

No. 2007-15

AN ACT

HB 917

Amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," further providing for general powers of borough.

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

Section 1. Section 1201(4)(iv) of the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, amended November 29, 2004 (P.L.1337, No.170), is amended to read:

Section 1201. General Powers.—A borough may:

(4) 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 borough, subject to the following restrictions, limitations or exceptions:

(iv) The provisions of this clause requiring advertising for bids or sale at public auction and sale to the highest bidder shall not apply where borough real or personal property is to be sold to:

(A) a county, city, borough, town, township, institution district, school district, volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the borough;

(A.1) a council of government, consortium, cooperative or other similar entity created pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation);

(B) a municipal authority pursuant to the Municipality Authorities Act of 1945;

(C) a non-profit corporation engaged in community development or reuse only upon entering into a written agreement with the non-profit corporation that requires the property to be used for industrial, commercial or affordable housing purposes. This exemption shall not apply to property on which existing governmental functions are conducted;

(D) where real property is to be sold to a person for his exclusive use in an industrial development program;

(E) where real property is to be sold to a non-profit corporation organized as a public library for its exclusive use as a library;

(F) where real property is to be sold to a non-profit medical service corporation as authorized by clause (76) of section 1202;

(G) where real property is to be sold to a non-profit housing corporation as authorized by clause (77) of section 1202;

(H) where real property is to be sold to the Commonwealth or to the Federal Government; or

(I) where real property is to be sold to a non-profit museum or historical society for its exclusive use as a non-profit museum or historical society.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 30th day of June, A.D. 2007.

EDWARD G. RENDELL