

Section 1. Section 1202.1, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," added May 25, 1956 (P. L. 1740), is amended to read:

Section 1202.1, act of May 1, 1929, P. L. 905, added May 25, 1956, P. L. 1740, further amended.

Section 1202.1. Enforcement in Cities of the First, Second, [and] second Class A *and Third Class*.—In addition to and notwithstanding any other provisions in this act relating to procedures dealing with enforcement, the filing of informations, the institution of summary proceedings and the issuance of warrants for arrest of alleged violators, a police officer of a city of the first, second, [or] second class A *or third class*, who observes a violation of any of the summary provisions of this act or any local traffic ordinance, and has reasonable ground to believe that the violator is a non-resident of this Commonwealth and may not appear in the traffic court of the city in response to a traffic violation citation handed to him, and that the offender will not be available for service of a warrant which may thereafter be issued for his arrest for the violation, is authorized to arrest the offender forthwith in accordance with the authority of police officers of any city of the first, second, [or] second class A *or third class*, to arrest on view persons violating any ordinance of the city.

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

GEORGE M. LEADER

No. 433

AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing the court of quarter sessions, upon petition, to make minor changes of corporate names of boroughs to conform with general usage or post office designation; authorizing the court to abolish wards, and providing for election of councilmen when wards are abolished and for the filling of vacancies in certain cases; further providing for the division of boroughs into wards, and authorizing appointment of women as commissioners to inquire into propriety of ward changes.

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

The Borough Code.

Section 1. The act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), is amended by adding, after section 304, a new section to read:

Act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, amended by adding a new section 305.

Section 305. Change of Corporate Name to Conform to General Usage or to Post Office Designation.—Where the corporate name of any borough shall differ from the

name in general usage or from the post office designation by reason only of minor discrepancies in spelling, in capitalization or in the manner of compounding the elements of such name, the court of quarter sessions may change the name of such borough to conform to the name in general usage or to the post office designation upon petition. Such petition shall be presented by the council of the borough, pursuant to a resolution of the council, or by at least five per centum of the registered electors of the borough. Upon the presentation of the petition, the court shall fix a day for hearing of which such notice shall be given as may be directed by the court. At such hearing, any inhabitant of the borough may remonstrate against the granting of the petition, and the court may grant or refuse the petition as to it appears just and proper. If the court grants the petition, the decree of the court shall be recorded in the office for the recording of deeds and the corporate name of the borough from the date of such recording shall be as set forth in such petition, but such change shall not in any way affect any liabilities incurred, rights accrued or vested, obligations issued or contracted, or any suits or prosecutions pending or instituted to enforce any right or penalty accrued or to punish any offense committed prior to such change regardless of whether the old or the new name of the borough shall have been used therein.

Sections 601 and 602 of the act, reenacted and amended July 10, 1947, P. L. 1621, further amended.

Section 2. Sections 601 and 602 of the act, reenacted and amended July 10, 1947 (P. L. 1621), are amended to read:

Section 601. Power of Court to Erect, Abolish and Change Wards and to Alter and Establish Lines.—The court of quarter sessions, upon petition, may divide boroughs into wards, erect new wards out of two or more adjoining wards or parts thereof, consolidate two or more wards into one ward, divide any ward already erected into two or more wards, alter the lines of any two or more adjoining wards, [or] cause the lines or boundaries of wards to be ascertained and established, or abolish all wards.

Section 602. Signing Petition; Appointment of Commissioners; Report.—The petition shall be presented by the council of the borough pursuant to a resolution of the council, or by at least five per centum of the registered electors of the borough, or in case of a proposal to divide the borough into wards or to abolish all wards, or by at least five per centum of the registered electors of the ward or wards whose limits it is proposed to change, as the case may be. Upon its presentation, the court shall appoint three impartial [men] persons as commissioners to inquire into the propriety of granting

the prayer in the petition. The commissioners, or any two of them, shall make a report to the court, within sixty days after their appointment and shall accompany it with a plot, showing the boundaries of the proposed wards of the borough, or the wards before and after the proposed change, as the case may be, whenever the same cannot be fully designated by natural lines.

Section 3. The act is amended by adding, after section 816, two new sections to read:

The act is amended by adding two new sections 817 and 818.

Section 817. Election of Councilmen Where Wards Abolished.—Whenever the court of quarter sessions shall abolish all wards in any borough and when the report in such case is confirmed by the court, it shall, at the same time, decree the election of seven councilmen at large for the borough in such manner as not to interfere with the terms of those ward councilmen theretofore elected. In decreeing such election, the decree shall be so made that of the seven councilmen, three or four councilmen, as the case may be, shall be elected for terms of two years each, and three or four councilmen, as the case may be, shall be elected for terms of four years each, to coincide with the number of councilmen elected at such election in existing boroughs under the provisions of section 810 of this act. Biennially thereafter, at each municipal election, a sufficient number of councilmen shall be elected, at large, for the term of four years from the first Monday of January next succeeding to fill the places of those whose terms shall expire on the first Monday of January next following such election. Ward councilmen in office at the time of such decree of court may remain in office until the end of the terms for which they were respectively elected or appointed, but no election or appointment of a ward councilman shall be made at any time after such decree.

Section 818. Vacancies Created After a Primary Election.—Whenever a decree of court is made after a primary election and, as a result thereof, a vacancy is created in the office of councilman, it may be filled by nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket.

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

GEORGE M. LEADER