

SECOND CLASS CITIES, DIVISION INTO WARDS
Act of Apr. 24, 1905, P.L. 307, No. 213
AN ACT

Cl. 11

Authorizing the creation, division and consolidation of wards, in cities of the second class; providing a method therefor, and fixing the minimum number of inhabitants in each ward.

Compiler's Note: Section 9(a) of Act 312 of 1974 provided that Act 213 is repealed insofar as it is inconsistent with Act 312.

Section 1. Be it enacted, &c., That within two years from the passage of this act, and not oftener than decennially thereafter, wards in cities of the second class may be divided, consolidated, or new wards therein created, by a commission of three to be appointed by the president judge of any court of common pleas of any county in which said city or cities are located. Upon application being made to said president judge, for the appointment of said commission, by the petition of at least one hundred qualified electors of the ward, wards or city affected, praying for the division of a ward, or for the erection of a new ward or wards out of two or more wards, parts of two or more wards, or of new territory annexed, or, for a reapportionment of all the wards in said city, the president judge of said court of common pleas may appoint a commission of three electors of said city, for the purpose of considering and carrying out the prayer of the petitioners; and it shall be the duty of the commission so appointed to make a draft of the ward, wards or city to be divided, consolidated or apportioned into wards, showing the divisions thereof, or of the new ward or wards proposed to be created, as the case may be, and such commission shall make a report by a majority of its membership to the president judge of the said court of common pleas, together with their recommendations concerning the same: Provided, however, That no ward provided for in said report shall contain a population of less than four thousand inhabitants, according to the last preceding United States census: And provided further, that this act shall not go into effect until January one, one thousand nine hundred and six.

Section 2. If the commission or a majority of the members thereof shall make a report recommending such division, creation, consolidation or apportionment, and attach to said report a map or draft of the ward or wards to be divided, consolidated or apportioned, showing the divisions thereof, or of the new ward or wards proposed to be created, and the said report is confirmed finally by said president judge, it shall be the duty of councils to prepare an ordinance for carrying said report, so confirmed, into effect; which ordinance shall be introduced at a stated meeting of the common councils, and the same published in newspapers of the city, having contracts to do the city advertising, once a week for two weeks before the final consideration and passage thereof by the common councils; and at any stated meeting of the select council, held at least one week

after the final consideration of such ordinance by the common council, the select councils may consider and act upon the same.

Section 3. All councilmen in the ward or wards affected by the division, creation or consolidation, as aforesaid, shall continue in office, and perform their duties as councilmen until the expiration of the term for which they were severally elected; and their successors shall be elected under the provisions of the law regulating the election of councilmen in cities of the second class.

Section 4. All aldermen, constables and other elective officers of the ward or wards affected by the creation, division or consolidation, as aforesaid, in office at the time of such division, creation or consolidation, shall continue in office until the expiration of the terms for which they have been elected; and their successors shall be elected under the provisions of the laws regulating the election of such aldermen, constables and other ward officers.