

No. 224

AN ACT

HB 826

Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," extending the provisions of the act with certain exceptions to a new class of counties herein created.

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

Section 1. The title and section 102, act of July 28, 1953 (P. L. 723), known as the "Second Class County Code," are amended to read:

AN ACT

Relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto.

Section 102. Applicability.—[This act applies exclusively to counties of the second class] Except where otherwise specifically limited, this act applies to all counties of the second class and second class A.

Section 2. Section 210 and subsection (a) of section 1501 of the act are amended to read:

Section 210. Counties Divided Into [Eight] Nine Classes.—For the purposes of legislation and the regulation of their affairs, counties of this Commonwealth, now in existence and those hereafter created, shall be divided into [eight] ¹ nine classes as follows:

(1) First Class Counties, those having a population of 1,800,000 inhabitants and over.

(2) Second Class Counties, those having a population of 800,000 and more but less than 1,800,000 inhabitants.

(2.1) Second Class A Counties, those having a population of 500,000 and more but less than 800,000 inhabitants.

(3) Third Class Counties, those having a population of 250,000 and more but less than [800,000] 500,000 inhabitants.

(4) Fourth Class Counties, those having a population of 150,000 and more but less than 250,000 inhabitants.

(5) Fifth Class Counties, those having a population of 95,000 and more but less than 150,000 inhabitants.

(6) Sixth Class Counties, those having a population of 45,000 and more but less than 95,000 inhabitants.

(7) Seventh Class Counties, those having a population of 20,000 or more but less than 45,000 inhabitants.

¹ "nine" not in original.

(8) Eighth Class Counties, those having a population of less than 20,000 inhabitants.

Section 1501. Employment of Police.—(a) The county commissioners in any county of the second class shall have power to employ such number of police as may be fixed by the salary board of the county. The compensation of such police officers shall be paid by the county.

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Section 3. The last paragraph of section 1810 of the act, amended February 2, 1966 (P. L. 1878), is amended to read:

Section 1810. Salaries of County Officers.—The annual salaries of the following county officers shall be as follows:

* * *

Two elective jury commissioners, in counties of the second class, thirteen thousand two hundred dollars (\$13,200), and jury commissioners in counties of the second class A, six thousand dollars (\$6,000).

Section 4. Article XXI of the act is amended by adding at the end thereof, a new subdivision to read:

Article XXI
Special Powers and Duties of the County

* * *

(q) Parking Facilities

Section 2199.9. Parking Facilities.—The board of commissioners of any county may appropriate moneys from the county treasury for the purpose of purchasing, constructing, maintaining and operating as a county facility a motor vehicle parking facility, or may create a municipal authority and appropriate moneys to such authority for such purpose, and the county commissioners, or the municipal authority created for such purpose, may lease to any city, borough or township wherein the parking facility is or shall be constructed, or to a parking authority created by the city, borough or township, the land to be used for a parking facility, or a parking facility, for the use, benefit, health, safety and general welfare of the citizens of the Commonwealth.

Section 5. Subsection (b) of section 2201 and subsection (a) of section 2204 of the act are amended to read:

Section 2201. Creation and Powers of County Planning Commissions.—* * *

(b) The county planning commission shall consist of nine persons, who shall be residents of the county. In counties of the second class, four of [whom] them shall be residents of the city or cities therein, and five of [whom] them shall be residents of the boroughs and townships therein. [and who] They shall have knowledge and experience in respect to one or more of the following subjects: finance, commerce, industry, agriculture, transportation, architecture, landscape architecture, real estate, building, engineering, social welfare, civic administration and law, and at least seven of [whom] them shall not be paid county employes.

* * *

Section 2204. Plans of Subdivisions; Jurisdiction; Scope of Subdivisions; Regulations; Procedure; Penalties.—(a) The county planning commission shall have jurisdiction and control of the subdivision of land located within the county limits. For the purpose of this section, a subdivision shall be construed to be a division of any part, parcel or area of land by the owner or agent, either by lots or by metes and bounds, into lots or parcels, three or more in number, for the purpose of conveyance, transfer, improvement or sale, with appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon. [All] In counties of the second class all plans, plots and replots of land laid out in building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto, located within the county limits, except those located within any city or borough within the said county, shall be submitted to the county planning commission and approved by it before they shall be recorded. In counties of the second class A all plans, plots and replots of land laid out in building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto, located within the county limits, except those located within any city or borough or within a township having adopted by resolution or ordinance land subdivision regulations, shall be submitted to the county planning commission and approved by it before they shall be recorded.

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Section 6. The article heading of Article XXXI is amended to read:

Article XXXI
Fire Marshals in Counties of the Second Class

Section 7. The act is amended by adding after Article XXXI, a new article to read:

Article XXXI-A

Fire Marshals and Assistants in Counties of the Second Class A

Section 3101-A. Appointment.—In counties of the second class A the county commissioners may appoint a fire marshal and assistant fire marshals deemed necessary to perform such duties relating to the prevention and control of fire as the county commissioners shall deem to be in the best interests of the county. Any fire marshal or assistant fire marshals so appointed shall not be assigned duties which will conflict with fire marshals or municipal fire marshals or powers relating to the control of fires conferred by law upon the Pennsylvania State Police. Compensation for the fire marshal and assistant fire marshals shall be set by the county salary board.

Section 8. The fees to be charged by the prothonotary in every county of the second class A shall be those set forth in the act of August 22, 1961 (P. L. 1043), entitled, as amended, "An act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third and fourth class; to provide the time of paying the same; and to repeal certain acts."

Section 9. The provisions of this act shall become effective immediately. The Governor shall forthwith certify to the county commissioners of every county affected, the fact that because of this act, such county has become a county of the second class A. The change in classification and the provisions of law relating to counties of the second class A as provided by this amending act shall become effective November 1, 1967.

APPROVED—The 20th day of October, A. D. 1967.

RAYMOND P. SHAFER