

MUNICIPAL BUILDINGS, JOINT BUILDING FOR CITY AND COUNTY
Act of Apr. 18, 1913, P.L. 96, No. 69
AN ACT

Cl. 53

Authorizing any county and city, in any county in which the county-seat is within the limits of such city, to erect a joint county and municipal building; providing for the conditions under which such building may be erected, and for the ownership thereof; providing for the selection of a site for said building, and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site; authorizing the acquisition of additional property for such building by purchase or condemnation; and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land.

Compiler's Note: Section 1 of Act 165 of 1970 provided that the limits heretofore imposed by Act 69 upon the rates of interest and interest costs permitted to be paid upon bonds, obligations and indebtedness issued by the Commonwealth or its agencies or instrumentalities or authorities, and by local political subdivisions or their agencies or authorities, are hereby removed for such bonds, obligations or indebtedness.

Section 1. Be it enacted, &c., That in each county of this Commonwealth, where the county-seat is within the limits of any city, the county commissioners and the proper corporate authorities of such city shall have the power and they are hereby authorized, to agree upon a site within the limits of such city, and to erect thereon a joint county and municipal building, to be used by the county for courthouse and other purposes, and to be used by the city for municipal purposes.

The land upon which said building shall be erected shall be owned in severalty by such county and city; and the part of such building which shall stand upon the land owned in severalty by the county shall belong in severalty to the county, and the part of such building which shall stand upon the land owned in severalty by the city shall belong in severalty to the city. The county commissioners of such county and the corporate authorities of such city shall choose such site, and shall determine the parts of the land so chosen which shall be owned in severalty by each; and when this has been done, and the erection of such joint building has been agreed upon, they shall agree upon and adopt plans for such joint building. The building may be so designed and constructed that part of the building on the land owned by each shall be used by each, respectively; or the building may be so designed and constructed as to permit of the use by the county of any portion or portions of the part of the building owned by the city, and likewise to permit of the use by the city of any portion or portions of the part of the building owned by the county; and, whether so specially designed or not, the county commissioners and corporate authorities of

such city shall have the power, and they are hereby authorized, to permit of the use by the county of any portion or portions of the part of the building owned by the city, and likewise to permit of the use by the city of any portion or portions of the part of the building owned by the county, upon such terms and conditions as may be in the judgment of the county commissioners and the corporate authorities just and reasonable. The building shall be so constructed as to permit of an apportionment of the cost of the part thereof owned respectively by such county and city, and the building shall be paid for in accordance with such apportionment.

The county commissioners of such county and the corporate authorities of such city may provide that the corridors, stairways, and elevators be used in common by both county and city. They may install for the whole building a single system of lighting, heat, ventilation, and plumbing, and for other general equipment, which shall be used in common by the county and the city. They may provide that the mechanical plants and power plants necessary for the elevators, lighting, heating, ventilating, plumbing, and cleaning, and the plants necessary for all other general equipment, be located partly in a portion of the part of the building owned by each, or that such plants or general equipment be located wholly in the part of the building owned by the county, or wholly in the part of the building owned by the city, in such a manner as to conveniently serve all portions of the building; and such plants or general equipment shall be considered and regarded as fixtures for the use and benefit of the whole building, and shall be paid for by the county and city in such equitable proportions as the county commissioners and proper executive officers of such city shall agree upon. If, however, the county commissioners and the corporate authorities of such city do not deem it advisable to provide such plants, or any of them, they may secure light, heat, or power for said building in such manner as to them may seem most advantageous; and may for said purposes, either jointly or separately, acquire other land in the vicinity of the joint county and municipal building, and construct thereon, or on land belonging to either or both, jointly or separately, mechanical plants and power plants for the purpose of supplying light, heat, and power to said joint building. The same to be supplied at such terms and conditions as may be, in the judgment of the county commissioners and the corporate authorities, just and reasonable.

The administration, maintenance, control, and operation of such joint building shall be, and is hereby vested, in the county commissioners the proper executive officers of such city; and they shall exercise the powers and rights in relation thereto in such manner as the county commissioners and the proper executive officers of such city may, from time to time, agree upon.

(1 amended Mar. 26, 1915, P.L.12, No.14)

Section 2. It shall be lawful, and the county commissioners and the corporate authorities of such city are hereby authorized and empowered, to choose for the site of such joint county and municipal building land owned and held by the county, or land

owned and held by the city. Whenever the site chosen, as aforesaid, consists of land owned and held by the county, it shall be lawful for the county commissioners of such county, and they are hereby authorized and empowered, to convey in fee to such city, at private sale and upon a fair valuation, so much of said land as may be necessary for the purpose of erecting the portion of the joint building to be owned by the city. It shall be lawful for the corporate officials of such city, and they are hereby authorized and empowered, to pay in cash for said land, or, in their discretion, to convey in fee to the county, at private sale and at a fair valuation, in exchange for the conveyance to the city of the land aforesaid, any land owned by the city, which, in the estimation of the corporate authorities of such city, is not needed for municipal purposes. The land, or any part thereof, so conveyed to the county, may be held and used by the county for county purposes; or, if in the estimation of the county commissioners it is not needed for such purposes, it may be sold by the county commissioners at either public or private sale.

Whenever the site chosen, as aforesaid, consists of land owned and held by the city, it shall be lawful for the corporate authorities of such city, and they are hereby authorized and empowered, to convey in fee to such county, at private sale and upon a fair valuation, so much of said land as may be necessary for the purpose of erecting thereon the portion of the joint building to be owned by the county. It shall also be lawful for the county commissioners of such county, and they are hereby authorized and empowered, to pay in cash for said land, or, in their discretion, to convey in fee to the city, at private sale and upon a fair valuation, in exchange for the conveyance to the county of the land aforesaid, any land owned by the county, which, in the estimation of the county commissioners, is not needed for county purposes. The land, or any part thereof, so conveyed to the city, may be held and used by the city for municipal purposes; or, if in the estimation of the corporate authorities of such city it is not needed for such purposes, it may be sold by the corporate authorities of such city at either public or private sale.

(2 amended Mar. 26, 1915, P.L.12, No.14)

Section 3. Any sale or conveyance of land made pursuant to the provisions of this act shall be subject to the approval of the majority of the judges of the court of common pleas of the proper county, of the price agreed to be paid therefor, and the terms and conditions thereof. The county commissioners shall also submit to the judges aforesaid, for their approval, the plans adopted for the part of the building to be owned by the county, and also the portion of the building, if any, to be used by the county, in the part to be owned by such city; and when such approval is obtained the county commissioners shall have full authority to erect the part to be owned by the county, in conjunction with the erection by the city of the part to be owned by the city, on the site chosen, and in the manner aforesaid. The county commissioners and the corporate authorities, for the construction of such building, are authorized and empowered to enter into a joint contract for the

payment of the whole, or a several contract for the payment by each of their proportionate share, of the cost of such building; and they are further authorized and empowered to make such other agreements, and to do such other acts, as may be necessary to fully exercise the powers herein conferred.

(3 amended Mar. 26, 1915, P.L.12, No.14)

Section 4. If it shall be deemed necessary to acquire additional land for such site, the county, in case the site is chosen on the land of the county, or if the site chosen is on the land of the city, then the city, is authorized and empowered to acquire by purchase or condemnation such additional land. The right of eminent domain herein conferred upon the county shall be exercised in the manner provided by the act of Assembly of June first, one thousand eight hundred and eighty-three, authorizing the county commissioners of any county to acquire ground at the county-seat for the purpose of the erection or extension of such building as may be necessary for the accommodation of the courts and the several officers of the county. The right of eminent domain herein conferred upon the city shall be exercised in the manner provided by law for the acquisition of real estate within the city limits for the erection of municipal buildings.

Section 5. In case the site chosen for such joint municipal building is in land owned and held by the county, it shall be lawful for the county commissioners of such county, and they are hereby authorized and empowered, to incur or increase the indebtedness of the county to an amount sufficient to pay for the cost of the erection of the portion of the building selected by the county and the land upon which it is erected, and any additional land acquired by the county by purchase or condemnation for such site, as well as the unpaid balance of any purchase money on land herein authorized to be conveyed by the county to the city, by issuing coupon bonds in sums of not less than one hundred dollars, each bearing interest at the rate not exceeding five (5) per centum per annum, and the principal thereof reimbursable at a period not exceeding thirty years from the date at which the same are authorized.