

No. 405

AN ACT

Reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to municipality authorities.

Cooperation between certain municipalities in the exercise of certain governmental powers.

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

Title, act of May 21, 1943, P. L. 340, amended June 1, 1945, P. L. 1339, reenacted and amended.

Section 1. The title, act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," amended June 1, 1945 (P. L. 1339), is reenacted and amended to read:

AN ACT

New title.

Empowering *municipality authorities*, cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions.

Section 1 of the act reenacted and amended.

Section 2. Section 1 of the act is reenacted and amended to read:

Definition.

Section 1. The word "municipality" as used in this act shall include *municipality authorities subject to the act of May 2, 1945 (P. L. 382), known as the "Municipality Authorities Act of 1945,"* cities of the third class, boroughs, incorporated towns and townships.

Section 2 of the act, amended June 1, 1945, P. L. 1339, reenacted and amended.

Section 3. Section 2 of the act, amended June 1, 1945 (P. L. 1339), is reenacted and amended to read:

Functions of each may be performed jointly by agreement.

Section 2. Two or more adjoining municipalities may jointly co-operate in the exercise and in the performance of their respective governmental powers, duties and functions and in carrying into effect provisions of law relating to said subjects which are common to all of such joining municipalities, and which each may, under existing law, separately exercise and perform. For the purpose of carrying the provisions of this act into effect the municipalities joining shall enter into such joint agreements as may be deemed appropriate for such purposes.

Section 3 of the act reenacted and amended.

Section 4. Section 3 of the act is reenacted and amended to read:

Section 3. Any joint agreement shall be deemed in force as to any particular municipality, when the same has been adopted by ordinance, or in the case of townships of the second class *or municipality authorities*, by resolution. After adoption, any such agreement shall become binding upon the municipality, and the covenants thereof may be enforced by appropriate remedy by any one or more municipalities against any other municipality party thereto.

Agreements binding and enforceable.

Section 5. Section 4 of the act, amended April 11, 1945 (P. L. 206), is reenacted and amended to read:

Section 4 of the act, amended April 11, 1945, P. L. 206, reenacted and amended.

Section 4. Every such agreement shall set forth, inter alia, the particulars relating to the manner of cooperation, the means by and through which such cooperation shall be effectuated, including, if any, the employment of joint personnel, the employment and retaining of planning engineers or consultants, the contracting for professional planning services and the purchase of personal property and materials for the joint use of the municipalities, the allocation of the costs and expenses connected with the administration of the joint agreement upon an equitable basis, the term for which the agreement shall be in force, and the manner in which the same may be renewed for another term, and the manner in which joint property shall be disposed of or shared upon the termination of the agreement. Amendments to any agreement shall be adopted in the same manner as the original agreement.

Terms of agreement.

Section 6. Sections 5 and 6 of the act are reenacted and amended to read:

Sections 5 and 6 of the act, reenacted and amended.

Section 5. All joint purchases involving an expenditure of more than five hundred dollars (\$500), shall be made by contract, in writing, only after notice for bids once a week for two weeks in at least one and not more than two newspapers of general circulation circulating generally in the joining municipalities. All contracts shall be let to the lowest responsible bidder.

Joint purchases and expenditures.

Section 6. This act shall not be construed to authorize one municipality to delegate any of its powers, duties and functions to another municipality, nor to authorize one municipality to exercise such powers, duties or functions on behalf of another municipality.

Limitations.

Section 7. All acts and parts of acts inconsistent herewith are repealed.

General repeal.

Section 8. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 29th day of September, A. D. 1959.

DAVID L. LAWRENCE