

No. 182
AN ACT

HB 1030

Amending the act of July 15, 1957 (P. L. 901), entitled "An act giving cities of the third class the right and power to adopt one of several plans of optional charters and to exercise the powers and authority of local self-government subject to certain restrictions and limitations; providing procedures for such adoption and defining the effect thereof," further providing for the election of a mayor by the voters and choosing the mayor by council.

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

Section 1. Section 213, act of July 15, 1957 (P. L. 901), known as the "Optional Third Class City Charter Law," is amended to read:

Section 213. If the charter commission shall recommend the adoption of any of the optional forms of government set forth in this act, it may also specify that the mayor be elected directly by the voters of the city or chosen by council and that the city council shall consist of seven or nine members instead of five members as provided in said optional forms. If the charter commission shall recommend the adoption of the council-manager form of government, it may specify that the mayor be elected directly by the voters of the city or by council.

Section 2. Section 502 of the act, amended November 30, 1959 (P. L. 1618), is amended to read:

Section 502. Each city under this article shall be governed by a mayor chosen as provided in sections 213 and 507, an elected council, an elected controller, an appointed city manager, an elected treasurer and by such other officers and employes as may be duly appointed pursuant to this article, general law or ordinance.

Section 3. Section 507 of the act is amended to read:

Section 507. (a) On the first Monday of January following the regular municipal election, the members of the city council shall assemble at the usual place of meeting and organize and [elect] choose one of their number as mayor unless otherwise provided. The mayor shall be chosen by ballot by majority vote of all members of the city council. If the members shall be unable, within five ballots to be taken ¹ within two days of said organization meeting, to elect a mayor, then the member who in the election for members of the city council received the greatest number of votes shall be the mayor. Should such person decline to accept the office, then the person

¹ "with" in original.

receiving the next highest vote shall be the mayor, and so on, until the office is filled.

(b) On the recommendation of the charter commission as provided in section 213, the mayor shall be elected directly by the voters of the city at the regular municipal election, in lieu of being chosen as provided in subsection (a) of this section 507.

(c) In cities wherein the mayor is chosen by council, on petition of thirty per centum of the number of residents of the city who voted at the last preceding general election, there shall be placed on the ballot at the next succeeding primary, municipal or general election a question on choosing of the mayor by council or election directly by the voters of the city. Should a majority of those voting on the question be in favor of electing the mayor directly by the voters of the city, the office of mayor shall be filled by the election of a mayor at the next municipal election.

APPROVED—The 9th day of October, A. D. 1967.

RAYMOND P. SHAFER

No. 183

AN ACT

HB 1182

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing clubs to serve persons who are active members of another club which is chartered by the same state or national organization.

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

Section 1. Subsection (a) of section 406, act of April 12, 1951