

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2712 Session of
2006

INTRODUCED BY ROSS, ARGALL, ARMSTRONG, BALDWIN, BELFANTI,
BENNINGHOFF, BEYER, BOYD, BUNT, CAPPELLI, CLYMER, CORNELL,
CRAHALLA, CREIGHTON, DENLINGER, GEIST, GERGELY, GINGRICH,
GOOD, GOODMAN, GRELL, HARHAI, HARHART, HARPER, HARRIS,
HERSHEY, HESS, KOTIK, McILHATTAN, McILHINNEY, MILLARD,
NICKOL, PALLONE, PAYNE, PHILLIPS, PYLE, RUBLEY, SATHER,
SAYLOR, SEMMEL, SIPTROTH, B. SMITH, SONNEY, STABACK,
E. Z. TAYLOR, J. TAYLOR, TIGUE AND YOUNGBLOOD, JUNE 5, 2006

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 5, 2006

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
8 (P.L.932, No.317), known as The Third Class City Code, reenacted
9 and 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

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

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

7 Section 2. This act shall take effect immediately.