

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 382

Session of
1971

INTRODUCED BY MAHADY, REIBMAN, WADE, HOWARD, FRAME AND
MESSINGER, FEBRUARY 23, 1971

REFERRED TO LOCAL GOVERNMENT, FEBRUARY 23, 1971

AN ACT

1 Relating to local government boundary changes.

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

4 ARTICLE I

5 SHORT TITLE; DEFINITIONS; APPLICABILITY

6 Section 101. Short Title.--This act shall be known and may
7 be cited as the "Municipal Boundary Act."

8 Section 102. Definitions.--As used in this act:

9 (1) "Annexation" means that action which results in a
10 portion of the territory of one municipality being detached from
11 it and attached to another municipality.

12 (2) "Boundary changes" means those made under the provisions
13 of this act by annexation, consolidation or merger,
14 incorporation, detachment, and adjustment of boundaries
15 involving two or more municipalities.

16 (3) "Consolidation or merger" means the union of two or more
17 municipalities into one municipality.

1 (4) "Election officials" means the county boards of
2 election, except in Philadelphia where "election officials" mean
3 the city board of elections.

4 (5) "Electors" means the registered voters of any
5 municipality involved in proceedings relating to boundary
6 changes.

7 (6) "Governing bodies" means boards of county commissioners,
8 city councils and mayors, borough or incorporated town councils
9 and mayors, commissioners of townships of the first class and
10 supervisors of townships of the second class, as defined in
11 existing law.

12 (7) "Incorporation" means the creation of a new municipality
13 from all of the territory of an existing municipality or
14 municipalities.

15 (8) "Local Boundary Commission" means the Local Government
16 Commission of the Commonwealth of Pennsylvania.

17 (9) "Municipality" means county, city, borough, incorporated
18 town, or township.

19 Section 103. Applicability.--This act establishes the
20 procedure for and shall apply to the change of boundaries of all
21 municipalities.

22 ARTICLE II

23 INCORPORATION

24 Section 201. Requirements.--(a) A new city may be
25 incorporated only if its territory shall have at the time of
26 incorporation a population of ten thousand or more, according to
27 the last United States decennial or special census, and as
28 certified by the appropriate board or boards of county
29 commissioners.

30 (b) A new municipality shall only be incorporated from the

1 entire territory of an existing municipality or municipalities.

2 Section 202. Petition for Incorporation.--The petition for
3 incorporation of a municipality shall be submitted to the Local
4 Boundary Commission and shall be signed by electors comprising
5 five per cent of the number of electors voting for the office of
6 Governor in the last gubernatorial general election in each
7 municipality affected.

8 Section 203. Incorporation Petition.--The incorporation
9 petition shall contain the following information:

10 (1) The name of the municipality or municipalities involved
11 in the proposed incorporation.

12 (2) The proposed name of the new municipality, and the
13 county or counties in which the new municipality is located.

14 (3) The area and boundaries of the territory proposed for
15 incorporation, accompanied by a plat or map delineating same,
16 and showing the location of all public streets and roads,
17 municipal improvements and public buildings located in the
18 territory proposed to be incorporated. The plat or map shall be
19 prepared or approved by the county board or boards of
20 commissioners.

21 (4) The estimated number of inhabitants residing in the
22 territory proposed to be incorporated.

23 (5) The assessed valuation of taxable real property and the
24 estimated true market value of the territory proposed to be
25 incorporated as certified by the board or boards of county
26 commissioners.

27 (6) The assessed valuation and estimated true market value
28 of the municipality or municipalities in which the territory
29 proposed for incorporation is located as certified by the board
30 or boards of county commissioners.

1 (7) The amount of real property taxes levied by the
2 municipality or municipalities in the territory proposed for
3 incorporation in the last preceding fiscal year as certified by
4 the board or boards of county commissioners.

5 (8) The reasons the petitioners desire the incorporation
6 proposed in the petition.

7 Section 204. Study of Petition for Incorporation.--The Local
8 Boundary Commission shall make a study of the petition for
9 incorporation, and, within sixty days of receipt of the
10 petition, shall submit its recommendations to the person or
11 persons who submitted the petition, to the governing bodies of
12 the municipalities involved in the incorporation proposal, and
13 to the board or boards of county commissioners of the territory
14 involved.

15 Section 205. Public Hearings.--The Local Boundary Commission
16 may hold hearings on the incorporation proposal at the county
17 seat of the county in which the territory or the major part of
18 the territory proposed for incorporation is located. The Local
19 Boundary Commission shall designate as chairman of the hearings
20 the president of the county commissioners of the county in which
21 the hearing is held, or another county official named by the
22 president of the county commissioners. At such hearings,
23 representatives from the local governing bodies involved and
24 citizens residing in the municipalities involved may be heard.

25 Section 206. Incorporation Election.--The Local Boundary
26 Commission, after making a study and submitting recommendations,
27 may cause a question relating to the proposed incorporation to
28 be submitted to the entire electorate of each municipality
29 affected. Such election shall be held at the next general or
30 primary election but not less than sixty days after the Local

1 Boundary Commission has requested the appropriate county board
2 or boards of election to place the question on the ballot. The
3 election shall be carried on under the provisions of the act of
4 June 3, 1937 (P.L.1333), known as the "Pennsylvania Election
5 Code." If a majority of the persons voting on such question in
6 each of the municipalities involved shall vote in favor of such
7 incorporation, it shall be deemed final and shall become
8 effective on the first Tuesday after the first Monday of January
9 succeeding the municipal election at which local officials of
10 the new municipality shall be elected in accordance with the law
11 covering the election of municipal officials of the class of
12 municipality to which the new municipality belongs. When the
13 newly incorporated municipality of government shall go into
14 effect, the former municipality or municipalities of government
15 shall cease to exist. Such municipal election shall be held at
16 least ninety days after the certification of the vote favorable
17 to incorporation is made by the county board of election to the
18 governing bodies of the municipalities involved, to the
19 appropriate board or boards of county commissioners and to the
20 Local Boundary Commission. If a majority of the persons voting
21 on such question in any one of the municipalities involved shall
22 vote against such incorporation, then the incorporation
23 proceedings shall fail and the question of incorporation of
24 territory described in the incorporation proposal shall not be
25 voted on again for a period of five years from the date of such
26 election.

27 Section 207. Assumption of Property and Indebtedness.--
28 Whenever a municipality or municipalities shall be incorporated
29 as a new municipality, all public property, both real and
30 personal, including funds, shall become the property of the

1 newly incorporated municipality, and all indebtedness of the
2 prior municipality or municipalities shall be assumed by the
3 newly incorporated municipality.

4 Section 208. Crossing County Lines.--All counties in which
5 territory of the newly incorporated municipality is located
6 shall receive official information relating to such
7 incorporation from the board of county commissioners and the
8 court of common pleas of their respective counterparts.

9 Section 209. Election Districts and Officers.--All election
10 districts in the territory newly incorporated shall remain as
11 constituted before the incorporation, and shall become election
12 districts of the newly created municipality until changed in
13 accordance with the act of June 3, 1937 (P.L.1333), known as the
14 "Pennsylvania Election Code." All election district officers
15 shall continue in office until the expiration of their terms,
16 unless the office is vacated.

17 ARTICLE III

18 CONSOLIDATION OR MERGER

19 Section 301. Consolidation or Merger of Municipalities.--
20 Each of the municipalities proposed for consolidation or merger
21 shall be contiguous to at least one or more of the other
22 municipalities so proposed, although they may be situated in
23 different counties. The new consolidated or merged municipality
24 shall comprise the entire territory of two or more
25 municipalities.

26 Section 302. Initiation of Proceedings.--Proceedings for
27 consolidation or merger may be commenced:

28 (1) By joint agreement of the governing bodies of the
29 municipalities proposed for consolidation or merger as approved
30 by ordinance or resolution; or

1 (2) By initiative; or

2 (3) By the Local Boundary Commission.

3 Section 303. Election Results.--(a) Approval of the
4 consolidation or merger proposal shall be by a majority vote of
5 those voting in each of the municipalities. Such approval shall
6 be certified by the county board of elections to the
7 municipalities involved, the board or boards of county
8 commissioners and the Local Boundary Commission.

9 (b) In case the electors of one or more of the
10 municipalities involved in the consolidation or merger proposal
11 disapprove such consolidation, the consolidation or merger
12 proceedings shall fail for the municipality or municipalities
13 which have disapproved the proposal. If the electors of two or
14 more of the municipalities proposed for consolidation or merger
15 shall approve the consolidation or merger, but one or more of
16 the municipalities shall fail to approve, the Local Boundary
17 Commission may make a study of the feasibility of consolidation
18 or merger of those municipalities approving the proposal, and in
19 its discretion may initiate a local referendum for the
20 consolidation or merger of such municipalities at the next
21 general or primary election but not less than sixty days after
22 the Local Boundary Commission has submitted its study to the
23 local governing bodies of the municipalities involved.

24 (c) Upon request of a governing body of a municipality
25 approving the consolidation or merger, or upon petition of two
26 per cent of the registered electors within a municipality
27 approving the consolidation or merger, the Local Boundary
28 Commission shall make a study of the feasibility of
29 consolidation or merger of those municipalities approving the
30 proposal.

1 Section 304. Ordinances.--After consolidation or merger, the
2 ordinances in force in each of the municipalities may remain in
3 force throughout the territory for which they were originally
4 enacted for a period of one year following the establishment of
5 the new unit of local government, during which the ordinances
6 shall be redrafted, amended and reenacted by the governing body
7 of the consolidated or merged municipality.

8 Section 305. Jurisdiction.--(a) Upon favorable action by the
9 electorate on the proposed consolidation or merger, the
10 governing bodies of the municipalities involved shall draw up a
11 joint agreement which shall set forth the name of the
12 consolidated or merged municipality, the number of wards, if
13 any, into which the consolidated or merged municipality is to be
14 divided, and the territorial boundaries of the consolidated or
15 merged municipality. It shall also set forth such terms as have
16 been agreed upon for the disposition of the assets, the
17 liquidation of indebtedness, and the paying off of same by
18 separate rates of taxation on property subject to taxation,
19 within the boundaries of the municipalities, respectively. This
20 joint agreement shall be filed in the court of common pleas,
21 with the Local Boundary Commission and with the Department of
22 Community Affairs. In the event the municipalities involved are
23 unable to reach an agreement within ninety days after approval
24 of the consolidation or merger by referendum, or within ninety
25 days after the effective date of this act where the approval of
26 the consolidation or merger by referendum was prior to the
27 effective date of this act, the governing body of any
28 municipality involved, or any elector of any municipality
29 involved, may petition the court of common pleas for
30 determination. Where the territory to be consolidated or merged

1 is located in two or more counties, the court of common pleas of
2 the county having a majority or plurality of the population of
3 the municipalities to be consolidated or merged shall have
4 jurisdiction to settle the conflict over the agreement.

5 (b) For county and institution district purposes, the
6 territory of the consolidated or merged municipality shall be
7 governed as part of the county and institution district in which
8 the territory is situated. All counties in which territory
9 proposed for consolidation or merger is located shall receive
10 official information from the board of county commissioners and
11 the court of common pleas of their respective counterparts.

12 Section 306. Establishment of Consolidated or Merged
13 Municipality.--The new consolidated or merged municipality of
14 government shall be established on the first Tuesday after the
15 first Monday in January of the succeeding year following the
16 municipal election occurring at least ninety days after the
17 joint agreement was filed in the court of common pleas, at which
18 time the officers of the new consolidated or merged municipality
19 of government shall be chosen in accordance with the laws
20 regulating the election of municipal officers of the particular
21 class of local government to which the new municipality belongs.
22 When the new consolidated or merged municipality of government
23 shall go into effect, the former municipalities of government
24 that were consolidated or merged into the new municipality shall
25 cease to exist. All rights, privileges, property and franchises
26 of each of the municipalities consolidated or merged, and all
27 debts due, shall attach to the new municipality.

28 ARTICLE IV

29 ANNEXATION

30 Section 401. Proceedings.--Annexation of contiguous

1 territory may be accomplished by action of the governing bodies
2 of the municipalities affected or by initiative and referendum.

3 Section 402. Action by Governing Bodies.--Annexation may be
4 accomplished by approval by each of the governing bodies of the
5 municipalities by ordinance. Annexation by this method shall be
6 deemed final and shall become effective on the date of the first
7 official meeting of the governing body of the municipality to
8 which the annexation is made.

9 Section 403. Content of Ordinance.--Every ordinance
10 providing for annexation shall set forth a description of the
11 territory to be annexed, and shall contain or have included
12 thereto a certified plat or map showing the location of all
13 public streets and roads, municipal improvements, and public
14 buildings located in the territory proposed to be annexed.

15 Section 404. Filing of Ordinance.--Within fifteen days after
16 the passage of an ordinance for annexation, copies of the
17 ordinance shall be submitted to the Secretary of the Department
18 of Community Affairs, to the Chairman of the Local Boundary
19 Commission, and filed in the court of common pleas of the county
20 or counties in which the municipalities affected are located.

21 Section 405. Initiative Petition.--A petition to initiate
22 annexation shall contain the following information:

23 (1) The names of the municipalities involved in the proposed
24 annexation and the county or counties in which the
25 municipalities involved are located.

26 (2) The area and boundaries of the territory proposed for
27 annexation, accompanied by a certified plat or map delineating
28 the territory proposed for annexation and showing the location
29 of all public streets and roads, municipal improvements, and
30 public buildings located in the territory proposed to be

1 annexed.

2 (3) The number of inhabitants residing in the territory
3 proposed to be annexed.

4 (4) The assessed market valuation and the estimated true
5 market value of the territory proposed to be annexed as
6 certified by the board or boards of county commissioners.

7 (5) The assessed valuation and the estimated true market
8 value for the last preceding fiscal year of the entire
9 municipality or municipalities in which the territory proposed
10 for annexation is located as certified by the board or boards of
11 county commissioners.

12 (6) The amount of real property taxes levied by the
13 municipality upon real property in the last preceding fiscal
14 year in the territory proposed for annexation as certified by
15 the board or boards of county commissioners, and the total
16 amount of real estate taxes levied by each of the municipalities
17 involved.

18 (7) The existing zoning of the area proposed to be annexed,
19 and the effect which an annexation would have upon said zoning.

20 (8) The reasons which the petitioners desire the annexation
21 as proposed.

22 Section 406. Election Districts.--All election districts in
23 the territory annexed shall remain as constituted at the time of
24 annexation, and shall become election districts in the
25 municipality to which they were annexed until changed in
26 accordance with the act of June 3, 1937 (P. L. 1333), known as
27 the "Pennsylvania Election Code."

28 Section 407. Adjustment of Property.--Following any
29 detaching of territory, the governing body of the annexing
30 municipality and the governing body of the municipality from

1 which territory is detached shall make a just and proper
2 adjustment of the public property owned by the municipality from
3 which territory is detached at the time of such detachment. Such
4 property shall include, but shall not be limited to: equipment,
5 funds, and indebtedness. In making such adjustment and
6 apportionment, the attaching municipality and the municipality
7 from which territory is detached shall be entitled,
8 respectively, to share in a division of the property and
9 indebtedness in proportion that the market value, as determined
10 by the State Tax Equalization Board, of the detached portion of
11 the municipality from which territory is detached bears to the
12 market value, as so determined, of the entire municipality from
13 which territory is detached, immediately prior to the
14 detachment; however, where indebtedness was incurred by the
15 municipality from which territory is detached for an improvement
16 located wholly within the limits of the territory annexed by the
17 attaching municipality, that indebtedness shall be assumed by
18 the attaching municipality, and, where any part of the
19 improvement is located within the limits of such detached
20 territory, the part of such indebtedness representing the part
21 of the improvement located within such detached territory shall
22 be assumed by the attaching municipality, and the adjustment and
23 apportionment of any remaining debt and public property of the
24 municipality from which territory is detached shall be made
25 accordingly. Such adjustment and apportionment shall be in
26 writing, duly executed and acknowledged by the clerk or
27 secretary of the attaching municipality and filed with the clerk
28 of the court of common pleas of the county or counties in which
29 the attaching municipality and the municipality from which
30 territory is detached are located; and, copies shall be filed

1 with the Department of Community Affairs, the Local Boundary
2 Commission and the board or boards of county commissioners of
3 the counties in which the municipalities affected are located.

4 Section 408. Judicial Adjustment.--In case the governing
5 bodies of the attaching municipality and the municipality from
6 which territory has been detached cannot, within six months
7 after the annexation becomes effective, arrive at the
8 determination of the cost or value of the improvements, or of
9 the adjustment of indebtedness and public property, the
10 governing body of either municipality may appeal to the court of
11 common pleas of the county in which the municipality from which
12 territory has been detached is located. The court shall then
13 appoint a panel of three disinterested taxpayers who do not
14 reside in either municipality. Said panel shall hold a hearing,
15 notice of which shall be given to the governing bodies of the
16 municipalities involved as the court shall direct, shall make
17 report to the court stating the cost and value of improvements
18 and make an apportionment and adjustment of all the property as
19 well as the indebtedness, if any, to and between the
20 municipalities involved. Such report shall state the amount, if
21 any, that shall be due and payable from the attaching
22 municipality to the municipality from which territory has been
23 detached, or from the municipality from which territory has been
24 detached to the attaching municipality, as well as the amount of
25 indebtedness, if any, that shall be assumed by the attaching
26 municipality or the municipality from which territory has been
27 detached, or both of them.

28 Section 409. Panel Report.--(a) The panel shall give the
29 attaching municipality and the municipality from which territory
30 was detached at least five days notice of the filing of their

1 report. Unless exceptions to the report are filed within thirty
2 days after the date the report is filed, the report shall be
3 confirmed absolutely by the court. Any sum awarded by the court
4 to the attaching municipality or to the municipality from which
5 territory has been detached shall be a legal and valid claim in
6 its favor against the municipality charged therewith. Any
7 property, real or personal, given to the attaching municipality
8 or to the municipality from which territory has been detached
9 shall become its property. Any claim of indebtedness charged
10 against the attaching municipality or the municipality from
11 which territory has been detached shall be paid within one year
12 from the date of confirmation absolute.

13 (b) If exceptions are filed to the report of the panel, the
14 court shall dispose of same and enter its decree or modify the
15 same as to it appears just and proper.

16 Section 410. Compensation and Expenses of Commissioners,
17 Costs.--The commissioners shall be allowed such compensation and
18 expenses for their services as the court shall fix. The costs of
19 the proceedings, including the compensation and expenses of the
20 commissioners, shall be paid by the annexing municipality.

21 Section 411. Collection of Taxes Levied Prior to
22 Annexation.--All taxes levied against property in the territory
23 annexed prior to the effective date of the annexation shall be
24 paid to the municipality from which territory has been detached
25 and the collection and enforcement thereof shall be as though
26 the annexation had not taken place.

27 Section 412. Wards in Annexed Territory.--The governing body
28 of a municipality to which territory has been annexed, if
29 divided into wards, shall annex such territory to an existing
30 ward or establish a new ward until the municipality is

1 reapportioned.

2 ARTICLE V

3 INITIATIVE

4 Section 501. Proposal by Electors.--A referendum on the
5 question of consolidation or merger, or annexation may be
6 initiated by electors of the municipality or by the Local
7 Boundary Commission.

8 Section 502. Initiative Petition; Filing.--A petition
9 containing a proposal for referendum on the question of
10 consolidation or merger, or annexation, signed by electors
11 comprising five per cent of the number of electors voting for
12 the office of Governor in the last gubernatorial general
13 election, may be filed with the election officials at least
14 ninety days prior to the next primary or general election.

15 The name and address of the person filing the petition shall
16 be clearly stated on the petition.

17 Section 503. Review of Initiative Petition.--The election
18 officials shall review the initiative petition as to the number
19 and qualification of signers. If the petition appears to be
20 defective, the election officials shall immediately notify the
21 person filing the petition of the defect.

22 Section 504. Petition as Public Record.--The initiative
23 petition as submitted to the election officials along with the
24 list of signatories shall be open to public inspection in the
25 office of the election officials.

26 Section 505. Distribution of Petition.--When the election
27 officials find that the petition as submitted is in proper
28 order, they shall send copies of the initiative petition without
29 the signatures thereon to the governing body of the municipality
30 or municipalities, to the Secretary of Community Affairs and to

1 the Chairman of the Local Boundary Commission of the
2 Commonwealth.

3 ARTICLE VI

4 REFERENDUM

5 Section 601. Referendum; Procedure.--(a) A referendum on the
6 question of consolidation or merger or annexation shall be held
7 when authorized by ordinance of the governing body of a
8 municipality or municipalities, or when initiated by electors,
9 or when initiated by the Local Boundary Commission.

10 (b) The procedure for the referendum shall be governed by
11 the act of June 3, 1937 (P.L.1333), known as the "Pennsylvania
12 Election Code."

13 (c) A municipality shall not be involved in more than one
14 consolidation referendum at any primary or general election. The
15 first application or petition filed with a county board of
16 elections shall prevail.

17 Section 602. Placing Question on Ballot.--When the election
18 officials find that the ordinance authorized by the governing
19 body of the municipality or the initiative petition as submitted
20 by the electors meets the requirements of this act, they shall
21 place the proposal on the ballot in a manner fairly representing
22 the content of the ordinance or of the initiative petition for
23 decision by referendum at the proper election.

24 Section 603. Date of Election.--The election officials shall
25 set the date for the referendum, and shall so notify the
26 governing body of the municipality at least thirty days prior to
27 such date.

28 Section 604. Public Notice of Referendum.--At least thirty
29 days' notice of the referendum shall be given by proclamation of
30 the mayor of the city, borough, or incorporated town, or the

1 chairman of the board of county commissioners, the president of
2 the board of township commissioners, the chairman of the board
3 of township supervisors, as the case may be. A copy of such
4 proclamation shall be posted at each polling place of the
5 municipality on the day of the election, and shall be published
6 once in at least one newspaper of general circulation in the
7 municipality during the thirty-day period prior to the election.

8 Section 605. Limits of Referenda.--(a) A referendum on the
9 same question of boundary change shall not be submitted to the
10 electors more often than once in five years.

11 (b) When an initiative petition or referendum ordinance is
12 filed, the election officials shall ascertain that the question
13 has not been submitted to the electors within a period of five
14 years before the date of filing of the initiative petition or
15 ordinance under consideration. If it is found that such an
16 initiative petition or ordinance was so submitted, they shall
17 notify the person who filed the petition or the governing body
18 and refuse to place the question on the ballot.

19 Section 606. Approval.--Approval of a referendum for
20 consolidation, merger or boundary change shall be by a majority
21 vote of those voting in each municipality affected.

22 Section 607. Results of Election.--The election officials
23 shall certify the results of the referendum to the governing
24 body or bodies, to the county board of commissioners and to the
25 Local Boundary Commission.

26 ARTICLE VII

27 LOCAL BOUNDARY COMMISSION

28 Section 701. Local Boundary Commission.--The Local Boundary
29 Commission of the Commonwealth shall be the Local Government
30 Commission of the General Assembly. The Chairman of the Local

1 Boundary Commission shall be the Chairman of the Local
2 Government Commission. The Secretary of the Local Boundary
3 Commission shall be the Executive Director of the Local
4 Government Commission.

5 Section 702. Cooperation of Department of Community
6 Affairs.--The Local Boundary Commission may request the
7 Secretary of Community Affairs to designate, from time to time,
8 members of the staff of the Department of Community Affairs to
9 assist the Local Boundary Commission in conducting research,
10 making surveys, keeping records, and providing information
11 relative to boundary changes throughout the Commonwealth. The
12 Secretary of Community Affairs shall, within the limits of the
13 appropriation to the Department of Community Affairs, comply
14 with the request of the Local Boundary Commission.

15 Section 703. Powers and Duties of the Commission.--The
16 powers and duties of the Local Boundary Commission shall be:

17 (1) To make studies relating to proposed local boundary
18 changes that are referred to it by the governing bodies of
19 municipalities, or by a petition signed by at least two per cent
20 of the registered electors of a municipality directly affected
21 by the proposed study and advise the municipalities thereon, or
22 on its own initiative. The governing body of any municipality
23 may at any time request the Local Boundary Commission of the
24 Commonwealth to make a study of any proposal for boundary change
25 affecting the municipality. Such a request may also be made
26 jointly by the governing bodies of all the municipalities
27 directly involved in such a proposal.

28 (2) To undertake long-range studies of local boundary
29 problems in Pennsylvania.

30 (3) To set up a system of State and local reporting and

1 recording of local boundary changes, and of proposals relating
2 to local boundary changes. No boundary change shall be
3 considered final until official copies of all ordinances,
4 petitions and pertinent election returns and other official
5 documents relating to local boundary changes are deposited with
6 the Local Boundary Commission, the Department of Community
7 Affairs, and the court of common pleas.

8 (4) To set standards for population, area, organization and
9 services to be used as the basis for recommending local and
10 State action relating to local boundary changes.

11 (5) After making studies of boundary change proposals in
12 municipalities affected, to hold hearings in appropriate county
13 seats, to make recommendations to municipalities, and, in the
14 discretion of the Local Boundary Commission, to initiate
15 referenda for local boundary changes.

16 ARTICLE VIII

17 REPEALS; EFFECTIVE DATE

18 Section 801. Specific Repeals.--The following acts and parts
19 of acts are repealed to the extent specified:

20 (1) Act of April 22, 1903 (P.L.247), entitled "An act
21 enabling the burgess and council of any borough or incorporated
22 town, by ordinance, to annex to the borough or incorporated town
23 adjacent territory, upon petition of a majority of the freehold
24 owners thereof," absolutely.

25 (2) Act of April 28, 1903 (P.L.332), entitled "An act for
26 the annexation of any city, borough, township, or part of a
27 township, to a contiguous city, and providing for the
28 indebtedness of the same," absolutely.

29 (3) Act of February 7, 1906 (P.L.7), entitled "An act to
30 enable cities that are now, or may hereafter be, contiguous or

1 in close proximity, to be united, with any intervening land
2 other than boroughs, in one municipality; providing for the
3 consequences of such consolidation, the temporary government of
4 the consolidated city, payment of the indebtedness of each of
5 the united territories, and the enforcement of debts and claims
6 due to or from each," absolutely.

7 (4) Section 29, act of May 23, 1907 (P.L.206), entitled "An
8 act to regulate and improve the civil service of the cities of
9 the second class in the Commonwealth of Pennsylvania; making
10 violations of its provisions to be misdemeanors, and providing
11 penalties for violations thereof," absolutely.

12 (5) Act of May 28, 1907 (P.L.295), entitled "A supplement to
13 an act, entitled 'An act for the annexation of any city,
14 borough, township, or part of a township, to a contiguous city,
15 and providing for the indebtedness of the same,' approved the
16 twenty-eighth day of April, Anno Domini one thousand nine
17 hundred and three; to enable territory now annexed, or which may
18 hereafter be annexed under the provisions of said act, to be
19 arranged and erected into a ward, or wards, of the city to which
20 it is annexed; and providing the procedure for that purpose, and
21 for the proper representation of the ward or wards erected,"
22 absolutely.

23 (6) Act of June 1, 1907 (P.L.377), entitled "A supplement to
24 an act, approved April twenty-eighth, one thousand nine hundred
25 three, entitled 'An act for the annexation of any city, borough,
26 township, or part of a township, to a contiguous city, and
27 providing for the indebtedness of the same;' providing for the
28 preservation of rights of creditors and of liens, and for
29 funding the debt of the municipality or school district
30 annexed," absolutely.

1 (7) Act of May 6, 1915 (P.L.260), entitled "A supplement to
2 an act approved the seventh day of February, one thousand nine
3 hundred and six, entitled 'An act to enable cities that are now
4 or may hereafter be contiguous or in close proximity, to be
5 united with any intervening land, other than boroughs, in one
6 municipality; providing for the consequences of such
7 consolidation, the temporary government of the consolidated
8 city, payment of the indebtedness of each of the united
9 territories, and the enforcement of debts and claims due to or
10 from each,' by providing that the indebtedness of each city and
11 intervening land, heretofore or hereafter united or consolidated
12 under the provisions of said act, shall be paid by the
13 consolidated city, and for the levying of a uniform tax, upon
14 all the territory included within the consolidated city, for the
15 payment of the same," absolutely.

16 (8) Act of May 6, 1915 (P.L.272), entitled "A supplement to
17 an act, approved the twenty-eighth day of April, one thousand
18 nine hundred and three, entitled 'An act for the annexation of
19 any city, borough, township, or part of a township, to a
20 contiguous city, and providing for the indebtedness of the
21 same,' by providing that any city, heretofore or hereafter
22 enlarged by any annexation under the terms of said act, shall be
23 liable for and shall pay the indebtedness of such city and the
24 territory so annexed; and providing for the levying of a uniform
25 tax upon all the territory included within such city as enlarged
26 by such annexation, for the payment of all such indebtedness,"
27 absolutely.

28 (9) Act of May 12, 1925 (P.L.596), entitled "An act
29 providing for the alteration of the boundaries of counties in
30 certain cases for the adjustment of the indebtedness thereof;

1 providing the effect thereof," absolutely.

2 (10) Sections 501, 502, 503, 504, 505, 506, 515, 516, 517,
3 518, 525, 526, 535, 536, 540, 541, 542, 543, 544, 545, 550, 551,
4 act of June 23, 1931 (P.L.932), known as "The Third Class City
5 Code," absolutely.

6 (11) Sections 210, 211, 212, 213, 214, 216, 217, 218, 219,
7 225, 226, 227, 228, 235, act of June 24, 1931 (P.L.1206), known
8 as "The First Class Township Code," absolutely, and sections
9 302, 303, 304, 305, 306 and 307 in so far as inconsistent
10 herewith.

11 (12) Sections 205, 206, 207, 208, 209, 210, 211, 211.1, 212,
12 213, 214, 215, 240, 308, act of May 1, 1933 (P.L.103), known as
13 "The Second Class Township Code," and Article III in so far as
14 inconsistent herewith.

15 (13) Act of July 2, 1937 (P.L.2803), entitled "An act
16 providing a method of annexation of townships of the first
17 class, and parts thereof, to cities and boroughs, and regulating
18 the proceedings pertaining thereto," absolutely.

19 (14) Act of June 15, 1939 (P.L.372), entitled "An act
20 affecting cities of the second class A, authorizing the
21 annexation of boroughs and townships thereto under certain
22 conditions, and, in connection therewith, placing duties upon or
23 affecting courts of quarter sessions, county boards of
24 elections, and officers of boroughs, townships, and cities of
25 the second class A, and providing for the payment of the
26 indebtedness of the various territorial units involved,"
27 absolutely.

28 (15) Act of July 20, 1953 (P.L.550), entitled "An act
29 providing for and regulating the annexation of parts of a second
30 class township to boroughs, cities and townships," absolutely.

1 (16) Article III, act of July 28, 1953 (P.L.723), known as
2 the "Second Class County Code," in so far as inconsistent
3 herewith.

4 (17) Article III, act of August 9, 1955 (P.L.323), known as
5 "The County Code," in so far as inconsistent herewith.

6 (18) Articles II and IV, act of February 1, 1966 (P.L.1656),
7 known as "The Borough Code," absolutely, and sections 502, 503,
8 504, 505, 506 and 1010 in so far as inconsistent herewith.

9 Section 802. General Repeal. All acts and parts of acts are
10 repealed in so far as they are inconsistent herewith.

11 Section 803. Applicability of Act.--The provisions of this
12 act shall apply to any municipality wherein the electors have
13 voted in the affirmative to consolidate, merge or change
14 boundaries in accordance with the provisions of the second
15 paragraph of section 8 of Article IX of the Constitution of
16 Pennsylvania.

17 Section 804. Effective Date. This act shall take effect
18 immediately.