

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

Section 1. Section 203, act of February 1, 1966 (P. L. 1656), known as "The Borough Code," is amended to read:

Section 203. Contents of Petition.—The petition shall set forth the name of the proposed borough, with a particular description of the boundaries thereof [, exhibiting the courses and distances] and be accompanied with a plot of the same. If the boundaries of the proposed borough are not the same as an existing political subdivision, the description shall include the courses and distances of the boundaries. If the boundaries of the proposed borough are the same as an existing political subdivision, the description need not contain the courses and distances of the boundaries but shall refer to the name and location of the existing political subdivision.

Section 2. This act shall take effect immediately.

APPROVED—The 30th day of November, A. D. 1967.

RAYMOND P. SHAFER

No. 305

AN ACT

HB 118

*Authorizing townships, boroughs, cities of the second class A and cities of the third class to designate business improvement districts, create bonded indebtedness to acquire and finance improvements in such districts, and assess and collect special ad valorem assessments from benefited properties in such districts.*

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

Section 1. Short Title.—This act shall be known as the "Business Improvement District Act of 1967."

Section 2. Powers of Governing Body.—The governing body of every township, borough, city of the second class A and city of the third class shall have the power:

(a) To establish within the political subdivision an area or areas designated as a business improvement district which district or districts may be designated as all or part of any sector of a community which is zoned commercial or which is used for general commercial purposes.

(b) To appropriate and expend such amounts as may be necessary for preliminary planning or feasibility studies to determine needed improvements in such districts and to recommend improvement to individual properties and to provide where required basic design criteria. Public hearings shall be required before passage of the enabling ordinance. Said ordinance shall specify improvements, with respective costs, to be undertaken. Said ordinance shall not become effective if property owners representing a majority of the total assessed valuation of the proposed district object thereto.

(c) To appropriate and expend such amounts as may be required to acquire by purchase or lease, real or personal property to effectuate the purposes of the improvement district including but not limited to sidewalks, retaining walls, street paving, street lighting, parking lots, parking garages, trees and shrubbery purchased and planted, pedestrian walks, sewers, water lines, rest areas, acquisition and remodeling or demolition of blighted buildings and similar or comparable structures. In no case shall improvement be made to property which has not been acquired.

(d) To acquire by gift, purchase or eminent domain, land, real property or right of ways which may be needed for the purposes of the projected improvements within the district.

(e) To issue bonds in accordance with the provisions of the act of June 25, 1941 (P. L. 159), known as the "Municipal Borrowing Law" in such amounts and for such periods as may be necessary to finance the projected improvements for any district.

Section 3. Ad Valorem Assessment Authorized.—The governing body is hereby authorized to impose an ad valorem assessment on each benefited property within a business improvement district which shall be determined by the total cost of the improvements in such district including preliminary planning, feasibility studies and financing.

Section 4. Proration of Ad Valorem Assessment.—The total cost of the improvements in such district shall be assessed to all of the benefited properties in the district. Each individual assessment shall be determined by multiplying the total improvement cost by the ratio of the assessed value of the benefited property to the total assessed valuation of all benefited properties in the district.

The assessed cost to each benefited property shall be collected on an annual basis and may be prorated over such period of time as will provide for the amortization of any bond issue made pursuant to this act.

Section 5. Effective Date.—This act shall take effect January 1, 1968.

APPROVED—The 30th day of November, A. D. 1967.

RAYMOND P. SHAFER