

Act effective immediately.

Section 2. Effective Date.—This act shall take effect immediately.

APPROVED—The 14th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 324

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," providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

The Borough Code.

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

Section 1179, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, further amended.

Section 1. Section 1179, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), is amended to read:

Section 1179. Age, Applicant's Residence.—No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of application [and has been a resident of the borough for at least one year preceding immediately his application, unless no such resident applicants are available]. *An applicant need not be a resident of the borough. The council of the borough may authorize the commission, by rule or regulation, to require police and firemen to become residents of the borough after appointment to such positions.*

APPROVED—The 14th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 325

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 purchase or condemnation of unobstructed views at curves and intersections.

The Borough Code.

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

Section 1. Article XVII., 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 1765, a new subdivision to read:

Article XVII., act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, amended by adding a new subdivision (e.1), including therein sections 1767, 1768 and 1769.

(e.1) Use of Abutting Lands for Unobstructed View

Section 1767. Acquisition of Property.—Any borough may, singly or jointly, with another borough, city, county or township, acquire, by purchase or by the right of eminent domain, a free and unobstructed view down and across such lands located at or near the intersection of any two streets or highways or a street or highway and a railroad or railway or at a curve in any street or highway as may be necessary to assure a free and unobstructed view in all directions at such crossings, and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the view of persons traveling upon any such street or highway.

Upon any such condemnation, the borough having had such view condemned may, from time to time, abate or remove or cause to be abated or removed any obstruction to the view over and across such lands except poles used in furnishing telephone, telegraph or electric service to the public.

Section 1768. Procedure.—The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken, injured or destroyed, or the portion thereof agreed to be paid by the borough if the taking is jointly with another borough, city, county or township, shall be taken in the manner provided in article fourteen of this act.

*Section 1769. Future Use of Land by Owner.—Upon the purchase or condemnation of a view, the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at the dangerous crossing or curve and, unless specially provided for in such purchase or condemnation proceedings, such purchase or condemnation shall not be *constructed to prevent the owner thereof from using the land for pasture or the growing of grass, oats, wheat or other crops which will not obstruct the vision more than wheat.*

APPROVED—The 14th day of July, A. D. 1961.

DAVID L. LAWRENCE

* "constructed" in original.