

nance by council, an informative notice of intention to consider such ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents, pursuant to a uniform form, which shall be prepared or approved by the Department of Internal Affairs in the case of a zoning ordinance, the Department of Labor and Industry in the case of a building code, or the Pennsylvania State Police in the case of a fire prevention code, and a reference to the place or places within the city where copies of the proposed building code, fire prevention code or zoning ordinance may be examined or obtained, shall be published in the manner herein provided for the publication of ordinances. Such building code, ordinance, fire prevention code, ordinance or zoning ordinance shall not be published after adoption, but not less than three copies thereof shall be made available for public inspection and use during business hours for at least three months after adoption, and printed copies thereof shall be supplied upon demand, at cost. In any case in which maps, plans or drawings of any kind are to be adopted as part of an ordinance, council may, instead of publishing the same as part of the ordinance, refer, in publishing the ordinance or a summary thereof, to the place where such maps, plans or drawings are on file and may be examined.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON

No. 49

### 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," validating ordinances heretofore attached to the township ordinance book and not recorded directly upon the pages thereof.

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

Section 1. Clause XLI. of section 702, 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 June 19, 1961 (P. L. 486), 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 Second Class Township Code.

Clause XLI., section 702, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481 and amended June 19, 1961, P. L. 486, further amended.

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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XLI. Ordinances.—To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out. All such ordinances, unless otherwise provided by law, shall be published not more than sixty days nor less than seven days prior to passage at least once in one newspaper circulating generally in the township. Such ordinances shall be recorded in the ordinance book of the township and shall become effective five days after such adoption. *Any and all township ordinances, or portions thereof, the text of which, prior to the effective date of this amendment, shall have been attached to the township ordinance book, shall be considered in force just as if such ordinances, or portions thereof, had been recorded directly upon the pages of such ordinance book: Provided, That all other requirements of this act applicable to the enactment, approval, advertising and recording of such ordinances, or portions thereof, were complied with within the time limits prescribed by this act.* In any case in which maps, plans, or drawings of any kind are adopted as part of an ordinance, the supervisors may, instead of publishing the same as part of the ordinance, refer in publishing the ordinance to the place where such maps, plans, or drawings are on file and may be examined. The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of any such township ordinances, which fines and penalties may be collected by suit or summary proceeding brought in the name of the township before any justice of the peace. Proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant, or by summons, at the discretion of the justice of the peace before whom the proceeding is begun. No warrant shall be issued, except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued. All proceedings shall be directed to, and be served by, a constable of the township. Warrants shall be returnable forthwith and upon such return like proceeding shall be had, as in cases of summary conviction. All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury. Upon judgment against any person by summary conviction, or by proceedings by summons on default of

the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the township lockup for a period not exceeding five days, or to the county jail, or workhouse for a period not exceeding thirty days.

Any person aggrieved may, within thirty days after any ordinance or resolution takes effect, make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect, and for the payment of costs. The determination and order of the court thereon shall be conclusive.

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Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON

No. 50

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further fixing qualifications of members of the board of health.

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

The Third Class City Code.

Section 1. Section 2302, act of June 23, 1931, (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662) and amended April 20, 1956 (P. L. 1490), is amended to read:

Section 2302, act of June 23, 1931, P. L. 932, reenacted and amended June 28, 1951, P. L. 662 and amended April 20, 1956, P. L. 1490, further amended.

Section 2302. Qualifications; Term; Removal.—The members of the board of health shall be residents of the city, except in the case of physicians who shall have their main office in the city. At least *one, and whenever possible two*, shall be reputable physicians of not less than two years' experience in the practice of their profession. Upon the creation of the board, council shall designate for one appointee a term of one year, for another a term of two years, and so on up to five; thereafter, one member of the board shall be appointed annually to serve for a term of five years from the first Monday of April succeeding his appointment. Council may remove members of the board for official misconduct or neglect of duty. All vacancies shall be filled for the unexpired term.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON