

industrial development program.

Any officer who sells and each officer who votes in favor of selling any township property, either real or personal, without the provisions of this section having been complied with, shall be subject to surcharge in the amount of any loss sustained by the township by reason of such sale.

APPROVED—The 31st day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 271

AN ACT

HB 1084

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further providing for township and officers' powers as to real and personal property.

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

Section 1. Clause II of section 701, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481) and amended June 1, 1956 (P. L. 2021), is amended to read:

Section 701. Suits; Property.—Any township of the second class may—

* * *

II. [Purchase, acquire by gift or otherwise, hold, lease, let and convey such real and personal property as shall be deemed to be for the best interests of the townships. Such real and personal property shall be taken and held only for the benefit of the inhabitants of the township, and for such objects and purposes for which the township tax and special tax assessments are authorized by law.

No real estate owned by the township shall be sold for a consideration in excess of five hundred dollars, except to the highest bidder after due notices by advertisement for bids in one newspaper of the county. Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids, and such date and place for opening bids shall be announced in such advertisement. The acceptance of bids shall be made only by public announcement at the meeting at which bids are received. All bids shall be accepted on the

condition that payment of the purchase price in full shall be made within ten days of the acceptance of bids.

No township personal property shall be disposed of, by sale or otherwise, except upon approval of the board of supervisors, by ordinance or resolution. In cases where the board shall approve a sale of such property, it shall estimate the sale value of the entire lot to be disposed of. If the board shall estimate the sale value to be two hundred dollars or more, the entire lot shall be advertised for sale once, in at least one newspaper of the county, not less than ten days prior to the date fixed for the opening of bids, and such date for opening bids shall be announced in such advertisement, and sale of the property so advertised shall be made to the best responsible bidder.

If the supervisors shall estimate the sale value to be less than two hundred dollars, it shall require notice of the proposed sale to be posted at least ten days in a conspicuous place inside and on the outside of the building where the township supervisors hold their regular meetings, describing and itemizing the property to be sold and directing that bids may be made thereon at the office or home of the township clerk. Thereafter, the supervisors may sell such property, in whole or in part, for the best price or prices obtainable.

The provisions of this clause shall not be mandatory where township property is to be traded in or exchanged for new township property.

The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where township real or personal property is to be sold to any Authority pursuant to the Municipality Authorities Act of 1945.

Any officer who sells and each officer who votes in favor of selling any township property, either real or personal, without the provisions of this section having been complied with, shall be subject to surcharge in the amount of any loss sustained by the township by reason of such sale.] Purchase, acquire by gift, or otherwise, hold,

lease, let and convey, by sale or lease, such real and personal property as shall be deemed to be to the best interest of the township: Provided, That no real estate owned by the township shall be sold for a consideration in excess of five hundred dollars, except to the highest bidder after due notice by advertisement for bids in one newspaper of general circulation in the township. Such advertisement shall be published once not less than ten days prior to the date fixed for the opening of bids, and such date for opening bids shall be announced in such advertisement. The acceptance of bids shall be made only by public announcement at a regular or special meeting of the board of township supervisors. All bids shall be accepted on the condition that

payment of the purchase price in full shall be made within sixty days of the acceptance of bids.

Except as otherwise hereinafter provided in the case of personal property of an estimated sale value of less than two hundred dollars, no township personal property shall be disposed of, by sale or otherwise, except upon approval of the board of township supervisors, by ordinance or resolution. In cases where the board of township supervisors shall approve a sale of such property, it shall estimate the sale value of the entire lot to be disposed of. If the board of township supervisors shall estimate the sale value to be two hundred dollars or more, the entire lot shall be advertised for sale once, in at least one newspaper of general circulation in the township, not less than ten days prior to the date fixed for the opening of bids, and such date of opening of bids shall be announced in such advertisement, and sale of the property so advertised shall be made to the best responsible bidder. The board of township supervisors shall have authority, by resolution, to adopt a procedure for the sale of surplus personal property of an estimated sale value of less than two hundred dollars and the approval of the board of township supervisors shall not be required for any individual sale that shall be made in conformity to such procedure.

The provisions of this clause shall not be mandatory where township property is to be traded in or exchanged for new township property.

The provisions of this clause shall not prohibit the sale or exchange of township property to public utilities.

The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where township real or personal property is to be sold to a municipal authority pursuant to the Municipality Authorities Act of 1945, or to a nonprofit corporation engaged in community industrial development or where real property is to be sold to a person for his exclusive use in an industrial

development program.

Any officer who sells and each officer who votes in favor of selling any township property, either real or personal, without the provisions of this section having been complied with, shall be subject to surcharge in the amount of any loss sustained by the township by reason of such sale.

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APPROVED—The 31st day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 272

AN ACT

HB 1274

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," providing for limited wineries and for the sale of wines produced by limited wineries.

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

Section 1. Section 102, act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended by adding after the definition of "Importing distributor", a new definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

* * *

"Limited Winery" shall mean a winery with a maximum output of fifty thousand (50,000) gallons per year.

* * *

Section 2. Section 505 of the act is amended to read:

Section 505. Licenses Issued.—Upon receipt of the application