

SUPPLEMENTARY ACT, CITIES ANNEXATION OF LAND

Act of May 28, 1907, P.L. 295, No. 223

CL. 53

A SUPPLEMENT

To an act, entitled "An act for the annexation of any city, borough, township, or part of a township, to a contiguous city, and providing for the indebtedness of the same," approved the twenty-eighth day of April, Anno Domini one thousand nine hundred and three; to enable territory now annexed, or which may hereafter be annexed under the provisions of said act, to be arranged and erected into a ward, or wards, of the city to which it is annexed; and providing the procedure for that purpose, and for the proper representation of the ward or wards erected.

Compiler's Note: Section 4701 of Act 317 of 1931 provided that Act 223 is repealed insofar as it relates to third class cities.

Section 4(2)(i) of Act 41 of 2022 repealed the act of April 28, 1903 (P.L.332, No.260), entitled "An act for the annexation of any city, borough, township, or part of a township, to a contiguous city, and providing for the indebtedness of the same."

Section 1. Be it enacted, &c., That whenever in this Commonwealth, now or hereafter, any city, borough, township, or part of a township, has been or shall be annexed to a contiguous city, under the provisions of the act of the General Assembly of the State of Pennsylvania, entitled "An act for the annexation of any city, borough, township, or part of a township, to a contiguous city, and providing for the indebtedness of the same," approved the twenty-eighth day of April, Anno Domini one thousand nine hundred and three, and is now, or may hereafter become, a part of the city to which it is annexed, that the territory thus annexed shall, as soon as practicable, be arranged and erected into a ward, or wards, of the same city to which it is annexed, in the following manner by the following procedure; namely:--

There shall be presented to the court of quarter sessions of the county in which the decree for annexation has been entered, a petition, signed by at least twenty per centum of the qualified voters as shown by the registry for the last preceding election of the city, borough, township, or part of a township, so annexed, setting forth the decree of annexation, the date and place of record thereof, and praying said court to make such order or decree as will give to the people of the annexed territory representation in the different branches of government of said city, by erecting from said annexed territory, and creating therefrom, a ward, or wards, thereof; and thereupon it shall be the duty of the said court to make such order or decree as will give to the people of such annexed territory representation in the different branches of government of said city, and that will entitle the citizens of such annexed territory to enjoy and exercise full rights of citizenship in the city to which such territory has been annexed, by erecting and creating from said annexed territory a ward, or wards, thereof, to be duly constituted a ward, or wards, of the city to which such territory has been annexed and become a part; and said court shall number the ward or wards thus erected and created; and shall determine, and set forth in said decree, whether said annexed territory shall be erected into and created one ward or more than one ward of the city to which such territory has been annexed and become a part of; which said

decree shall be entered in full upon the records of said court, and certified copies thereof, by the clerk of said court, under the seal of said court, shall be delivered to and filed by the clerk of the councils of said city and the secretary of the school district, or board of the school district, in which said ward or wards become located.

Section 2. Whenever such annexed territory has been erected into and created a ward, or wards, of a city, as hereinbefore provided, it shall be the duty of the court of quarter sessions of the county to make such order or decree as may be necessary to constitute such ward or wards an election district, or election districts, in accordance with the laws of the Commonwealth of Pennsylvania now in force for such purposes, and appoint the election officers and place for holding the first election of ward officers and representatives, including an alderman, or aldermen, in such ward or wards, erected and created as hereinbefore provided; and for that purpose may order a special election, if said court shall deem the same necessary, to be conducted in the manner provided by law for conducting municipal elections. The officers elected at such special election shall hold their respective offices until their successors, who are hereby required to be elected at the municipal election held on the third Tuesday of February next succeeding the same, shall be duly qualified.