

BRIDGES, ERECTION OR ACQUISITION OF
Act of Jun. 28, 1923, P.L. 875, No. 332
AN ACT

Cl. 36

Relating to county bridges, authorizing counties to issue and sell bonds for the erection thereof, and for the acquisition of toll bridges, and providing for the division of the cost of construction and erection or acquisition of joint county bridges or toll bridges and the collection of tolls thereon.

Compiler's Note: Section 2901 of Act 130 of 1955 provided that Act 332 is repealed insofar as it relates to counties of the third through eighth class.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that Act 332 is repealed except insofar as it relates to counties of the first class.

Section 1. Be it enacted, &c., That when, in the opinion of the county commissioners of any county, the cost of building a county bridge or bridges to be erected therein, or the said county's proportionate share of the cost of a bridge to be erected over a river or stream upon the line between it and an adjoining county, or the cost of acquiring a toll bridge or bridges in any county or a toll bridge erected over a river or stream upon the line between adjoining counties, is so large in amount that to provide the funds necessary to pay the same by a single tax levy would be burdensome to the taxpayers, said commissioners, having first secured the approval of the court of quarter sessions of their county so to do, may issue and sell to the highest bidder, at not less than their face value, interest bearing bonds of the county for the purpose of raising funds to defray the costs aforesaid.

Section 2. Whenever any counties shall erect any joint county bridge, or jointly acquire any toll bridge, the said counties may pay the costs of the construction and erection or acquisition of such bridge in equal proportions or in any other proportions, as the commissioners of the several counties may agree upon. Whenever it is necessary for any counties in the construction of any joint county bridge, or in joint acquisition of any toll bridge, to issue bonds in payment of such construction, erection or acquisition, including the approaches thereto, the damages sustained by the owner or owners of lands taken in the construction thereof and including reasonable fees for necessary legal services required in such construction, erection or acquisition, the commissioners of said counties may, with the consent of the State Highway Department, if the costs of such bridge was in excess of four hundred thousand dollars, assess, supervise, and collect such tolls for the use of said bridge for all traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years from the date of the issue thereof and to pay also all costs and expenses of operating and maintaining such bridge between the time of the construction thereof and the date of the redemption of the last of said bonds to be redeemed by such tolls. The tolls so collected shall be distributed between such counties in proportion to the amount paid in by each county in the original construction or acquisition, and in no case shall any tolls be collected after the redemption of the original bonds issued.

(2 amended May 8, 1929, P.L.1653, No.516)

Section 3. Such joint county bridge shall be managed, controlled, maintained, repaired, operated and lighted by the commissioners of the said counties, acting as a joint county

bridge commission, who are hereby authorized to act jointly in the employment of such workmen, collectors of tolls and other employes, and fix their wages, salaries and compensation, and to incur such other expenses in the construction and operation of such bridge, including the compensation of such attorneys, as in their judgment shall be requisite and necessary. All decisions of such commission shall require a majority vote of all the members thereof.

(3 added May 8, 1929, P.L.1653, No.516)

Section 4. The commissioners of said counties, acting jointly, shall have power to adopt such rules and regulations as they may deem expedient for the proper government and management of said bridge, and for the preservation of good order, safe traffic, and proper conduct thereon. Said commissioners are further authorized and empowered to make arrests for evasion or attempts to evade the payment of tolls which may be fixed, or may have been fixed for passage over said bridge. For any violations thereof, the offender or offenders shall be subject to a fine or penalty of not less than ten dollars, or more than twenty-five dollars, together with costs, to be adjudged by a justice of the peace or alderman of either of said counties, and, on default of payment of such fine or penalty, then to imprisonment of not less than ten days or more than thirty days in the county prison of either of said counties.

(4 added May 8, 1929, P.L.1653, No.516)

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 5. Said powers and duties of said commissioners, acting as a joint commission, shall continue until the redemption of the last of said bonds to be redeemed by such tolls, whereupon said bridge shall be turned over as a free bridge to the Commonwealth, if such bridge crosses a river and is located on a State highway route, or connects two State highway routes; thereafter such bridge shall be maintained by the Highway Department at the expense of the Commonwealth.

(5 added May 8, 1929, P.L.1653, No.516)