

Repeal of duty to report to Secretary of Internal Affairs.

Section 1. The act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning, leasing, or operating steam or electric railways, and engaged in the business of carrying freight or passengers, within this State, to report to the Secretary of Internal Affairs the number of statute miles of lines so operated; and providing a penalty for failure so to report, and for making an incorrect report," is repealed.

APPROVED—The 17th day of May, A. D. 1957.

GEORGE M. LEADER

No. 85

AN ACT

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 prescribing the powers and duties of township supervisors and auditors, changing certain penalties, and regulating the acquisition of land and buildings for fire protection purposes.

The Second Class Township Code.

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

Section 511, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481, and amended May 20, 1949, P. L. 1562, further amended.

Section 1. Section 511, 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 May 20, 1949 (P. L. 1562), is amended to read:

Section 511. Organization Meeting; Appointment of Secretary and Treasurer.—The supervisors of each township shall meet, at a convenient time and place, on the first Monday in January of each year. *If the first Monday is a legal holiday, the meeting shall be held the first day following.* At such time the township supervisors shall organize as a board by electing one of their number as chairman. The board shall appoint a treasurer and a secretary, who shall be the same person, and who may or may not be a member of the board, except where the board selects a trust company or a banking institution to act as treasurer, in which case it shall elect an individual as secretary.

Clause (h), section 516 of the act, amended June 1, 1956, P. L. 2021, further amended.

Section 2. Clause (h) of section 516 of the act, amended June 1, 1956 (P. L. 2021), is amended to read:

Section 516. Duties of Supervisors, Township Superintendents, and Roadmasters.—The township supervisors, or the supervisors acting as superintendents or roadmasters, shall—

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(h) Attend road meetings and conventions authorized by the provisions of this act when directed to do so by

the board of supervisors. *Any supervisor or qualified township employe may, if directed by the board of supervisors, attend any school conducted in the county or in any adjacent county by a State or Federal agency.*

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Section 3. Section 530 of the act, amended July 2, 1953 (P. L. 328), is amended to read:

Section 530 of the act, amended July 2, 1953, P. L. 328, further amended.

Section 530. Bond.—The treasurer appointed by the board of township supervisors, if an individual, shall give bond, with a surety company or other company authorized by law to act as surety *to be approved as to the amount thereof by* and filed with the auditors of the township, conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township, and all moneys paid by the State to the township and received by him, only upon a written order signed by two members of the board of supervisors; for the delivery to his successor in office of all books, papers, and documents; for the payment to such successor of any balance of money belonging to the township that may remain in his hands; and for the faithful performance of the duties of his office.

Section 4. Section 547 of the act, amended September 27, 1955 (P. L. 607), is amended to read:

Section 547 of the act, amended September 27, 1955, P. L. 607, further amended.

Section 547. Completion, Filing and Publication of Annual Township Report and Financial Statement.—The auditors shall complete their audit, settlement, and adjustment prior to March first of each year, and in no case shall more than twenty days be expended on such audit.

On or before March first of each year the auditors shall make a report, as hereinafter provided, of the affairs of the township, executed copies of which report shall be forthwith filed by the secretary of the auditors with the secretary of the township, the clerk of the court of quarter sessions of the county, the Department of Internal Affairs, and the Department of Highways. Each copy of such report shall be signed by [each auditor] *at least a majority of the auditors*, and duly verified by the oath of the secretary of the auditors. Any secretary of auditors, refusing or wilfully neglecting to file such township report, as hereinbefore provided, or to publish the financial statement herein required, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of five dollars for each day's delay beyond the last day for filing such report, and costs, or in default of the payment of such fine and costs, be sentenced to imprisonment not exceeding ten days.

The township report shall be presented on a uniform form, prepared and furnished as hereinafter provided.

The township report shall contain the names and

addresses of the chairman, members and secretary-treasurer of the board of supervisors of the township, a statement of the receipts of the township from all sources, and of all accounts and revenue which may be due and uncollected at the close of the fiscal year, a statement of the disbursements of the township during the fiscal year for the construction, reconstruction, maintenance and repair of the roads, for the purchase and repair of road equipment and machinery, the number of miles of road opened, built and permanently improved, and the total number of miles of road in the township, a statement of the balance in the township treasury at the beginning of the fiscal year, a statement of the resources and liabilities of the township at the end of the fiscal year, a detailed statement of the indebtedness of the township at the close of the fiscal year, the provisions made for the payment thereof, together with the purposes for which it was incurred, a statement of the cost of ownership and operation of each and every public service industry, owned, maintained or operated by the township, and such more specific information, as may be required as hereinafter provided.

On or before March tenth of each year, the auditors shall publish, by advertisement, once in at least one newspaper of general circulation published in the township, or if no such newspaper is published in the township, then in such a newspaper circulating in the township, a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year, all revenues received during the fiscal year by major classifications, all expenditures made during the fiscal year by major functions, and the current resources and liabilities of the township at the end of the fiscal year, the gross liability and net debt of the township, the amount of the assessed valuation of the township, the assets of the township with the character and value thereof, the date of the last maturity of the respective forms of funded debt, and the assets in the sinking fund. Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law, which requires the corporate authorities of townships to publish an annual statement of indebtedness.

If any township has a population of less than two hundred, as shown by the last preceding decennial census of the United States, the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper.

Clause XII, section 702 of the act, reenacted and amended July 10, 1947, P. L. 1481, further amended.

Section 5. Clause XII. of section 702 of the act, reenacted and amended July 10, 1947 (P. L. 1481), is amended to read:

Section 702. Supervisors to Exercise Powers.—The

corporate powers of townships of the second class shall be exercised by the township supervisors. Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred, or where no specific fund is designated from which such expenditures shall be made, appropriations for such expenditures shall be made only from the general township fund. In addition to the duties imposed upon them by section 516 hereof they shall have power—

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XII. Nuisances.—To prohibit nuisances, including but not limited to, accumulations of garbage and rubbish, and the storage of abandoned or junked automobiles, on private and public property, and the carrying on of any offensive manufacture or business; and to remove any nuisance or dangerous structure on public or private grounds after notice to the owner to do so, and, in his default, to collect the cost of such removal, together with [a penalty of ten dollars] *such penalty as may be prescribed by ordinance* from the owner by summary proceedings. In the exercise of the powers herein conferred, the township may institute proceedings in courts of equity.

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Section 6. Clause XLIX. of section 702 of the act, added May 24, 1951 (P. L. 370), is amended to read:

Clause XLIX,
section 702 of
the act, added
May 24, 1951,
P. L. 370,
further amended.

Section 702. Supervisors to Exercise Powers.—The corporate powers of townships of the second class shall be exercised by the township supervisors. Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred, or where no specific fund is designated from which such expenditures shall be made, appropriations for such expenditures shall be made only from the general township fund. In addition to the duties imposed upon them by section 516 hereof, they shall have power—

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XLIX. Fire Houses.—To provide and maintain suitable places for the housing of engines, hose carts and other apparatus for the extinguishment of fire. No [such] *land shall be purchased or building [shall be] erected or maintained for such purpose* without obtaining the assent of the electors thereof, expressed at an election to be held at the place, time and under the same regulations as provided by law for the holding of municipal elections.

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APPROVED—The 20th day of May, A. D. 1957.

GEORGE M. LEADER