

**REGULATING THE ANNEXATION OF PARTS OF A SECOND CLASS TOWNSHIP TO OTHER
MUNICIPALITIES**

Act of Jul. 20, 1953, P.L. 550, No. 145

Cl. 73

AN ACT

Providing for and regulating the annexation of parts of a second class township to boroughs, cities and townships.

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

Section 1. Whenever the annexation of territory in a second class township to a borough, city or township is desired, a majority of the freeholders in the proposed annexed territory shall petition the borough, city or township requesting the annexation. The determination of the required number of petitioners shall be made as of the date the petition is presented to the borough or city or township. The petition shall be accompanied by a fee of one hundred fifty dollars (\$150) and shall be approved or disapproved by ordinance of said borough, city or township. The said sum shall be applied to the purpose expressed in section 8 hereof and shall be returned to the petitioners if found unnecessary for the purpose.

A copy of the petition, without the signatures, shall be filed with the supervisors of the township concerned prior to its presentation to the city, borough or township, and a certification of such filing shall be signed by at least one signer of the petition and be attached to the petition when presented to the city, borough or township.

A majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners.

Section 2. The petition, after its approval by council, commissioners or supervisors, shall be certified to the court of quarter sessions by the secretary of the borough or township or clerk of the city. If, within thirty days thereafter, no person aggrieved by the ordinance complains to the court, asking for the appointment of a board of commissioners as a fact finding body, the court shall determine the question, and, if it is satisfied as to the legality of the proceeding and the propriety of the annexation as serving public interests, shall affirm the annexation.

Section 3. If, within thirty days after the ordinance has been certified to the court, any person aggrieved by the ordinance shall complain to the court, asking for the appointment of a board of commissioners as a fact finding body, the court, if satisfied with the legality of the proceeding and the propriety of the annexation as serving public interests, shall appoint a board of three commissioners to make a study of the facts in the matter. No person shall be appointed as a member of the board who is a resident or taxpayer of the borough or city or of the township affected by the proposed annexation, or who has a substantial interest in the proceeding, financial

or otherwise.

Section 4. Within sixty days after its appointment, the board shall inquire into and make findings of fact as to (1) the relative advantages and disadvantages to the borough, city or township, and the township affected by the annexation, (2) the assessed valuation of the township, the assessed valuation of the territory to be annexed, and how the annexation would affect the remainder of the territory, (3) the township indebtedness, (4) the value of all public improvements, including, but not limited to, roads, buildings and sewers in the territory to be annexed and the indebtedness chargeable thereto, (5) the future plan of the entire area, and (6) any other matters directed by the court.

Section 5. The court shall consider the findings of the board, together with any facts that may be submitted to it, and shall make an order either dismissing the proceedings or affirming the annexation.

Section 6. The annexation, if affirmed by the court, shall become effective as of the date of approval by the court, if that date is two months or more prior to the date of the next election or primary. If the date of approval by the court is less than two months prior to the date of the next election or primary, then the annexation shall take effect immediately after the election or primary.

Section 7. If the court shall affirm the annexation, it shall adjust the indebtedness as provided by law. Taxes levied prior to the effective date of the annexation shall be paid to the township where levied and the collection and enforcement shall be as though the land had not been annexed.

Section 8. The members of the commission shall be compensated to the extent of fifty dollars (\$50) each, which shall be deposited in said court by the borough, city or township.

Section 9. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.