

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1888 Session of
2001

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MANDERINO, GRUCELA, HARPER, HENNESSEY, JAMES AND SANTONI,
AUGUST 20, 2001

REFERRED TO COMMITTEE ON URBAN AFFAIRS, AUGUST 20, 2001

AN ACT

1 Amending the act of December 20, 2000 (P.L.949, No.130),
2 entitled "An act establishing Neighborhood Improvement
3 Districts; conferring powers and duties on municipal
4 corporations and neighborhood improvement districts;
5 providing for annual audits; and making repeals," providing
6 for contiguous municipalities or a municipality contiguous
7 with a city of the first class to form joint neighborhood
8 improvement districts.

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

11 Section 1. The definitions of "municipal corporation" and
12 "municipality" in section 3 of the act of December 20, 2000
13 (P.L.949, No.130), known as the Neighborhood Improvement
14 District Act, are amended to read:

15 Section 3. Definitions.

16 The following words and phrases when used in this act shall
17 have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 * * *

1 "Municipal corporation." The body or board authorized by law
2 to enact ordinances or adopt resolutions for the particular
3 municipality. If two or more contiguous municipalities located
4 within this Commonwealth are working in cooperation to establish
5 a neighborhood improvement district, the term shall mean the
6 body or board authorized by law to enact ordinances or adopt
7 resolutions for each particular municipality. If one or more
8 municipalities located within this Commonwealth are working in
9 cooperation with a contiguous city of the first class to
10 establish a neighborhood improvement district, the term shall
11 mean the body or board authorized by law to enact ordinances or
12 adopt resolutions for each particular municipality or city of
13 the first class.

14 "Municipality." Any of the following:

15 (1) With the exception of cities of the first class, any
16 city, borough, incorporated town, township, home rule,
17 optional plan or optional charter municipality located within
18 this Commonwealth.

19 (2) Two or more contiguous municipalities located within
20 this Commonwealth and working in cooperation to establish a
21 neighborhood improvement district.

22 (3) One or more municipalities located within this
23 Commonwealth and working in cooperation with a contiguous
24 city of the first class to establish a neighborhood
25 improvement district.

26 * * *

27 Section 2. Section 4 of the act is amended by adding a
28 paragraph to read:

29 Section 4. Powers of municipal corporation.

30 Every municipal corporation shall have the power:

1 * * *

2 (11) To work in cooperation with any other contiguous
3 municipality or city of the first class to establish an area
4 contained within one or more municipalities or one or more
5 municipalities and a city of the first class designated as an
6 NID.

7 Section 3. Sections 5, 6, 7, 8, 9 and 10 of the act are
8 amended to read:

9 Section 5. Creation of neighborhood improvement district.

10 (a) Establishment.--

11 (1) The governing body of the municipality or any
12 municipal businesses or residents or combination thereof may
13 initiate action to establish an NID or NIDs within the
14 municipality under this act.

15 (2) In the case of businesses or residents or both
16 desiring to establish an NID where the municipality has not
17 taken action to do so, the governing body of the municipality
18 may be petitioned to establish an NID under the procedures
19 provided for by this act.

20 (3) In no case where the governing body of a
21 municipality is petitioned to establish an NID under
22 paragraph (2) shall the municipality be required to establish
23 an NID.

24 (b) Specific procedures.--

25 (1) A copy of everything required under this section, as
26 well as the date, location and time of any public hearing
27 required by this act, shall be provided by the municipal
28 corporation to all property owners and lessees of property
29 owners located in the proposed NID at least 30 days prior to
30 the first public hearing required by this section.

1 (2) At least one public hearing, no earlier than 15 days
2 apart, for the purpose of receiving public comment from
3 affected property owners within the proposed NID, on the
4 proposed NIDP, shall be held by [the] each municipality
5 before the establishment of an NID. Notice of the hearing
6 shall be advertised at least ten days prior thereto in a
7 newspaper of general circulation in the municipality.

8 (3) Any objections by property owners within the
9 proposed NID must be made in writing by persons representing
10 the ownership of 40%, in numbers, of the benefited properties
11 within the NID. Objections must be signed by the property
12 owner and filed in the office of the clerk for the governing
13 body of the municipality in which the [NID is proposed]
14 property is located.

15 (c) Contents of preliminary plan.--The plan shall include
16 the following:

17 (1) A map indicating the boundaries, by street, of the
18 proposed NID; however, a designated property may not be
19 included in more than one NID.

20 (2) A written report from the municipality containing:

21 (i) The name of the proposed district.

22 (ii) A detailed description of the service areas of
23 the proposed district.

24 (iii) A list of all properties to be assessed.

25 (iv) A list of proposed improvements within the NID
26 and their estimated cost.

27 (v) A proposed budget for the first fiscal year,
28 including, but not limited to, the following: personnel
29 and administration, programs and services, maintenance
30 and operation, and capital expenditures.

1 (vi) The proposed revenue sources for financing all
2 proposed improvements, programs and services.

3 (vii) The estimated time for implementation and
4 completion of all proposed improvements, programs and
5 services.

6 (viii) A statement identifying the administrative
7 body which will govern and administer the NID.

8 (ix) Any other information, including the statutory
9 authority or, in the case of a nonprofit corporation, the
10 bylaws, which describe the powers and duties of and the
11 method for making decisions by the NIDMA.

12 (x) The method of determining the amount of the
13 assessment fee to be levied on property owners within the
14 NID under section 7.

15 (3) In addition, the plan shall also:

16 (i) Identify in detail the specific duties and
17 responsibilities of both the NIDMA and the municipal
18 corporation with respect to the NID.

19 (ii) Require that a written agreement be signed by
20 the municipal corporation and the NIDMA describing in
21 detail their respective duties and responsibilities.

22 (iii) Allow for and encourage tax-exempt property
23 owners located within the NID to provide in-kind services
24 or a financial contribution to the NIDMA, if not
25 assessed, in lieu of a property assessment fee.

26 (iv) Require in the agreement between the municipal
27 corporation and the NIDMA that the municipality must
28 maintain the same level of municipal programs and
29 services provided within the NID before NID designation
30 as after NID designation.

1 (v) Allow the municipal corporation the right to
2 include in the agreement with the NIDMA and in the
3 enabling ordinance establishing the NID a sunset
4 provision of no less than five years for renewal of the
5 agreement.

6 (vi) Require in the agreement with the NIDMA that
7 the municipality establishing an NID shall be responsible
8 for the collection of all property assessment fees levied
9 within the NID if so desired by the NIDMA.

10 (vii) Provide that a negative vote of at least 40%
11 of the property owners within the NID proposed in the
12 final plan shall be required to defeat the establishment
13 of the proposed NID by filing objections with the clerk
14 for the governing body of the municipality or city of the
15 first class where the property is located within 45 days
16 of presentation of the final plan where the governing
17 body of municipality is inclined to establish the NID.

18 (d) Final plan.--Prior to the establishment of an NID, the
19 municipality shall submit a revised final plan to property
20 owners located within the proposed NID which incorporates
21 changes made to the plan based on comments from affected
22 property owners within the NID provided at the public hearings
23 or at some other time. Changes to the final plan which differ
24 from the preliminary plan shall also be so indicated in an
25 easily discernible method for the reader, including, but not
26 limited to, changes being in boldfaced or italicized type.

27 (e) Public hearing.--At least one public hearing for the
28 purpose of receiving public comment on any revisions to the
29 preliminary plan made following suggestions by affected property
30 owners within the proposed NID and reflected in the final NIDP

1 shall be held by the municipal corporation before enacting an
2 ordinance establishing an NID. Notice of the hearing shall be
3 advertised at least ten days prior thereto in a newspaper of
4 general circulation in the municipality.

5 (f) Veto of final plan for NID.--

6 (1) Following the last public hearing required under
7 subsection (e) or under subsection (g) if an amendment to the
8 final plan, affected property owners located within a
9 proposed NID shall have 45 days from the date of the hearing
10 to object to and disapprove the final plan or any amendment
11 to the final plan under the requirements of subsection
12 (b)(3).

13 (2) If 40% or more of the affected property owners
14 within the proposed NID fail to register their disapproval of
15 the final plan or amendment to the final plan in writing with
16 the clerk of the governing body of the municipality or city
17 of the first class where the property is located in which the
18 NID is proposed, the governing body of the municipality may,
19 following the 45-day period, enact a municipal ordinance
20 establishing an NID under this act or, in the case of an
21 amendment to the final plan, adopt any amendments to the
22 ordinance.

23 (g) Amendments to final plan.--

24 (1) The final plan may be amended by the NIDMA any time
25 after the establishment of an NID, pursuant to the provisions
26 of this act, upon the recommendation of the NIDMA board,
27 provided there is concurrence with 60% of the property owners
28 within the NID.

29 (2) Amendments to the final plan which also require the
30 approval of the governing body of the municipality

1 establishing the NID include:

2 (i) Substantially changed or added programs,
3 improvements and/or services to be provided in the NID.

4 (ii) Increased expenditures affecting more than 25%
5 of the total NIDMA budget for the fiscal year.

6 (iii) Incurring increased indebtedness.

7 (iv) Changing the assessment fee structure levied on
8 property owners in the NID.

9 (v) Changing the legal entity (NIDMA) which provides
10 programs, improvements and services within the NID.

11 (vi) Changing the NID service area boundary.

12 Prior to the governing body of the municipality approving any
13 of the changes in this paragraph, the governing body shall
14 hold at least one public hearing to determine that such
15 changes are in the public interest as it relates to affected
16 property owners within the NID.

17 (3) The municipality shall provide public notice of the
18 hearing for any amendments by publication of a notice in at
19 least one newspaper having a general circulation in the NID
20 specifying the time and the place of such hearing and the
21 amendments to be considered. This notice shall be published
22 once at least 10 days prior to the date of the hearing.

23 (4) The governing body of the municipality may within 30
24 days following the public hearing and at its sole discretion
25 approve or disapprove of any amendments to the plan. If
26 approved, such amendments shall be effective upon the date of
27 such approval.

28 (5) Prior to the adoption of any amendment to the NID
29 boundary which increases the size of the NID, any owner of
30 property to be added to the NID shall be notified of the

1 date, time and location of the public hearing on the proposed
2 amendment to the final plan and provided all information
3 required by subsection (c).

4 Section 6. Creation of neighborhood improvement district
5 management association.

6 (a) Association designated.--When a municipality establishes
7 an NID under this act, a neighborhood improvement district
8 management association shall be designated by the governing body
9 of the municipality in which the NID is to be located to
10 administer programs, improvements and services within the NID.

11 (b) Administration.--

12 (1) NIDs created pursuant to this act shall be
13 administered by an NIDMA which shall be an authority created
14 pursuant to the act of May 2, 1945 (P.L.382, No.164), known
15 as the Municipality Authorities Act of 1945, an existing
16 nonprofit development corporation, an existing nonprofit
17 corporation or a nonprofit development corporation or
18 nonprofit corporation established by the governing body or
19 authorized to be established by the governing body of the
20 municipality in which the NID is to be located, to administer
21 the NIDP.

22 (2) If an active nonprofit development corporation
23 already exists within the geographic boundaries of the NID
24 and formally indicates its interest to the governing body of
25 the municipality to become the designated NIDMA, the
26 governing body of the municipality shall grant that request
27 unless 40% or more of the affected property owners within the
28 proposed NID register their disapproval of this designation
29 in writing with the clerk of the governing body where the
30 property is located within a 45-day period following the

1 formal written request for designation by the nonprofit
2 development corporation to become the NIDMA.

3 (c) Powers.--An NIDMA created under this act shall assume
4 all powers provided for in section 7 immediately upon the
5 effective date of the municipal ordinance enacted under section
6 4 creating an NID.

7 (d) Board.--Every NIDMA shall have an administrative board.

8 (1) Where an authority created pursuant to the
9 Municipality Authorities Act of 1945 serves as the NIDMA, the
10 board shall be appointed pursuant to the Municipality
11 Authorities Act of 1945.

12 (2) Where an existing nonprofit development corporation
13 or other nonprofit corporation is to serve as the NIDMA, the
14 board shall be appointed according to the bylaws of the NIDMA
15 filed with the Department of State.

16 (3) Where a nonprofit development corporation or other
17 nonprofit corporation is established to serve as the NIDMA
18 for an NID, the board shall be comprised of an odd number of
19 members, between five and nine, with at least one member
20 representing [the] each municipal corporation in which the
21 NID is located.

22 (4) In all cases, NIDMA boards shall include a
23 representative of property owners located in the NID,
24 business owners located in the NID and any institutions
25 located in the NID. Institutional members may appoint a
26 designee to represent them. All board members need not be
27 residents of the NID.

28 Section 7. Powers of neighborhood improvement district
29 management association.

30 (a) General powers.--An NIDMA shall have, in addition to any

1 other powers provided pursuant to the act of May 2, 1945
2 (P.L.382, No.164), known as the Municipality Authorities Act of
3 1945, where the NIDMA is an authority, or in addition to any
4 other powers provided pursuant to the charter establishing a
5 nonprofit development corporation or other nonprofit
6 corporation, where the NIDMA is a nonprofit development
7 corporation or other nonprofit corporation, the power to:

8 (1) Sue or be sued, implead or be impleaded, complain
9 and defend in all courts.

10 (2) Employ an executive director or administrator and
11 any necessary supporting staff or contract for the provision
12 of same.

13 (3) Prepare planning or feasibility studies or contract
14 for the preparation of same to determine needed capital
15 improvements or administrative programs and services within
16 the NID.

17 (4) Make capital improvements or provide administrative
18 programs and services within an NID.

19 (5) Purchase, own, construct, renovate, develop,
20 operate, rehabilitate, manage, sell and/or dispose of real
21 property.

22 (6) Contract with existing businesses within the NID.

23 (7) Contract for the provision of products or services
24 by the NIDMA to clients located inside and outside of the
25 NID, including billing and collection of assessment fees by
26 another NIDMA.

27 (8) Appropriate and expend NID funds which would include
28 any Federal, State or municipal funds received by the NIDMA.
29 The funds shall be expended in accordance with any specific
30 provisions contained in the municipal enabling ordinance

1 establishing the NID and may be used:

2 (i) To acquire by purchase or lease real or personal
3 property to effectuate the purposes of this act,
4 including making common improvements within the NID,
5 including, but not limited to, sidewalks, retaining
6 walls, street paving, parks, recreational equipment and
7 facilities, open space, street lighting, parking lots,
8 parking garages, trees and shrubbery, pedestrian walks,
9 sewers, water lines, rest areas and the acquisition,
10 rehabilitation or demolition of blighted buildings or
11 comparable structures.

12 (ii) To provide free or reduced-fee parking for
13 customers of businesses within the NID, transportation-
14 related expenditures, public relations programs, group
15 advertising and NID maintenance and security services.

16 (iii) To impose special assessment fees.

17 (9) Solicit in-kind services or financial contributions
18 from tax-exempt property owners within the NID in lieu of
19 property assessment fees. This may include entering into
20 voluntary multiyear agreements (VMAs) between the NIDMA and
21 tax-exempt property owners located within an NID for the
22 provision of same.

23 (10) Impose liens on property for the nonpayment of
24 property assessments. NIDs administered by nonprofit
25 corporations would have any such liens filed by the municipal
26 corporation where the property is located.

27 (11) Hire additional off-duty police officers or private
28 security officers whose patrol area responsibilities would be
29 limited to the geographical area incorporated within the
30 designated NID service area and whose responsibility would be

1 to support existing municipal and volunteer efforts aimed at
2 reducing crime and improving security in the NID.

3 (12) Designate a district advisory committee, referred
4 to as the DAC, for each NID established within the
5 municipality. Each DAC shall consist of an odd number of
6 members, between five and nine, who shall be representative
7 of the neighborhood's character, including, but not limited
8 to, age, sex and cultural diversity.

9 (b) Assessments.--

10 (1) The NIDMA shall, upon approval by the governing body
11 of the municipality, have the power to assess property owners
12 within the NID a special property assessment fee. Revenues
13 from the fee shall be accounted for and used by the NIDMA to
14 make improvements and provide programs and services within
15 the NID as authorized by this act. Where the district
16 established is a BID, the NIDMA shall have the authority to
17 exempt residential property owners from any special
18 assessment fees levied.

19 (2) All assessments authorized under this section shall
20 be calculated using January 1 as the first day of the fiscal
21 year.

22 (3) All special property assessment fees shall be based
23 upon the estimated cost of the programs, improvements or
24 services to be provided in such NID as stated in the final
25 plan under section 5(d). In no case shall the aggregate
26 amount of all fees levied by the NIDMA during the year exceed
27 the estimated cost of proposed programs, improvements and
28 services for the year.

29 (4) In the case of an NID which contains a combination
30 of business, residential, industrial and/or institutional

1 areas and uses, a weighted assessment may be instituted. In
2 such case, the fee levied on property owners generally may be
3 weighted higher for business, industrial or institutional
4 properties than that levied on residential property owners,
5 provided the basis for the calculation of the fee meets the
6 rational nexus test.

7 (5) The total costs of improvements, programs and
8 administrative services provided by the NIDMA shall be
9 assessed to all designated properties within the NID by one
10 of the following methods:

11 (i) An assessment determined by multiplying the
12 total service and improvement costs by the ratio of the
13 assessed value of the benefited property to the total
14 assessed valuation of all designated benefited properties
15 in the NID.

16 (ii) An assessment upon the several properties in
17 the NID in proportion to benefits as ascertained by
18 viewers appointed in accordance with law.

19 (iii) Any method that equitably apportions costs
20 among benefiting properties.

21 (iv) In the case of improvements benefiting
22 properties abutting the NID by the front-foot method,
23 with equitable adjustments for corner properties and
24 other cases provided for in the municipal ordinance. Any
25 property which cannot be equitably assessed by the front-
26 foot method may be assessed by any of the above methods.

27 (c) Payment.--The governing body may by ordinance authorize
28 the payment of the assessment in equal annual or more frequent
29 installments over such time and bearing interest at the rate
30 specified in the municipal ordinance. If bonds have been issued

1 and sold or notes or guarantees have been given or issued to
2 provide for the cost of the services and improvements, the
3 assessment in equal installments shall not be payable beyond the
4 term for which the bonds, notes or guarantees are payable.

5 (d) Liens.--

6 (1) Notwithstanding the filing of the claims, all
7 assessments which are made payable in installments shall
8 constitute liens and encumbrances upon the respective
9 benefited properties at the beginning of each calendar year,
10 except as provided in subsection (c), and only in an amount
11 equal to the sum of:

12 (i) the annual or other installments becoming
13 payable in such year, with interest and penalties, if
14 any, thereon; and

15 (ii) the total of all installments, with interest
16 and penalties thereon, which became due during prior
17 years and which remain due and unpaid at the beginning of
18 the current year.

19 (2) In the case of default in the payment of any
20 installment and interest for a period of 90 days after the
21 payment becomes due, the assessment ordinance may provide
22 either for the entire assessment, with accrued interest and
23 penalties, to become due and become a lien from the due date
24 of the installment or may provide solely for the enforcement
25 of the claim as to the overdue installment, with interest and
26 penalties, in which case the ordinance shall further provide
27 that if any installment or portion thereof remains due and
28 unpaid for one year after it has become due and payable, then
29 the entire assessment with accrued interest and penalties
30 shall become due and become a lien from the due date of the

1 installment.

2 (3) No action taken to enforce a claim for any
3 installment or installments shall affect the status of any
4 subsequent installment of the same assessment, each of which
5 shall continue to become a lien upon the property annually
6 pursuant to paragraph (1).

7 (4) The ordinance may contain any other provision
8 relating to installment assessments which is not inconsistent
9 with applicable law.

10 (5) Any owner of property against whom an assessment has
11 been made may pay the assessment in full at any time, with
12 accrued interest and costs thereon, and such a payment shall
13 discharge the lien of the assessment or installments then
14 constituting a lien and shall also release the claim to any
15 later installments.

16 (6) Claims to secure the assessments shall be entered in
17 the prothonotary's office of the county at the same time and
18 in the same form and collected in the same manner as
19 municipal tax claims are filed and collected, notwithstanding
20 the provisions of this section as to installment payments.

21 Section 8. Dissolution of neighborhood improvement district
22 management association and neighborhood
23 improvement district.

24 (a) Conveying projects.--When any NIDMA shall have finally
25 paid and discharged all bonds which together with the interest
26 due thereon shall have been secured by a pledge of any of the
27 revenues or receipts of a project, it may, subject to any
28 agreements concerning the operation or disposition of such
29 project and the NIDMA bylaws, convey such project or projects to
30 the municipal corporation, where the project or projects are

1 located, which established or had established the NIDMA.

2 (b) Request for termination.--Any request for the

3 termination of the NID and NIDMA approved by 40% of the assessed

4 property owners, in numbers, located in the NID shall be

5 submitted to the governing body of the municipality or city of

6 the first class where the property is located in writing. The

7 governing body shall hold a hearing on the merits of same,

8 pursuant to section 5(b)(2) as it relates to the required

9 procedure of holding a hearing. Such written request shall be

10 considered by the governing body of the municipality. If the

11 request is approved by the governing body of the municipality,

12 then a resolution to that effect shall be filed with the

13 Secretary of the Commonwealth, and the secretary shall note the

14 termination of the existence on the record of incorporation and

15 return the resolution with his or her approval shown on the

16 resolution to the municipal corporation where the property is

17 located. Then the property of the NIDMA shall pass to the

18 municipal corporation, as the case may be, and the NIDMA and NID

19 shall cease to exist. Any request for the termination of the NID

20 and NIDMA by the governing body of the municipality in which the

21 NID is located shall result in a hearing on the merits of same,

22 pursuant to section 5(b)(2) as it relates to the required

23 procedure for holding a hearing. Before the decision to

24 terminate an NID and NIDMA is made, such termination must be

25 approved by 40% of the assessed property owners, in numbers,

26 located in the NID and shall be submitted to the governing body

27 of the municipality where the property is located in writing.

28 Such written request shall be considered by the governing body

29 of the municipality. If the request is approved by the governing

30 body of the municipality, then a resolution to that effect shall

1 be filed with the Secretary of the Commonwealth, and the
2 secretary shall note the termination of the existence on the
3 record of incorporation and return the resolution with his or
4 her approval shown to the municipal corporation. The property of
5 the NIDMA shall pass to the municipal corporation where the
6 property is located, as the case may be, and the NIDMA and NID
7 shall cease to exist.

8 (c) Termination of multiple member NID.--Any municipality or
9 city of the first class participating in a multiple member NID
10 as authorized under section 10(e) may individually terminate its
11 relationship with the NID and NIDMA if all other criteria in
12 this section are satisfied or upon unanimous approval by
13 ordinance or resolution from each of the remaining
14 municipalities or cities of the first class where the NID is
15 located.

16 Section 9. Annual audit; report.

17 The NIDMA shall annually:

18 (1) submit an audit of all income and expenditures to
19 the Department of Community and Economic Development and the
20 governing body of the municipality in which the NID is
21 located within 120 days after the end of each fiscal year;
22 and

23 (2) submit a report, including financial and
24 programmatic information, including a summary of audit
25 findings, to the governing body of the municipality or city
26 of the first class in which the NID is located and to all
27 assessed property owners located in the NID.

28 Section 10. Applicability.

29 (a) Existing districts.--Except as provided for in
30 subsection (d), any existing business improvement district or

1 downtown improvement district established prior to the effective
2 date of this act shall remain in existence and shall be governed
3 by the act of May 2, 1945 (P.L.382, No.164), known as the
4 Municipality Authorities Act of 1945, insofar as it relates to
5 business improvement districts or 53 Pa.C.S. Ch. 54 (relating to
6 business improvement districts).

7 (b) Districts created subsequently.--Any NID established
8 subsequent to the effective date of this act shall be governed
9 by the provisions of this act.

10 (c) Previously terminated districts.--Any business
11 improvement district or downtown improvement district in
12 existence prior to the effective date of this act which is
13 terminated shall, upon its reestablishment, be governed by the
14 provisions of this act. This shall include any termination
15 resulting from a sunset provision in any municipal agreement or
16 ordinance.

17 (d) Additional requirements.--Any business improvement
18 district or downtown improvement district in existence on the
19 effective date of this act shall:

20 (1) be required to carry out any duty or responsibility
21 imposed on NIDs under this act; and

22 (2) possess any additional power given to NIDs under
23 this act without having to restructure or reorganize under
24 this act.

25 (e) Multiple member NID.--

26 (1) Nothing in this act or in the act of December 21,
27 1998 (P.L.1307, No.174), known as the Community and Economic
28 Improvement Act, or in any other law of this Commonwealth
29 shall prohibit any municipality from jointly establishing an
30 NID with any other municipality or city of the first class.

1 (2) Any provision of this act requiring approval of a
2 governing body of a municipality or a municipal corporation,
3 or requiring a municipal ordinance or resolution, shall be
4 applied to each municipality or city of the first class
5 participating in the NID.

6 (3) In order to participate in a multiple member NID,
7 each city of the first class must also comply with any
8 additional provisions required by the Community and Economic
9 Improvement Act.

10 Section 4. This act shall take effect in 60 days.