

amended July twenty-nine, one thousand nine hundred fifty-three (Pamphlet Laws 1013) is amended to read:

Section 3. That all the expenditures required for the support and maintenance of prisoners, the repairs and improvement of said prison, shall be paid from the county treasury by warrants drawn, in the mode now prescribed by law, on the regular appropriation for the purpose, but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof, and all contracts involving an expenditure of [over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising, and be given to the lowest and best bidder] *funds from the county treasury shall be made in accordance with the procedures set forth in Article XVIII of the act of August nine, one thousand nine hundred fifty-five (Pamphlet Laws 323), Act No. 130.*

APPROVED—The 18th day of October, A. D. 1955.

GEORGE M. LEADER

No. 196

AN ACT

Amending the act of April seventeen, one thousand nine hundred forty-seven (Pamphlet Laws 63), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any; to construct buildings and facilities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," extending the provisions of the act to cities of the second class, excluding certain land from condemnation, and further regulating the use of parking garages.

Cities of the
First and Second
Class.

Title and sections 1 and 2, act
of April 17, 1947,
P. L. 63,
amended.

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

Section 1. The title and sections one and two of act of April seventeen, one thousand nine hundred forty-seven (Pamphlet Laws 63), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any; to construct buildings and facilities thereon; to operate the same as parking lots or public

garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," are amended to read:

AN ACT

Authorizing and empowering cities of the first *and second* class of this Commonwealth to acquire by purchase, lease or condemnation, [any] land within said cities with the buildings thereon, if any, to construct buildings and facilities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases.

Section 1. That the cities of the first *and second* class of this Commonwealth shall have the power, and they are hereby authorized, to acquire, procure or obtain by purchase, lease or condemnation, any land within said cities with the buildings or structures erected thereon, if any, and to construct buildings and facilities thereon for the purpose of using such land as and for parking lots or public garages whenever in the judgment of the city council acquisition of such lands may be necessary, desirable or useful for the relief or abatement of congestion in its streets or highways, *except that no property in cities of the second class, which is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic *ordinances of the city, shall be taken by condemnation for such purpose: Provided, however, That no property devoted to a public use nor any property of a public utility company, property used for burial purposes nor places of public worship shall be condemned.* The title acquired by the city exercising the power of condemnation shall be a title in fee simple.

Section 2. Whenever any lands shall be acquired by any such city for parking lots or garages, they may be operated by such city as parking lots or garages for parking motor vehicles only, but not for the sale or distribution of any commodity, *except that portions of the street level or lower floors of the parking garages may be leased for commercial use, including emergency automobile repair service, and the sale by any lessee of the city of any commodity of trade or commerce or any service, except the sale of gasoline or automobile accessories, or when so provided by ordinance, they may*

* "ordinance" in original.

be let to and for private operation as parking lots or garages on such terms and conditions as may be prescribed by ordinance.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 21st day of October, A. D. 1955.

GEORGE M. LEADER

No. 197

AN ACT

Amending the act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand.

"The Borough Code".

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

Section 1001, act of May 4, 1927, P. L. 519, amended July 19, 1951, P. L. 1026, further amended.

Section 1. Section one thousand one, act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), known as "The Borough Code," amended July nineteen, one thousand nine hundred fifty-one (Pamphlet Laws 1026), is amended to read:

Section 1001. Organization of Council; Quorum; Compensation; Eligibility.—The borough council shall organize at eight o'clock post meridian on the first Monday of January of each even-numbered year, by electing a president, treasurer, and secretary, which shall constitute the organization of council. The council may at the organization meeting elect such other officers as may be provided for by law or ordinance, or as may be deemed necessary for the conduct of affairs of the borough. The president shall preside over the meetings of council and, when absent, his place shall be filled by a president pro tempore. A majority of the entire membership of council shall constitute a quorum. The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows: In boroughs whose population is seven hundred fifty (750) or less, a maximum of five dollars (\$5) a month; in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500), a maximum of ten dollars (\$10) a month; in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500),