

BOROUGHES AND INCORPORATED TOWNS (8 PA.C.S.) AND CITIES (11
PA.C.S.) - PERSONAL PROPERTY AND CITY PROPERTY AND AFFAIRS
Act of Oct. 24, 2018, P.L. 919, No. 150 Cl. 08
Session of 2018
No. 2018-150

SB 947

AN ACT

Amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for personal property; and, in corporate powers, further providing for city property and affairs.

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

Section 1. Section 1201.2(a) and (b) of Title 8 of the Pennsylvania Consolidated Statutes are amended to read:
§ 1201.2. Personal property.

(a) Sale.--Except as provided in subsection (b), no borough personal property may be disposed of, by sale or otherwise, except upon approval of council by resolution. In cases when council approves a sale of the property, council shall estimate the fair market value of the entire lot to be disposed of. If council estimates the fair market value to be [\$1,000] **\$2,000** or more, the entire lot shall be advertised for sale once in at least one newspaper of general circulation not less than ten days prior to the date scheduled for the opening of bids or public auction. The date of opening of bids or public auction shall be announced in the advertisement, and sale of the property advertised shall be made to the best responsible bidder.

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(b) Exception for small value sales.--Council shall, by resolution, adopt a procedure for the sale of surplus personal property, either individual items or lots of items, of an estimated fair market value of less than [\$1,000] **\$2,000**. The approval of council shall not be required for any individual sale that shall be made in conformity to the procedure.

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Section 2. Section 12402.1(c) of Title 11 is amended to read:

§ 12402.1. City property and affairs.

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(c) Sale of personal property.--

(1) No personal property of the city shall be disposed of, by sale or otherwise, except upon approval of council by resolution.

(2) Council shall estimate the sale value of the entire lot to be disposed of.

(3) If council estimates the sale value to be less than [\$1,000] **\$2,000**, council may sell the property, in whole or in part, for the best price or prices obtainable.

(4) If council estimates the sale value to be [\$1,000] **\$2,000** or more, the entire lot shall be advertised for sale in at least one newspaper of general circulation in accordance with the provisions of section 10109 (relating

to publication of notices), and sale of the property advertised shall be made to the best responsible bidder.

(5) The bids shall not be opened until at least 10 days after the newspaper advertisement is published.

(6) The provisions of this subsection shall not be mandatory where personal property of the city is to be traded in or exchanged for other personal property.

(7) Council may sell any personal property of the city at auction pursuant to subsection (d) but shall observe the same notice requirements as contained in this subsection.

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Section 3. This act shall take effect in 60 days.

APPROVED--The 24th day of October, A.D. 2018.

TOM WOLF