

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2899 Session of  
1994

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INTRODUCED BY NYCE AND McCALL, JUNE 14, 1994

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 14, 1994

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AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled  
2 "An act relating to counties of the third, fourth, fifth,  
3 sixth, seventh and eighth classes; amending, revising,  
4 consolidating and changing the laws relating thereto,"  
5 further providing for county boundary lines.

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

8 Section 1. Sections 305 and 306 of the act of August 9, 1955  
9 (P.L.323, No.130), known as The County Code, are amended to  
10 read:

11 Section 305. Authority to Fix New County Line.--(a) When  
12 the commission has ascertained, located and determined said  
13 line, if it appears to it that the existing county line, from  
14 any cause whatever, has become inconvenient for any purpose, or  
15 improper, difficult to ascertain, or not related to the natural  
16 or other land marks, the commission shall report these facts, or  
17 any of them, to the court of [quarter sessions] common pleas  
18 having appointed the commission, with a recommendation that a  
19 new county line be established in whole or in part. The

1 commission shall give specific consideration to natural  
2 barriers, common usage, provision of fire, police, emergency and  
3 governmental services, public school accessibility and ease of  
4 transportation.

5 (b) Thereupon, if said court shall be of opinion that it is  
6 to the interest and advantage of the respective counties that a  
7 new county line be established, they may direct said commission  
8 to fix and determine a new county line and to mark the same with  
9 suitable monuments of a permanent character. The court shall  
10 give specific consideration to natural barriers, common usage,  
11 provision of fire, police, emergency and governmental services,  
12 public school accessibility and ease of transportation.

13 (c) Notice shall be given to the counties interested, and to  
14 the owners of all lands which will be affected by the proposed  
15 change, of the time when the recommendation of the commission  
16 for a new county line will be considered by the court.

17 Section 306. Report of Commission; Approval by Court;  
18 Certification of Line.--(a) The commission, or a majority  
19 thereof, shall make a report, in writing, addressing the  
20 specific issues set forth in section 305, and attach thereto a  
21 map or draft showing the courses and distances of the line  
22 ascertained and designated by them as the existing county line,  
23 or where they may have been directed to fix and determine a new  
24 county line, such map or draft, in lieu thereof, shall show the  
25 courses and distances of new county line. In either case, the  
26 map or draft shall also show the lands through which said line  
27 passes and the buildings in close proximity thereto, together  
28 with the roads and streams crossed by or near to such line.

29 (b) The report and map, signed by the members of the  
30 commission or a majority of them, shall be filed in the court of

1 [quarter sessions] common pleas having been given jurisdiction,  
2 and if approved by such court, shall be ordered recorded in the  
3 records thereof. A copy of the report and approval shall be  
4 certified by the clerk of the court to the clerk of the court of  
5 [quarter sessions] common pleas of each county affected, where  
6 it shall be recorded in the records. The line so ascertained,  
7 surveyed and fixed and so marked shall thenceforth be the  
8 boundary line between the counties.

9 (c) The clerk of the court of [quarter sessions] common  
10 pleas, having determined the matter, shall certify the approval  
11 of the court on two copies of the report and map filed in this  
12 office and, within thirty days, transmit a copy by mail to the  
13 Secretary of [Internal] Community Affairs, to be by him  
14 deposited in his department, and another to the Department of  
15 [Highways] Transportation.

16 Section 2. This act shall be retroactive to March 1, 1992.

17 Section 3. This act shall take effect immediately.