

Act of June 23, 1931, P. L. 932, as reenacted and amended by act of June 28, 1951, P. L. 662, further amended by adding, immediately after clause 15 of section 2403 thereof, a new clause 15.1.

Section 1. The act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," as reenacted and amended by the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 662), is hereby further amended by adding, immediately after clause 15 of section 2403 thereof, a new clause to read as follows:

Section 2403. Specific Powers.—In addition to other powers granted by this act, the council of each city shall have power, by ordinance:

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15.1. *Railroad Companies; Conveyances and Grants of Rights of Way.*—Subject to the provisions of the Public Utility Law, to lease, license or grant rights of way to railroad companies through tunnels or over bridges and viaducts, to enter into agreements with railroad companies for the maintenance of any such tunnels, bridges or viaducts, and to convey such tunnels, bridges or viaducts to railroad companies that have paid in part for their construction, where legal title to said tunnels, bridges or viaducts is not vested in the city but will vest in the city by operation of law or under the terms of any contract.

APPROVED—The 24th day of August, A. D. 1953.

JOHN S. FINE

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No. 381

AN ACT

To further amend the act, approved the second day of May, one thousand nine hundred forty-five (Pamphlet Laws 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing that an Authority shall have the power to construct structures to provide for the elimination of grade crossings

under certain terms and conditions and subject to approval of the Pennsylvania Public Utility Commission; authorizing agreements for the transfer to the Authority of title to land or to the structures built or constructed and for the leasing thereof to the utility or political subdivision involved.

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

"Municipality Authorities Act of 1945."

Section 1. Subsection B of section four of the act, approved the second day of May, one thousand nine hundred forty-five (Pamphlet Laws 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," as last amended by the acts, approved the twenty-sixth day of September, one thousand nine hundred fifty-one (1951-1952, Pamphlet Laws 1507), and the twenty-first day of January, one thousand nine hundred fifty-two (1951-1952, Pamphlet Laws 2188), is hereby further amended by adding, at the end thereof, a new clause to read as follows:

Subsection B of section 4, act of May 2, 1945, P. L. 382, as last amended by acts of September 26, 1951, P. L. 1507, and January 21, 1952, P. L. 2188, further amended by adding, at end thereof, a new clause (u).

Section 4. Purposes and Powers; General.—

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B. Every Authority is hereby granted, and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes, including but without limiting the generality of the foregoing, the following rights and powers:

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(u) *Subject to the approval of the Pennsylvania Public Utility Commission before which an Authority may institute proper proceedings to construct tunnels, bridges, viaducts, underpasses, or other structures, and relocate the facilities of public service companies to effect or permit the abolition of a grade crossing or grade crossings: Provided, however, That such project or projects shall only be undertaken in accordance with a duly issued order of the Pennsylvania Public Utility Commission, which order shall provide that any portion of the costs payable by any public utility, political subdivision, or by the Commonwealth, or others, shall be payable to the Authority: And provided further, That*

*before any proceedings are instituted before the commission to secure its requisite approval for any structure herein provided, an agreement, which is hereby authorized, shall be entered into between the Authority and the public utilities or the political subdivisions concerned to provide for the conveyance to the Authority of title to the land, structure or improvement involved as security for bonds issued to finance the improvement and the leasing thereof to the utility or utilities or the political subdivision or subdivisions involved, on such terms as will provide for interest and sinking fund charges on the bonds issued for the improvement.*

APPROVED—The 24th day of August, A. D. 1953.

JOHN S. FINE

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No. 382

AN ACT

To further amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 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," by extending the scope of local option to include granting of importing distributors' licenses; permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances.

"Liquor Code."

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

Section 468, act  
of April 12,  
1951, P. L. 90,  
amended.

Section 1. Section 468 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 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