

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

The Borough Code.

Section 1. Article IV., act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), is amended by adding, after section 427, a new subdivision to read:

Article IV., act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, further amended by adding a new subdivision (c.1), section 428.

(c.1) *Annexation of Adjacent Territory Owned by a Borough*

Section 428. Annexation by Ordinance; Procedure.—
(a) *Any borough which, on the effective date of this act, owns territory in a township, which territory is contiguous to the borough, may annex such territory by ordinance, such ordinance to set forth a description *of the territory to be annexed and the courses and distances of the boundaries of the territory. A copy of such ordinance shall be certified to the Department of Internal Affairs.*

(b) *Upon such annexation by ordinance, a plan of the territory annexed shall be filed by the borough council in the office of the county commissioners and with the clerk of the court of quarter sessions and, thereupon, the annexation shall become effective. The annexation proceedings authorized by this section are in addition to, and not in substitution of, proceedings otherwise provided by law for annexation of territory, and may be followed without reference to or compliance with any other such provisions.*

APPROVED—The 11th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 235

AN ACT

Amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," designating the lake area on which motor boats may be operated and providing penalties.

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

Compact between Pennsylvania and Ohio concerning Pymatuning Lake.

* "to" in original.

Subdivision 5 of the compact, act of June 5, 1937, P. L. 1664, amended April 20, 1946, P. L. 282, further amended.

Section 1. Subdivision 5 of the compact, contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," amended April 20, 1945 (P. L. 282), is amended to read:

5. Boats and Vessels. No hydroplanes or aquaplanes nor any type of boat equipped with a motor in excess of a six horsepower rating shall be permitted anywhere on said lake, except such police or administration motor boats, to the number which shall be mutually agreed upon by the parties hereto. Sail boats, row boats, canoes, and boats equipped with a motor not in excess of six horsepower shall be permitted, provided the owners first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt: Provided, nevertheless, That the use of any type of boats equipped with a motor not in excess of six horsepower, as defined above, is expressly limited and restricted to that portion of the lake extending from the main dam near Jamestown northwardly to the causeway at or near [Espyville] Linesville.

Nothing contained in this subdivision shall be interpreted to effect a change in the level or flow of water as determined or fixed by the Water and Power Resources Board.

Any one who violates any of the provisions of this subsection, or who operates any boat equipped with a motor on the lake without being authorized to do so under the provisions of this subdivision, shall, upon conviction thereof, be sentenced to pay a fine not to exceed fifty dollars (\$50) and costs of prosecution, and, in default of payment of the fine and costs, shall undergo imprisonment not to exceed thirty days.

Effective conditions.

Section 2. This act shall be effective immediately upon its signing by the Governor, and the passage by the State of Ohio of a substantially similar amendatory act ratifying the within change or alteration of the compact or agreement herein referred to, and the passage of an Act of Congress of the United States of America consenting thereto.

APPROVED—The 12th day of August, A. D. 1959.

DAVID L. LAWRENCE