

CITIES, ACQUISITION OF PARK LAND
Act of May 3, 1923, P.L. 135, No. 101
AN ACT

Cl. 11

Relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up; limiting time for condemnation by councils, or condemnation or purchase by park commissioners, after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners; and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

Compiler's Note: Section 4701 of Act 317 of 1931 provided that Act 101 is repealed insofar as it relates to third class cities.

Section 1. Be it enacted, &c., That wherever any park or parkway may hereafter be superimposed upon the confirmed plan of the streets or parks of any city of this Commonwealth, in sections not entirely built up, by ordinance of councils or by appropriate action of the park commissioners thereof, unless an ordinance actually appropriating the land within the lines of said park or parkway to public use be duly passed by councils thereof, or said land be acquired by the park commissioners, in accordance with existing laws, within three years from the passage of said ordinance or action of the park commissioners superimposing said plan upon said land, said ordinance or action of the park commissioners superimposing said plans upon said land shall be void and of no effect in regard to said land, and said plan shall be automatically removed from said land as if it had never been placed thereon, nor shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use.

Section 2. That wherever any park or parkway may have been heretofore superimposed upon the confirmed plan of the streets or parks of any city of this Commonwealth, in sections not entirely built up, by ordinance of councils or by appropriate action of the park commissioners thereof, unless an ordinance actually appropriating the land within the lines of said park or parkway to public use be duly passed by councils thereof, or said land be acquired by the park commissioners, in accordance with existing laws within one year from the approval of this act, said ordinance or action of the park commissioners superimposing said plan upon said land shall be void and of no effect in regard to said land, and said plan shall be automatically removed from said land as if it had never been placed thereon, no shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use: Provided, however, That three years shall have elapsed between the passage of the ordinance or action of the park commissioners superimposing said plan upon said land, and the removal of the plan from said land in accordance with this act.