

## No. 2011-15

## AN ACT

## SB 360

Amending the act of June 23, 1931 (P.L.932, No.317), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further providing for sales of personal property.

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

Section 1. Section 1917 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, reenacted and amended June 28, 1951 (P.L.662, No.164) and amended July 11, 1996 (P.L.647, No.109), is amended to read:

Section 1917. Sales of Personal Property.—No city personal property shall be disposed of by sale or otherwise except upon approval of council by ordinance or resolution. In cases where council shall approve a sale of city personal property, it shall estimate the sale value of the entire lot to be disposed of. If council shall estimate such sale value to be less than one thousand dollars, it shall require a notice of the proposed sale to be posted for at least ten days on the bulletin board in the city hall, describing and itemizing the property to be sold and directing that bids may be made thereon at the office of the city clerk. Thereafter, council may sell such property, in whole or in part, for the best price or prices obtainable. If council shall estimate the sale value to be one thousand dollars or more, the entire lot shall be advertised for sale once in at least one newspaper, in accordance with the provisions of section one hundred nine of this act, and sale of the property so advertised shall be made to the best responsible bidder; and the bids shall not be opened until at least ten days after the said advertisement. Council may sell any such property at auction, but the provisions as to notice contained in this section shall be likewise observed as to the holding of such auction sales. *An auction may be conducted by means of an online or electronic auction sale. During an electronic auction sale, bids shall be accepted electronically at the time and in the manner designated in the advertisement. During the electronic auction, each bidder shall have the capability to view the bidder's bid rank or the high bid price. Bidders may increase their bid prices during the electronic auction. The record of the electronic auction shall be accessible for public inspection. The purchase price shall be paid by the high bidder immediately or at a reasonable time after the conclusion of the electronic auction as determined by council. In the event that shipping costs are incurred, they shall be paid by the high bidder. A city that has complied with the advertising requirements of this section may provide additional public notice of the sale by bids or auction in any manner deemed appropriate by council. The advertisement for electronic auction sales authorized in this section shall include the Internet address or means of accessing the electronic auction and the date, time and duration of the electronic auction.* The provisions of this section shall not be mandatory

where city personal property is to be traded-in or exchanged for new city personal property.

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of June, A.D. 2011

TOM CORBETT