of or addition to municipal buildings, equipment, machinery, motor vehicles or other capital assets of the township as specified at the time of the creation of the fund and for no other purpose: Provided, That it may be used for capital expenditure other than the purpose or purposes specified at the time it was created, if the commissioners by a four-fifths vote shall declare that the original purpose or purposes have become impracticable, inadvisable or impossible, or that conditions have arisen*