

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2012

Session of
1978

INTRODUCED BY MESSRS. LOGUE, FRYER, RUGGIERO, LIVENGOD, WEIDNER,
LEVI, S. E. HAYES JR., SCHEAFFER, ZELLER AND
A. C. FOSTER JR., JANUARY 30, 1978

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 13, 1978

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," authorizing the sale of land to nonprofit medical
5 corporations AND TO NONPROFIT HOUSING CORPORATIONS and
6 changing the amount of consideration for real estate sold
7 other than by bid. <—

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

10 Section 1. Section 1501, act of June 24, 1931 (P.L.1206,
11 No.331), known as "The First Class Township Code," reenacted and
12 amended May 27, 1949 (P.L.1955, No.569), and amended October 26,
13 1972 (P.L.1037, No.258), is amended to read:

14 Section 1501. Suits; Property.--Townships of the first class
15 may--

16 I. Sue and be sued.

17 II. Purchase, acquire by gift, or otherwise, hold, lease,
18 let and convey, by sale or lease, such real and personal
19 property as shall be deemed to be to the best interest of the

1 township: Provided, That no real estate owned by the township
2 shall be sold for a consideration in excess of [five] one
3 thousand five hundred dollars except to the highest bidder after
4 due notice by advertisement for bids in one newspaper of general
5 circulation in the township. Such advertisement shall be
6 published once not less than ten days prior to the date fixed
7 for the opening of bids, and such date for opening bids shall be
8 announced in such advertisement. The acceptance of bids shall be
9 made only by public announcement at a regular or special meeting
10 of the board of township commissioners. All bids shall be
11 accepted on the condition that payment of the purchase price in
12 full shall be made within sixty days of the acceptance of bids.

13 Except as otherwise hereinafter provided in the case of
14 personal property of an estimated sale value of less than two
15 hundred dollars, no township personal property shall be disposed
16 of, by sale or otherwise, except upon approval of the board of
17 township commissioners, by ordinance or resolution. In cases
18 where the board of township commissioners shall approve a sale
19 of such property, it shall estimate the sale value of the entire
20 lot to be disposed of. If the board of township commissioners
21 shall estimate the sale value to be two hundred dollars or more,
22 the entire lot shall be advertised for sale once, in at least
23 one newspaper of general circulation in the township, not less
24 than ten days prior to the date fixed for the opening of bids,
25 and such date of opening of bids shall be announced in such
26 advertisement, and sale of the property so advertised shall be
27 made to the best responsible bidder. The board of township
28 commissioners shall have authority, by resolution, to adopt a
29 procedure for the sale of surplus personal property of an
30 estimated sale value of less than two hundred dollars and the

1 approval of the board of township commissioners shall not be
2 required for any individual sale that shall be made in
3 conformity to such procedure.

4 The provisions of this clause shall not be mandatory where
5 township property is to be traded in or exchanged for new
6 township property.

7 The provisions of this clause shall not prohibit the sale or
8 exchange of township property to public utilities.

9 The provisions of this clause requiring advertising for bids
10 and sale to the highest bidder shall not apply where township
11 real or personal property is to be sold to a county, city,
12 borough, town, township, institution district, school district,
13 or municipal authority pursuant to the Municipality Authorities
14 Act of 1945, or to a nonprofit corporation engaged in community
15 industrial development or where real property is to be sold to a
16 person for his exclusive use in an industrial development
17 program or where real property is to be sold to a nonprofit
18 corporation organized as a public library, or where real
19 property is to be sold to a nonprofit medical service

20 corporation as authorized by clause LXXII of section 1502, OR <—

21 WHERE REAL PROPERTY IS TO BE SOLD TO A NONPROFIT HOUSING

22 CORPORATION AS AUTHORIZED BY CLAUSE LXXIII OF SECTION 1502. When

23 real property is to be sold to a nonprofit corporation organized
24 as a public library or to a nonprofit medical service

25 corporation OR TO A NONPROFIT HOUSING CORPORATION the board of <—

26 township commissioners may elect to accept such nominal
27 consideration for such sale as it shall deem appropriate.

28 Any officer who sells and each officer who votes in favor of
29 selling any township property, either real or personal, without
30 the provisions of this section having been complied with, shall

1 be subject to surcharge in the amount of any loss sustained by
2 the township by reason of such sale.

3 Section 2. Section 1502 of the act is amended by adding a <—
4 ~~clause~~ CLAUSES to read: <—

5 Section 1502. The corporate power of a township of the first
6 class shall be vested in the board of township commissioners.
7 The board shall have power--

8 * * *

9 LXXII. Sale of Real Property to Nonprofit Medical Service
10 Corporation. To sell township-owned real property to a nonprofit
11 medical service corporation for its exclusive use as a site for
12 a medical service facility.

13 LXXIII. SALE OF REAL PROPERTY TO NONPROFIT HOUSING <—
14 CORPORATION. TO SELL TOWNSHIP-OWNED REAL PROPERTY TO A
15 NONPROFIT HOUSING CORPORATION FOR ITS EXCLUSIVE USE FOR HOUSING
16 FOR THE ELDERLY.

17 Section 3. This act shall take effect in 60 days.