

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 371 Session of 2011

INTRODUCED BY ROSS, MILLARD, BOYD, CALTAGIRONE, CARROLL, CLYMER, CUTLER, D. EVANS, EVERETT, FLECK, FRANKEL, GEIST, GINGRICH, GRELL, HICKERNELL, KNOWLES, KORTZ, MANN, MICOZZIE, MILNE, MOUL, O'NEILL, REICHLEY, VULAKOVICH AND HESS, FEBRUARY 1, 2011

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 1, 2011

AN ACT

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

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

7 Section 1. Section 1917 of the act of June 23, 1931 (P.L.
8 932, No.317), known as The Third Class City Code, reenacted and
9 amended June 28, 1951 (P.L.662, No.164) and amended July 11,
10 1996 (P.L.647, No.109), is amended to read:

11 Section 1917. Sales of Personal Property.--No city personal
12 property shall be disposed of by sale or otherwise except upon
13 approval of council by ordinance or resolution. In cases where
14 council shall approve a sale of city personal property, it shall
15 estimate the sale value of the entire lot to be disposed of. If
16 council shall estimate such sale value to be less than one
17 thousand dollars, it shall require a notice of the proposed sale

1 to be posted for at least ten days on the bulletin board in the
2 city hall, describing and itemizing the property to be sold and
3 directing that bids may be made thereon at the office of the
4 city clerk. Thereafter, council may sell such property, in whole
5 or in part, for the best price or prices obtainable. If council
6 shall estimate the sale value to be one thousand dollars or
7 more, the entire lot shall be advertised for sale once in at
8 least one newspaper, in accordance with the provisions of
9 section one hundred nine of this act, and sale of the property
10 so advertised shall be made to the best responsible bidder; and
11 the bids shall not be opened until at least ten days after the
12 said advertisement. Council may sell any such property at
13 auction, but the provisions as to notice contained in this
14 section shall be likewise observed as to the holding of such
15 auction sales. An auction may be conducted by means of an online
16 or electronic auction sale. During an electronic auction sale,
17 bids shall be accepted electronically at the time and in the
18 manner designated in the advertisement. During the electronic
19 auction, each bidder shall have the capability to view the
20 bidder's bid rank or the high bid price. Bidders may increase
21 their bid prices during the electronic auction. The record of
22 the electronic auction shall be accessible for public
23 inspection. The purchase price shall be paid by the high bidder
24 immediately or at a reasonable time after the conclusion of the
25 electronic auction as determined by council. In the event that
26 shipping costs are incurred, they shall be paid by the high
27 bidder. A city that has complied with the advertising
28 requirements of this section may provide additional public
29 notice of the sale by bids or auction in any manner deemed
30 appropriate by council. The advertisement for electronic auction

1 sales authorized in this section shall include the Internet
2 address or means of accessing the electronic auction and the
3 date, time and duration of the electronic auction. The
4 provisions of this section shall not be mandatory where city
5 personal property is to be traded-in or exchanged for new city
6 personal property.

7 Section 2. This act shall take effect immediately.