
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1947 Session of
2001

INTRODUCED BY HABAY, KENNEY, PETRONE, ARGALL, PHILLIPS, BROWNE,
L. I. COHEN, HENNESSEY, HESS, LEDERER, DIVEN, MANN,
M. WRIGHT, J. WILLIAMS, BASTIAN, BUNT, CIVERA, DAILEY, DALLY,
FICHTER, GODSHALL, HARHART, McILHINNEY, RUBLEY, TRELLO,
FREEMAN, WATSON, M. COHEN, MICOZZIE, McILHATTAN, FEESE,
WALKO, SAYLOR, JAMES, BEBKO-JONES, CAPPELLI AND MICHLOVIC,
SEPTEMBER 26, 2001

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, NOVEMBER 26, 2002

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," ~~further providing for~~ <—
5 ~~authority to sell or lease real property.~~ PROVIDING FOR <—
6 INSURANCE AND OTHER EMPLOYEE BENEFITS; FURTHER PROVIDING FOR
7 TAX LEVIES AND FOR AUTHORITY OF COUNTY COMMISSIONERS TO MAKE <—
8 CONTRACTS; AMENDING PROVISIONS RELATING TO ACQUISITION, USE,
9 LEASING AND DISPOSING OF PROPERTY FOR COUNTY AND TO
10 CONSTRUCTION OR ALTERATION OF COUNTY BUILDINGS; FURTHER
11 PROHIBITING DISORDERLY CONDUCT IN AND ABOUT COURTHOUSES AND
12 JAILS; FURTHER PROVIDING FOR JOINING WITH MUNICIPALITY IN
13 IMPROVING CERTAIN STREETS AND HIGHWAYS AND FOR PARKS AND
14 COMFORT HOUSES; AMENDING PROVISIONS RELATING TO MONUMENTS AND
15 MEMORIALS; FURTHER PROVIDING FOR ACQUIRING OF PROPERTY FOR
16 CERTAIN PURPOSES AND FOR AUTHORITY TO PROVIDE FOR MORGUES;
17 AMENDING PROVISIONS RELATING TO BRIDGES, VIADUCTS, CULVERTS,
18 ROADS AND RECREATION PLACES; FURTHER PROVIDING FOR AUTHORITY <—
19 TO PROVIDE PARKS AND FOR TITLE ACQUIRED IN EMINENT DOMAIN
20 PROCEEDINGS; AND MAKING EDITORIAL CHANGES.

21 The General Assembly of the Commonwealth of Pennsylvania

22 hereby enacts as follows:

23 ~~Section 1. Section 2506 of the act of July 28, 1953~~ <—

1 ~~(P.L.723, No.230), known as the Second Class County Code, is~~
2 ~~amended by adding a subsection to read:~~

3 ~~Section 2506. Authority to Sell or Lease Real Property. * *~~
4 ~~*~~

5 SECTION 1. THE ACT OF JULY 28, 1953 (P.L.723, NO.230), KNOWN <—
6 AS THE SECOND CLASS COUNTY CODE, IS AMENDED BY ADDING A SECTION
7 TO READ:

8 SECTION 1820.1. INSURANCE AND OTHER EMPLOYE BENEFITS.--IN
9 ADDITION TO ANY OTHER AUTHORIZED COMPENSATION, COUNTY
10 COMMISSIONERS AND OTHER COUNTY OFFICERS AND THEIR DEPENDENTS
11 SHALL BE ELIGIBLE FOR INCLUSION IN GROUP LIFE, HEALTH,
12 HOSPITALIZATION, MEDICAL SERVICE AND ACCIDENT INSURANCE PLANS OR
13 EMPLOYEE BENEFITS, OR PAYMENTS MADE IN LIEU OF SUCH BENEFITS,
14 PAID IN WHOLE OR IN PART BY THE COUNTY, PROVIDED SUCH PLANS,
15 BENEFITS OR PAYMENTS ARE OFFERED GENERALLY TO EMPLOYEES OF THE
16 COUNTY.

17 SECTION 2. SECTION 1970 OF THE ACT, AMENDED FEBRUARY 14, <—
18 1986 (P.L.16, NO.6), IS AMENDED TO READ:

19 SECTION 1970. TAX LEVIES.--NO TAX SHALL BE LEVIED ON
20 PERSONAL PROPERTY TAXABLE FOR COUNTY PURPOSES WHERE THE RATE OF
21 TAXATION THEREON IS FIXED BY LAW OTHER THAN AT THE RATE SO
22 FIXED. THE COUNTY COMMISSIONERS SHALL FIX, BY RESOLUTION, THE
23 RATE OF TAXATION FOR EACH YEAR. THE TAX LEVIED SHALL BE FOR THE
24 PURPOSE OF CREATING A GENERAL FUND TO PAY EXPENSES INCURRED FOR
25 GENERAL COUNTY PURPOSES, FOR THE PAYMENT OF THE MATTERS
26 CONNECTED WITH ROADS PROVIDED FOR IN SUBSECTION (G) OF SECTION
27 2901 HEREOF, FOR THE PAYMENT OF THE MATTERS CONNECTED WITH PARKS
28 AND RELATED MATTERS PROVIDED FOR IN SECTIONS 3007 AND 3035
29 HEREOF. NO SUCH TAX IN ANY COUNTY OF THE SECOND CLASS, SHALL IN
30 ANY ONE YEAR EXCEED THE RATE OF TWENTY-FIVE MILLS ON EVERY

1 DOLLAR OF THE ADJUSTED VALUATION: PROVIDED, HOWEVER, THAT THE
2 RATE OF TAXATION FOR PAYMENT OF INTEREST AND PRINCIPAL ON ANY
3 INDEBTEDNESS INCURRED PURSUANT TO THE ACT OF JULY 12, 1972
4 (P.L.781, NO.185), KNOWN AS THE "LOCAL GOVERNMENT UNIT DEBT
5 ACT," OR ANY PRIOR OR SUBSEQUENT ACT GOVERNING THE INCURRENCE OF
6 INDEBTEDNESS OF THE COUNTY SHALL BE UNLIMITED. NO TAX FOR
7 GENERAL COUNTY PURPOSES IN ANY COUNTY OF THE SECOND CLASS A
8 SHALL IN ANY ONE YEAR EXCEED THE RATE OF [THIRTY] FORTY MILLS ON
9 EVERY DOLLAR OF THE ADJUSTED VALUATION: PROVIDED, HOWEVER, THAT
10 THE RATE OF TAXATION FOR PAYMENT OF INTEREST AND PRINCIPAL ON
11 ANY INDEBTEDNESS INCURRED PURSUANT TO THE ACT OF JULY 12, 1972
12 (P.L.781, NO.185), KNOWN AS THE "LOCAL GOVERNMENT UNIT DEBT
13 ACT," OR ANY PRIOR OR SUBSEQUENT ACT GOVERNING THE INCURRENCE OF
14 INDEBTEDNESS OF THE COUNTY SHALL BE UNLIMITED. IN FIXING THE
15 RATE OF TAXATION, THE COUNTY COMMISSIONERS IF THE RATE IS FIXED
16 IN MILLS, SHALL ALSO INCLUDE IN THE RESOLUTION A STATEMENT
17 EXPRESSING THE RATE OF TAXATION IN DOLLARS AND CENTS ON EACH ONE
18 HUNDRED DOLLARS OF ASSESSED VALUATION OF TAXABLE PROPERTY.

19 SECTION ~~2~~ 3. SECTION 2001 OF THE ACT, AMENDED OR ADDED JULY ←
20 1, 1978 (P.L.696, NO.121), NOVEMBER 26, 1978 (P.L.1268, NO.302),
21 DECEMBER 10, 1980 (P.L.1165, NO.213), DECEMBER 10, 1982
22 (P.L.1084, NO.254), OCTOBER 5, 1990 (P.L.519, NO.125), JANUARY
23 27, 1998 (P.L.1, NO.1) AND OCTOBER 30, 2000 (P.L.616, NO.85), IS
24 AMENDED TO READ:

25 SECTION 2001. COUNTY COMMISSIONERS TO MAKE CONTRACTS.--THE
26 COUNTY COMMISSIONERS MAY MAKE CONTRACTS FOR LAWFUL PURPOSES AND
27 FOR THE PURPOSES OF CARRYING INTO EXECUTION THE PROVISIONS OF
28 THIS SECTION AND THE LAWS OF THE COMMONWEALTH.

29 (A) EXCEPT AS PROVIDED IN SUBSECTION (A.1), ALL CONTRACTS OR
30 PURCHASES IN EXCESS OF TEN THOUSAND DOLLARS (\$10,000) SHALL BE

1 IN WRITING AND, EXCEPT THOSE HEREINAFTER MENTIONED, AND EXCEPT
2 AS PROVIDED BY THE ACT OF OCTOBER 27, 1979 (P.L.241, NO.78),
3 ENTITLED "AN ACT AUTHORIZING POLITICAL SUBDIVISIONS,
4 MUNICIPALITY AUTHORITIES AND TRANSPORTATION AUTHORITIES TO ENTER
5 INTO CONTRACTS FOR THE PURCHASE OF GOODS AND THE SALE OF REAL
6 AND PERSONAL PROPERTY WHERE NO BIDS ARE RECEIVED," SHALL NOT BE
7 MADE EXCEPT WITH AND FROM THE LOWEST RESPONSIBLE AND RESPONSIVE
8 BIDDER MEETING SPECIFICATIONS, AFTER DUE NOTICE IN AT LEAST ONE
9 NEWSPAPER OF GENERAL CIRCULATION, PUBLISHED OR CIRCULATING IN
10 THE COUNTY AT LEAST [THREE (3)] TWO (2) TIMES, AT INTERVALS OF
11 NOT LESS THAN THREE (3) DAYS WHERE DAILY NEWSPAPERS OF GENERAL
12 CIRCULATION ARE EMPLOYED FOR SUCH PUBLICATION, OR IN CASE WEEKLY
13 NEWSPAPERS ARE EMPLOYED, THEN THE NOTICE SHALL BE PUBLISHED ONCE
14 A WEEK FOR TWO (2) SUCCESSIVE WEEKS. THE FIRST ADVERTISEMENT
15 SHALL BE PUBLISHED NOT LESS THAN TEN (10) DAYS PRIOR TO THE DATE
16 FIXED FOR THE OPENING OF BIDS.

17 (A.1) THE REQUIREMENTS OF THIS SUBSECTION NEED NOT BE
18 FOLLOWED IN CASES OF EMERGENCY, BUT IN SUCH CASES THE ACTUAL
19 EMERGENCY SHALL BE DECLARED AND STATED BY RESOLUTION OF THE
20 COMMISSIONERS.

21 (B) THE ACCEPTANCE OF ALL BIDS SHALL BE BY THE CONTROLLER.
22 THEY SHALL BE OPENED PUBLICLY AT A TIME AND PLACE TO BE
23 DESIGNATED IN THE NOTICE. ALL THE FIGURES SHALL BE ANNOUNCED
24 PUBLICLY BY THE CHIEF CLERK OR HIS DESIGNEE AND REFERRED TO THE
25 APPROPRIATE DEPARTMENTS FOR TABULATION WITHOUT THE PRESENCE OF
26 THE COMMISSIONERS. WHENEVER, FOR ANY REASON, THE BID OPENINGS
27 SHALL NOT BE HELD, THE SAME BUSINESS MAY BE TRANSACTED AT A
28 SUBSEQUENT [TIME, IF AT LEAST FIVE (5) DAYS NOTICE THEREOF SHALL
29 BE PUBLISHED IN THE NEWSPAPER AFORESAID.] MEETING, THE TIME AND
30 PLACE OF WHICH SHALL HAVE BEEN ANNOUNCED AT THE PREVIOUS MEETING

1 HELD FOR SUCH OPENINGS. THE CONTRACT SHALL BE AWARDED OR ALL
2 BIDS SHALL BE REJECTED WITHIN THIRTY (30) DAYS OF THE OPENING OF
3 THE BIDS, EXCEPT FOR BIDS SUBJECT TO 62 PA.C.S. (RELATING TO
4 PROCUREMENT). THIRTY-DAY EXTENSIONS OF THE DATE FOR THE AWARD
5 MAY BE MADE BY THE MUTUAL WRITTEN CONSENT OF THE COMMISSIONERS
6 AND ANY BIDDER WHO WISHES TO REMAIN UNDER CONSIDERATION FOR
7 AWARD. THE COMMISSIONERS SHALL EXCUSE FROM CONSIDERATION ANY
8 BIDDER NOT WISHING TO AGREE TO A REQUEST FOR EXTENSION OF THE
9 DATE FOR THE AWARD AND SHALL RELEASE SUCH BIDDER FROM ANY BID
10 BOND OR SIMILAR BID SECURITY FURNISHED UNDER SUBSECTION (B.1).
11 ALL CONTRACTS SHALL BE FILED WITH THE CONTROLLER OR WITH THE
12 CHIEF CLERK, AS THE CASE MAY BE, IMMEDIATELY AFTER THEIR
13 EXECUTION.

14 (B.1) ALL BIDS [MAY] SHALL IF REQUIRED BY THE COMMISSIONERS
15 BE ACCOMPANIED BY CASH [OR BY A CERTIFIED GOOD FAITH CHECK], A
16 CERTIFIED CHECK, CASHIER'S CHECK, BANK GOOD FAITH CHECK OR
17 IRREVOCABLE LETTER OF CREDIT IN A REASONABLE AMOUNT DRAWN UPON A
18 BANK AUTHORIZED TO DO BUSINESS IN THE COMMONWEALTH[, IN AN
19 AMOUNT NOT EXCEEDING FIVE PER CENTUM (5%) OF THE BID] OR BY A
20 BOND WITH CORPORATE SURETY [NOT EXCEEDING FIVE PER CENTUM (5%)
21 OF THE AMOUNT BID] IN A REASONABLE AMOUNT. IN THE EVENT ANY
22 BIDDER SHALL, UPON AWARD OF THE CONTRACT TO HIM, FAIL TO COMPLY
23 WITH THE REQUIREMENTS HEREINAFTER STATED AS TO [A BOND] SECURITY
24 GUARANTEEING THE PERFORMANCE OF THE CONTRACT, OR FAIL OR REFUSE
25 TO ENTER INTO A CONTRACT, OR OTHERWISE FAIL OR REFUSE TO RENDER
26 THE REQUIRED SERVICES, THE [GOOD FAITH DEPOSIT BY CASH,
27 CERTIFIED CHECK OR BOND] SECURITY FURNISHED UNDER THIS
28 SUBSECTION SHALL BE FORFEITED TO THE COUNTY AS LIQUIDATED
29 DAMAGES, AND THE CONTRACT SUBSEQUENTLY MAY BE AWARDED TO THE
30 NEXT LOWEST BIDDER, WHO SHALL MANIFEST HIS ACCEPTANCE OF SUCH

1 CONTRACT BY GIVING A GOOD FAITH DEPOSIT IN THE AMOUNT AND MANNER
2 SET FORTH IN THIS SUBSECTION ON OR BEFORE THE THIRD DAY AFTER
3 THE AWARD OF THE CONTRACT TO SUCH BIDDER AND OTHERWISE COMPLY
4 WITH THE PROVISIONS OF THIS SECTION.

5 (B.2) THE AMOUNT OR PRICE OF THE CONTRACT SHALL, IN ALL
6 CASES WHETHER OF STRAIGHT SALE PRICE, CONDITIONAL SALE, LEASE,
7 LEASE PURCHASE OR OTHERWISE, BE THE ENTIRE AMOUNT WHICH THE
8 COUNTY PAYS TO THE SUCCESSFUL BIDDER, OR HIS ASSIGNS, PLUS THE
9 VALUE OF PERSONAL PROPERTY TRANSFERRED FROM THE COUNTY TO THE
10 BIDDER OR HIS ASSIGNS AT ANY TIME DURING THE DURATION OF THE
11 CONTRACT, IN ORDER TO OBTAIN THE SERVICES OR PROPERTY, OR BOTH,
12 AND SHALL NOT BE CONSTRUED TO MEAN ONLY THE AMOUNT WHICH IS PAID
13 TO ACQUIRE TITLE OR TO RECEIVE ANY OTHER PARTICULAR BENEFIT OR
14 BENEFITS OF THE WHOLE BARGAIN. THE VALUE OF PERSONAL PROPERTY
15 TRANSFERRED TO THE BIDDER OR HIS ASSIGNS UPON EXECUTION OF THE
16 CONTRACT SHALL BE SPECIFIED IN THE BID. THE METHOD OF
17 DETERMINING THE VALUE OF PERSONAL PROPERTY TRANSFERRED TO THE
18 BIDDER OR HIS ASSIGNS AT A TIME DURING THE DURATION OF THE
19 CONTRACT SHALL BE SPECIFIED IN THE BID AND SHALL BE DETERMINED
20 USING GENERALLY ACCEPTED VALUATION METHODS.

21 (C) THE SUCCESSFUL BIDDER, WHEN [ADVERTISING] A FORMAL BID
22 IS REQUIRED HEREIN, SHALL BE REQUIRED TO FURNISH A BOND [WITH
23 SUITABLE REASONABLE REQUIREMENTS] OR IRREVOCABLE LETTER OF
24 CREDIT OR OTHER SECURITY IN AN AMOUNT SUFFICIENT TO THE
25 COMMISSIONERS GUARANTEEING PERFORMANCE OF THE CONTRACT[, WITH
26 SUFFICIENT SURETY IN THE AMOUNT OF FIFTY PER CENTUM (50%) OF THE
27 AMOUNT OF THE CONTRACT,] WITHIN THIRTY (30) DAYS AFTER THE
28 CONTRACT HAS BEEN AWARDED, UNLESS THE COMMISSIONERS SHALL
29 PRESCRIBE A SHORTER PERIOD OR UNLESS THE COMMISSIONERS SHALL
30 WAIVE THE BOND REQUIREMENT IN THE BID SPECIFICATION. THE

1 SUCCESSFUL BIDDER FOR A CONTRACT WHICH INVOLVES THE
2 CONSTRUCTION, ERECTION, INSTALLATION, COMPLETION, ALTERATION,
3 REPAIR OF OR ADDITION TO ANY PUBLIC WORK OR IMPROVEMENT OF ANY
4 KIND SHALL FURNISH SECURITY AS PROVIDED IN SECTION 2518.
5 PERFORMANCE SECURITY FOR SERVICES AND CONTRACTS FOR LABOR AND
6 MATERIALS DELIVERED ON A PERIODIC BASIS, INCLUDING, BUT NOT
7 LIMITED TO, FOOD SERVICE CONTRACTS, HOME HEALTH SERVICES AND
8 JANITORIAL SERVICES AND SUPPLIES, MAY BE COMPUTED ON THE
9 EXPECTED AVERAGE VALUE FOR ONE OR MORE MONTHS AT THE DISCRETION
10 OF THE COMMISSIONERS. UPON FAILURE TO FURNISH ANY REQUIRED BOND
11 WITHIN SUCH TIME, THE PREVIOUS AWARDS SHALL BE VOID AND THE
12 COMMISSIONERS MAY AWARD THE CONTRACT TO THE NEXT LOWEST BIDDER.
13 DELIVERIES, PERFORMANCES, ACCOMPLISHMENT AND GUARANTEES MAY BE
14 REQUIRED IN ALL CASES OF EXPENDITURES, INCLUDING THE EXCEPTIONS
15 HEREIN.

16 (D) THE CONTRACTS OR PURCHASES MADE BY THE COMMISSIONERS
17 INVOLVING AN EXPENDITURE OF OVER TEN THOUSAND DOLLARS (\$10,000)
18 WHICH SHALL NOT REQUIRE ADVERTISING OR BIDDING AS HEREINBEFORE
19 PROVIDED ARE AS FOLLOWS:

20 (1) THOSE FOR MAINTENANCE, REPAIRS OR REPLACEMENTS FOR
21 WATER, ELECTRIC LIGHT, OR OTHER PUBLIC WORKS: PROVIDED, THAT
22 THEY DO NOT CONSTITUTE NEW ADDITIONS, EXTENSIONS OR ENLARGEMENTS
23 OF EXISTING FACILITIES AND EQUIPMENT[, BUT A BOND]. SECURITY MAY
24 BE REQUIRED BY THE COUNTY COMMISSIONERS AS IN OTHER CASES OF
25 WORK DONE.

26 (2) THOSE MADE FOR IMPROVEMENTS, REPAIRS AND MAINTENANCE OF
27 ANY KIND MADE OR PROVIDED BY THE COUNTY THROUGH ITS OWN
28 EMPLOYEES[: PROVIDED, THAT THIS]. THIS PARAGRAPH SHALL NOT APPLY
29 TO CONSTRUCTION MATERIALS USED IN A STREET IMPROVEMENT.

30 (3) THOSE WHERE PARTICULAR TYPES, MODELS OR PIECES OF NEW

1 EQUIPMENT, ARTICLES, APPARATUS, APPLIANCES, VEHICLES OR PARTS
2 THEREOF ARE DESIRED BY THE COUNTY COMMISSIONERS, WHICH ARE
3 PATENTED AND MANUFACTURED PRODUCTS OR COPYRIGHTED PRODUCTS.

4 (4) THOSE INVOLVING ANY POLICIES OF INSURANCE OR SURETY
5 COMPANY BONDS, THOSE MADE FOR PUBLIC UTILITY SERVICE AND
6 ELECTRICITY, NATURAL GAS OR TELECOMMUNICATION SERVICES:
7 PROVIDED, THAT, IN THE CASE OF UTILITIES NOT UNDER TARIFFS ON
8 FILE WITH THE PENNSYLVANIA PUBLIC UTILITY COMMISSION[.]
9 CONTRACTS MADE WITHOUT ADVERTISING AND BIDDING SHALL BE MADE
10 ONLY AFTER RECEIVING WRITTEN OR TELEPHONIC PRICE QUOTATIONS FROM
11 AT LEAST THREE (3) QUALIFIED AND RESPONSIBLE CONTRACTORS OR, IN
12 LIEU OF PRICE QUOTATIONS, A MEMORANDUM SHALL BE KEPT ON FILE
13 SHOWING THAT FEWER THAN THREE (3) QUALIFIED CONTRACTORS EXIST IN
14 THE MARKET AREA WITHIN WHICH IT IS PRACTICABLE TO OBTAIN
15 QUOTATIONS. A WRITTEN RECORD OF TELEPHONIC PRICE QUOTATIONS
16 SHALL BE MADE AND CONTAIN AT LEAST THE DATE OF THE QUOTATION,
17 THE NAME OF THE CONTRACTOR AND THE CONTRACTOR'S REPRESENTATIVE.

18 (5) THOSE INVOLVING PERSONAL OR PROFESSIONAL SERVICES[.]
19 INCLUDING, BUT NOT LIMITED TO, SERVICES OF MEMBERS OF THE
20 MEDICAL OR LEGAL PROFESSION, REGISTERED ARCHITECTS, ENGINEERS,
21 CERTIFIED PUBLIC ACCOUNTANTS OR OTHER PERSONAL SERVICES
22 INVOLVING PROFESSIONAL EXPERTISE.

23 (6) THOSE INVOLVING TANGIBLE CLIENT SERVICES PROVIDED BY
24 NONPROFIT AGENCIES. FOR THE PURPOSES OF THIS CLAUSE, THE TERM
25 "TANGIBLE CLIENT SERVICES" SHALL MEAN CONGREGATE MEALS, HOME-
26 DELIVERED MEALS, TRANSPORTATION AND CHORE SERVICES PROVIDED
27 THROUGH AREA AGENCIES ON AGING.

28 (6.1) THOSE INVOLVING CONTRACTS ENTERED INTO BY NONPROFIT
29 COOPERATIVE HOSPITAL SERVICE ASSOCIATIONS FOR HOSPITALS AND
30 NURSING HOMES WHICH ARE PART OF THE INSTITUTIONAL DISTRICT OR

1 WHICH ARE OWNED BY THE COUNTY, OPERATED BY THE COUNTY OR
2 AFFILIATED WITH THE COUNTY BY THE PURCHASING OF OR PARTICIPATING
3 IN CONTRACTS FOR MATERIALS, SUPPLIES AND EQUIPMENT.

4 (7) THOSE INVOLVING THE PURCHASE OF MILK.

5 (8) THOSE MADE WITH ANY PUBLIC BODY, INCLUDING, BUT NOT
6 LIMITED TO, THE SALE, LEASE OR LOAN OF ANY SUPPLIES OR MATERIALS
7 TO THE COUNTY BY A PUBLIC BODY, PROVIDED THAT THE PRICE THEREOF
8 SHALL NOT BE IN EXCESS OF THAT FIXED BY THE PUBLIC BODY. THE
9 REQUIREMENTS OF 53 PA.C.S. CH. 23 SUBCH. A (RELATING TO
10 INTERGOVERNMENTAL COOPERATION) SHALL NOT APPLY WHEN A COUNTY
11 PURCHASES COOPERATIVELY WITH ANOTHER PUBLIC BODY WHICH HAS
12 ENTERED INTO A CONTRACT FOR SUPPLIES OR MATERIALS. AS USED IN
13 THIS PARAGRAPH, "PUBLIC BODY" SHALL MEAN ANY OF THE FOLLOWING:

14 (I) THE FEDERAL GOVERNMENT;

15 (II) THE COMMONWEALTH OF PENNSYLVANIA;

16 (III) ANY OTHER STATE;

17 (IV) A POLITICAL SUBDIVISION, LOCAL OR MUNICIPAL AUTHORITY
18 OR OTHER SIMILAR LOCAL ENTITY OF THE COMMONWEALTH OR ANY OTHER
19 STATE; OR

20 (V) AN AGENCY OF THE FEDERAL GOVERNMENT, THE COMMONWEALTH OR
21 ANY OTHER STATE.

22 (9) THOSE EXCLUSIVELY INVOLVING CONSTRUCTION MANAGEMENT
23 SERVICES.

24 (10) THOSE INVOLVING COMPUTER SOFTWARE.

25 (D.1) NOTWITHSTANDING THE PROVISIONS OF THIS ARTICLE TO THE
26 CONTRARY, THE COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO ENTER
27 INTO CONTRACTS FOR EQUIPMENT AND SERVICES RELATED TO TECHNOLOGY
28 AND INFORMATION SYSTEMS ON THE BASIS OF BEST VALUE PROCUREMENT.
29 CONTRACTS UNDER BEST VALUE PROCUREMENT SHALL BE MADE ONLY AFTER
30 THE COUNTY HAS SOLICITED PROPOSALS BASED ON PERFORMANCE AND

1 OUTCOME SPECIFICATIONS DEVELOPED BY THE COUNTY AND DESCRIBING AT
2 MINIMUM THE OBJECTIVES TO BE MET BY THE SYSTEM, THE TASKS TO BE
3 PERFORMED BY THE SYSTEM, THE USERS OF THE SYSTEM, SYSTEM
4 SECURITY ISSUES, THE TIME FRAME FOR SYSTEM IMPLEMENTATION,
5 POTENTIAL OPERATING TECHNOLOGIES, COMPATIBILITY WITH EXISTING
6 SYSTEMS, TRAINING AND MAINTENANCE AND SHALL INDICATE THE PROCESS
7 BY WHICH THE CONTRACT SHALL BE AWARDED. BEST VALUE PROCUREMENT
8 SHALL NOT REQUIRE A SEALED BID PROCESS AND SHALL PERMIT THE
9 COMMISSIONERS TO NEGOTIATE THE TERMS OF THE AGREEMENT WITH ANY
10 RESPONSIVE AND RESPONSIBLE VENDOR.

11 (E) [EVERY CONTRACT FOR THE CONSTRUCTION, RECONSTRUCTION,
12 ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS
13 SHALL COMPLY WITH THE PROVISIONS OF THE ACT OF MARCH 3, 1978
14 (P.L.6, NO.3), KNOWN AS THE "STEEL PRODUCTS PROCUREMENT ACT."]
15 EVERY CONTRACT SUBJECT TO THIS ARTICLE SHALL COMPLY, AS
16 APPLICABLE, WITH THE PROVISIONS OF:

17 (1) THE ACT OF AUGUST 15, 1961 (P.L.987, NO.442), KNOWN AS
18 THE "PENNSYLVANIA PREVAILING WAGE ACT."

19 (2) THE ACT OF DECEMBER 20, 1967 (P.L.869, NO.385), KNOWN AS
20 THE "PUBLIC WORKS CONTRACTORS' BOND LAW OF 1967."

21 (3) THE ACT OF JANUARY 23, 1974 (P.L.9, NO.4), REFERRED TO
22 AS THE PUBLIC CONTRACT BID WITHDRAWAL LAW."

23 (4) THE ACT OF MARCH 3, 1978 (P.L.6, NO.3), KNOWN AS THE
24 "STEEL PRODUCTS PROCUREMENT ACT".

25 (5) THE ACT OF FEBRUARY 17, 1994 (P.L.73, NO.7), KNOWN AS
26 THE "CONTRACTOR AND SUBCONTRACTOR PAYMENT ACT."

27 (6) 62 PA.C.S. CHS. 37 SUBCH. B (RELATING TO MOTOR
28 VEHICLES), 39 (RELATING TO CONTRACTS FOR PUBLIC WORKS) AND 45
29 (RELATING TO ANTIBID-RIGGING).

30 (F) NO PERSON, CONSULTANT, FIRM OR CORPORATION CONTRACTING

1 WITH A COUNTY FOR PURPOSES OF RENDERING PERSONAL OR PROFESSIONAL
2 SERVICES TO THE COUNTY SHALL SHARE WITH ANY COUNTY OFFICER OR
3 EMPLOYE, AND NO COUNTY OFFICER OR EMPLOYE SHALL ACCEPT, ANY
4 PORTION OF THE COMPENSATION OR FEES PAID BY THE COUNTY FOR THE
5 CONTRACTED SERVICES PROVIDED TO THE COUNTY EXCEPT UNDER THE
6 FOLLOWING TERMS OR CONDITIONS:

7 (1) FULL DISCLOSURE OF ALL RELEVANT INFORMATION REGARDING
8 THE SHARING OF THE COMPENSATION OR FEES SHALL BE MADE TO THE
9 BOARD OF COMMISSIONERS.

10 (2) THE BOARD OF COMMISSIONERS MUST APPROVE THE SHARING OF
11 ANY FEE OR COMPENSATION FOR PERSONAL OR PROFESSIONAL SERVICES
12 PRIOR TO THE PERFORMANCE OF SAID SERVICES.

13 (3) NO FEE OR COMPENSATION FOR PERSONAL OR PROFESSIONAL
14 SERVICES MAY BE SHARED EXCEPT FOR WORK ACTUALLY PERFORMED.

15 (4) NO SHARED FEE OR COMPENSATION FOR PERSONAL OR
16 PROFESSIONAL SERVICES MAY BE PAID AT A RATE IN EXCESS OF THAT
17 COMMENSURATE FOR SIMILAR PERSONAL OR PROFESSIONAL SERVICES.

18 (G) (1) THE BOARD OF COMMISSIONERS MAY, IN ITS SOLE
19 DISCRETION, ELECT TO USE AN ALTERNATIVE CONTRACTING PROCEDURE TO
20 ACHIEVE THE ADAPTIVE REUSE OF FORMER JAIL FACILITIES. IF THE
21 BOARD OF COMMISSIONERS ELECTS TO UTILIZE AN ALTERNATIVE
22 CONTRACTING PROCEDURE, THE BOARD SHALL ADOPT A RESOLUTION THAT
23 THE USE OF AN ALTERNATIVE CONTRACTING PROCEDURE IS THE MOST
24 EFFICIENT, ECONOMICAL AND TIMELY METHOD TO SECURE AN ADAPTIVE
25 REUSE OF FORMER JAIL FACILITIES. UPON ADOPTION OF A RESOLUTION,
26 THE BOARD OF COMMISSIONERS SHALL REQUEST WRITTEN PROPOSALS FROM
27 PROPOSERS FOR THE ADAPTIVE REUSE OF FORMER JAIL FACILITIES UNDER
28 AN ALTERNATIVE CONTRACTING METHOD. IN ITS REQUEST FOR PROPOSALS,
29 THE BOARD SHALL INCLUDE SUCH TERMS, CONDITIONS AND REQUIREMENTS
30 WHICH IT DEEMS NECESSARY TO PROTECT THE INTERESTS OF THE COUNTY.

1 (2) IN REVIEWING AND EVALUATING THE PROPOSALS FOR THE
2 ADAPTIVE REUSE OF FORMER JAIL FACILITIES, THE BOARD OF
3 COMMISSIONERS SHALL, IN ADDITION TO COMPLIANCE WITH THE TERMS,
4 CONDITIONS AND REQUIREMENTS SET FORTH IN THE REQUEST FOR
5 PROPOSALS, CONSIDER THE FOLLOWING CRITERIA:

6 (I) THE COST OF THE PROPOSER'S ADAPTIVE REUSE PROPOSAL;

7 (II) EXPERIENCE OF THE PROPOSER;

8 (III) PRESERVATION OF THE DISTINCT ARCHITECTURAL DESIGN AND
9 INTEGRITY OF THE FORMER JAIL FACILITIES;

10 (IV) ADHERENCE TO PREVAILING WAGE LAWS AND OTHER WORK FORCE
11 STANDARDS;

12 (V) COMMITMENT TO ENTER INTO VOLUNTARY CONTRACT WITH
13 DISADVANTAGED BUSINESS ENTERPRISES.

14 AFTER DUE CONSIDERATION OF PROPOSALS UNDER THE CRITERIA
15 DESCRIBED ABOVE, THE BOARD OF COMMISSIONERS MAY, IN ITS
16 DISCRETION, SELECT A PROPOSAL AND AWARD A CONTRACT TO A
17 RESPONSIBLE PROPOSER FOR THE ADAPTIVE REUSE OF FORMER JAIL
18 FACILITIES UNDER AN ALTERNATIVE CONTRACTING PROCEDURE. THE AWARD
19 OF A CONTRACT FOR THE ADAPTIVE REUSE OF FORMER JAIL FACILITIES
20 NEED NOT BE AWARDED TO THE LOWEST BIDDER.

21 (3) ANY CONTRACT FOR THE ADAPTIVE REUSE FOR FORMER JAIL
22 FACILITIES AWARDED UNDER THIS SUBSECTION SHALL BE EXEMPT FROM
23 AND NOT BE SUBJECT TO SECTIONS 2517 AND 2520 OF THIS ACT OR THE
24 ACT OF MAY 1, 1913 (P.L.155, NO.104), ENTITLED "AN ACT
25 REGULATING THE LETTING OF CERTAIN CONTRACTS FOR THE ERECTION,
26 CONSTRUCTION, AND ALTERATION OF PUBLIC BUILDINGS."

27 (4) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
28 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

29 "ADAPTIVE REUSE." THE ALTERATION, RENOVATION, REMODELING,
30 MODIFICATION OR RECONSTRUCTION OF FORMER JAIL FACILITIES FOR

1 REUSE AS COURTROOMS, OFFICE SPACE OR SUCH OTHER FACILITIES AND
2 USES AS THE BOARD OF COMMISSIONERS SHALL FROM TIME TO TIME DEEM
3 NECESSARY AND APPROPRIATE.

4 "ALTERNATIVE CONTRACTING PROCEDURE." A PROCEDURE UNDER WHICH
5 A PROPOSER WOULD BE RESPONSIBLE FOR ALL ASPECTS OR PHASES
6 NECESSARY TO ACHIEVE THE DEVELOPMENT OF A PARCEL OF PROPERTY.
7 SUCH ASPECTS OR PHASES OF DEVELOPMENT SHALL INCLUDE, BUT NOT
8 NECESSARILY BE LIMITED TO, THE PLANNING, DESIGN, FINANCE,
9 CONSTRUCTION AND MANAGEMENT OF PROPERTY. THE TERM "ALTERNATIVE
10 CONTRACTING PROCEDURE" SHALL BE SIMILAR IN ALL RESPECTS TO THE
11 COMMONLY UNDERSTOOD TERM IN THE REAL ESTATE DEVELOPMENT AND
12 CONSTRUCTION INDUSTRY KNOWN AS A "TURNKEY."

13 "FORMER JAIL FACILITIES." A BUILDING OR GROUP OF BUILDINGS
14 WITH RELATED FACILITIES OWNED BY A COUNTY OF THE SECOND CLASS
15 WHICH ARE MORE THAN ONE HUNDRED YEARS OLD AND WHICH WERE
16 PREVIOUSLY USED AS JAIL FACILITIES.

17 "PROPOSER." A FIRM, ORGANIZATION OR COMPANY OR A COMBINATION
18 OF FIRMS, ORGANIZATIONS OR COMPANIES ACTING AS A PARTNERSHIP,
19 JOINT VENTURE, CONSORTIUM OR SIMILAR JOINT RELATIONSHIP WITH
20 SUFFICIENT KNOWLEDGE, EXPERTISE AND EXPERIENCE IN THE AREAS OF
21 ARCHITECTURAL DESIGN, CONSTRUCTION, FINANCING OF REAL ESTATE
22 DEVELOPMENT OR CONSTRUCTION AND REAL ESTATE MANAGEMENT.

23 SECTION 3 4. SECTIONS 2505(A) AND 2506 OF THE ACT ARE
24 AMENDED TO READ:

25 SECTION 2505. ACQUIRING AND USING REAL PROPERTY; [COURT
26 APPROVAL;] EXCEPTIONS.--(A) THE COUNTY COMMISSIONERS MAY
27 PURCHASE FOR NOT MORE THAN FAIR MARKET VALUE, TAKE BY GIFT,
28 DEVISE OR BY THE POWER OF EMINENT DOMAIN, IN ACCORDANCE WITH THE
29 PROVISIONS OF THIS ACT, SUCH REAL PROPERTY AT THE COUNTY SEAT OR
30 IN SUCH OTHER PLACES, AS MAY BE AUTHORIZED BY LAW, AS THEY DEEM

1 NECESSARY FOR THE PURPOSES OF A COUNTY COURTHOUSE, COUNTY JAIL,
2 PRISON, WORKHOUSE, DETENTION HOUSE OR OTHER COUNTY BUILDING,
3 EITHER IN ACQUISITION OF A BUILDING SUITABLE FOR SUCH PURPOSES
4 OR IN THE CONSTRUCTION OF A NEW BUILDING, OR IN THE ALTERATION,
5 INCLUDING ENLARGEMENT, OF AN EXISTING COUNTY BUILDING. [ANY
6 PURCHASE HEREIN AUTHORIZED SHALL BE SUBJECT TO THE APPROVAL OF
7 THE COURT OF COMMON PLEAS OF THE COUNTY AS TO PURCHASE PRICE,
8 AND NO SUCH CONTRACT SHALL BIND THE COUNTY, NOR SHALL ANY
9 CONVEYANCE BE VALID UNTIL THE COURT HAS SO APPROVED THE PURCHASE
10 PRICE.] THE FAIR MARKET VALUE OF REAL PROPERTY IN THE CASE OF A
11 PURCHASE VALUED IN EXCESS OF TEN THOUSAND DOLLARS (\$10,000)
12 SHALL BE DETERMINED BY THE COUNTY COMMISSIONERS IN CONSULTATION
13 WITH TWO (2) OF THE FOLLOWING: THE COUNTY ASSESSOR, A LICENSED
14 REAL ESTATE BROKER OR LICENSED REAL ESTATE APPRAISER DOING
15 BUSINESS WITHIN THE COUNTY.

16 * * *

17 SECTION 2506. AUTHORITY TO SELL OR LEASE REAL PROPERTY.--(A)
18 [THE BOARD OF COMMISSIONERS MAY SELL OR LEASE, EITHER AS LESSOR
19 OR LESSEE, ANY REAL PROPERTY BELONGING TO THE COUNTY OR TO
20 OTHERS WHERE THE COUNTY IS LESSEE. ANY SALE HEREIN AUTHORIZED
21 SHALL BE BY PETITION TO THE COURT OF COMMON PLEAS, SETTING FORTH
22 A DESCRIPTION OF THE PROPERTY TO BE SOLD AND THE REASON
23 THEREFOR; THE COURT SHALL THEREUPON FIX A DAY FOR HEARING AND
24 NOTICE OF WHICH SHALL BE GIVEN IN AT LEAST TWO NEWSPAPERS, IN
25 THE COUNTY, OF GENERAL CIRCULATION, ONCE A WEEK FOR THREE
26 CONSECUTIVE WEEKS. AFTER HEARING, THE COURT SHALL MAKE SUCH
27 ORDER AND DECREE AS SHALL SEEM RIGHT AND PROPER.] THE BOARD OF
28 COMMISSIONERS MAY SELL FOR NOT LESS THAN THE FAIR MARKET VALUE
29 OR LEASE, EITHER AS LESSOR OR LESSEE, ANY REAL PROPERTY
30 BELONGING TO THE COUNTY OR TO OTHERS WHERE THE COUNTY IS LESSEE.

1 IF THE COMMISSIONERS KNOW OR HAVE REASON TO BELIEVE THAT THE
2 PROPERTY TO BE SOLD CONTAINS OIL, GAS, COAL, STONE, TIMBER OR
3 OTHER MINERAL OR FOREST PRODUCTS OF COMMERCIAL VALUE, SUCH
4 KNOWLEDGE OR BELIEF SHALL BE ADVERTISED TOGETHER WITH THE
5 DESCRIPTION OF THE LAND IN AT LEAST TWO (2) NEWSPAPERS OF
6 GENERAL CIRCULATION IN THE COUNTY ONCE A WEEK FOR THREE (3)
7 CONSECUTIVE WEEKS. THE FAIR MARKET VALUE OF REAL PROPERTY IN THE
8 CASE OF A SALE VALUED IN EXCESS OF TEN THOUSAND DOLLARS
9 (\$10,000) SHALL BE DETERMINED BY THE COUNTY COMMISSIONERS IN
10 CONSULTATION WITH TWO (2) OF THE FOLLOWING: THE COUNTY ASSESSOR,
11 A CERTIFIED BROKER-APPRAISER OR CERTIFIED REAL ESTATE APPRAISER
12 DOING BUSINESS WITHIN THE COUNTY.

13 (A.1) (1) THE PROVISIONS OF SUBSECTION (A) SHALL NOT BE
14 MANDATORY WHERE COUNTY REAL PROPERTY IS TO BE SOLD TO ANY OF THE
15 FOLLOWING:

16 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, INSTITUTION DISTRICT,
17 SCHOOL DISTRICT, VOLUNTEER FIRE COMPANY, VOLUNTEER AMBULANCE
18 SERVICE OR VOLUNTEER RESCUE SQUAD LOCATED WITHIN THE COUNTY.

19 (II) A MUNICIPAL AUTHORITY PURSUANT TO 53 PA.C.S. CH. 56
20 (RELATING TO MUNICIPAL AUTHORITIES).

21 (III) A NONPROFIT CORPORATION OR LIMITED PARTNERSHIP IN
22 WHICH A NONPROFIT CORPORATION IS A GENERAL PARTNER AND MANAGING
23 AGENT ENGAGED IN COMMUNITY INDUSTRIAL, COMMERCIAL OR AFFORDABLE
24 HOUSING DEVELOPMENT OR REUSE FOR ITS EXCLUSIVE USE FOR
25 INDUSTRIAL, COMMERCIAL OR AFFORDABLE HOUSING DEVELOPMENT. THIS
26 EXEMPTION SHALL NOT APPLY TO PROPERTY OWNED AND OPERATED BY A
27 COUNTY OR SUBCONTRACTED OR OPERATED ON BEHALF OF A COUNTY IN
28 ORDER TO CONDUCT EXISTING GOVERNMENT FUNCTIONS.

29 (IV) A PERSON FOR HIS EXCLUSIVE USE IN AN INDUSTRIAL
30 DEVELOPMENT PROGRAM.

1 (V) A NONPROFIT CORPORATION ORGANIZED AS A PUBLIC LIBRARY
2 FOR ITS EXCLUSIVE USE AS A LIBRARY.

3 (VI) A NONPROFIT MEDICAL SERVICE CORPORATION FOR ITS
4 EXCLUSIVE USE AS A SITE FOR A MEDICAL SERVICE FACILITY.

5 (VII) A NONPROFIT HOUSING CORPORATION FOR ITS EXCLUSIVE USE
6 FOR HOUSING FOR THE ELDERLY OR FOR LOW-INCOME HOUSING.

7 (VIII) THE FEDERAL GOVERNMENT.

8 (IX) THE COMMONWEALTH.

9 (X) AN AUTHORITY PURSUANT TO THE ACT OF AUGUST 23, 1967
10 (P.L.251, NO.102), KNOWN AS THE "ECONOMIC DEVELOPMENT FINANCING
11 LAW."

12 (XI) A REDEVELOPMENT AUTHORITY PURSUANT TO THE ACT OF MAY
13 24, 1945 (P.L.991, NO.385), KNOWN AS THE "URBAN REDEVELOPMENT
14 LAW."

15 (2) WHEN THE REAL PROPERTY IS TO BE SOLD OR LEASED TO A
16 QUALIFIED ENTITY UNDER THIS SUBSECTION, THE COMMISSIONERS MAY
17 ELECT TO ACCEPT SUCH NOMINAL CONSIDERATION FOR SUCH SALE AS IT
18 SHALL DEEM APPROPRIATE. REAL PROPERTY SOLD PURSUANT TO THIS
19 SUBSECTION TO ANY ENTITY UNDER THIS SUBSECTION, OTHER THAN A
20 CITY, BOROUGH, TOWN, TOWNSHIP, INSTITUTION DISTRICT, SCHOOL
21 DISTRICT, MUNICIPAL AUTHORITY PURSUANT TO 53 PA.C.S. CH. 56
22 LOCATED WITHIN THE COUNTY, THE FEDERAL GOVERNMENT OR THE
23 COMMONWEALTH SHALL BE SUBJECT TO THE CONDITION THAT WHEN THE
24 PROPERTY IS NOT USED FOR THE PURPOSES OF THE ENTITY THE PROPERTY
25 SHALL REVERT TO THE COUNTY.

26 (B) IN THE CASE OF ANY LEASE OF REAL PROPERTY BY THE COUNTY
27 HEREUNDER, SUCH PROPERTY, WITH ANY AND ALL IMPROVEMENTS OR
28 ADDITIONS THEREON OR THERETO, SHALL, IN THE HANDS OF THE LESSEE,
29 BE SUBJECT TO TAXATION BY SUCH COUNTY AND ANY OTHER MUNICIPAL OR
30 POLITICAL SUBDIVISION THEREIN, IN THE SAME MANNER AS ALL OTHER

1 REAL ESTATE LOCATED IN SUCH COUNTY, ALL OF WHICH TAXES SHALL BE
2 LEVIED AND ASSESSED AGAINST AND PAID BY THE LESSEE.

3 (C) THIS SECTION SHALL NOT APPLY TO LEASES OR SALES OF
4 COUNTY PROPERTY OR OTHER PROPERTY WHICH ARE OTHERWISE
5 SPECIFICALLY PROVIDED FOR BY LAW.

6 (d) This section shall not apply to sales to a non-profit
7 corporation engaged in community industrial, commercial or
8 affordable housing development. Such conveyances or leases shall
9 be at the sole discretion of the county.

10 SECTION 4 5. SECTION 2506.1 OF THE ACT, ADDED SEPTEMBER 1, <—
11 1965 (P.L.431, NO.217), IS AMENDED TO READ:

12 SECTION 2506.1. SALE AND LEASE OF REAL PROPERTY TO
13 INDUSTRIAL DEVELOPMENT AGENCIES.--(A) [SUBJECT ONLY TO THE
14 PROVISIONS OF SECTION 2506 OF THIS ACT WITH RESPECT TO APPROVAL
15 OF THE COURT, THE] THE COUNTY MAY SELL TO ANY INDUSTRIAL
16 DEVELOPMENT AGENCY DESIGNATED AS SUCH AN INDUSTRIAL DEVELOPMENT
17 AGENCY, IN THE MANNER PROVIDED BY [THE ACT OF MAY 31, 1956
18 (P.L.1911), KNOWN AS THE "INDUSTRIAL DEVELOPMENT ASSISTANCE
19 LAW,"] CHAPTER 23 OF THE ACT OF JUNE 29, 1996 (P.L.434, NO.67),
20 KNOWN AS THE "JOB ENHANCEMENT ACT," WITH OR WITHOUT
21 CONSIDERATION, ANY LANDS, EASEMENTS OR RIGHTS IN LAND, TOGETHER
22 WITH ANY IMPROVEMENTS, BUILDINGS OR STRUCTURES THEREIN OR
23 THEREON NOW OWNED BY THE COUNTY OR HEREAFTER ACQUIRED BY IT FOR
24 THE PURPOSE OF ESTABLISHING OR ENLARGING ANY COMMERCIAL,
25 INDUSTRIAL OR MANUFACTURING ENTERPRISE OR RESEARCH AND
26 DEVELOPMENT CENTER WITHIN THE COUNTY, AND MAKE WITH SUCH
27 INDUSTRIAL DEVELOPMENT AGENCY ANY AND ALL AGREEMENTS FOR THE
28 INDUSTRIAL DEVELOPMENT OF SUCH LANDS, EASEMENTS OR RIGHTS IN
29 LANDS, OR MAY [WITH APPROVAL OF THE COURT AS PROVIDED IN SECTION
30 2506 OF THIS ACT,] LEASE TO ANY SUCH INDUSTRIAL DEVELOPMENT

1 AGENCY FOR A TERM NOT EXCEEDING NINETY-NINE YEARS AT A NOMINAL
2 OR OTHER RENTAL, AS MAY BE DETERMINED, ANY OR ALL LANDS,
3 EASEMENTS OR RIGHTS IN LANDS, TOGETHER WITH ANY IMPROVEMENTS,
4 STRUCTURES OR BUILDINGS THEREIN OR THEREON NOW OWNED BY THE
5 COUNTY OR HEREAFTER ACQUIRED BY IT FOR THE PURPOSE OF
6 ESTABLISHING OR ENLARGING ANY COMMERCIAL, INDUSTRIAL OR
7 MANUFACTURING ENTERPRISE, OR RESEARCH AND DEVELOPMENT CENTER
8 WITHIN THE COUNTY.

9 (B) ANY INSTRUMENT OF SALE, LEASE OR OTHER AGREEMENT MADE
10 PURSUANT TO THIS SECTION MAY CONTAIN PROVISIONS REGULATING THE
11 USES OF LANDS, BUILDINGS AND STRUCTURES FOR TRADE, INDUSTRY,
12 MANUFACTURE, RESEARCH, RESIDENCE, RECREATION, WATER SUPPLY,
13 PUBLIC ACTIVITIES OR OTHER PURPOSES.

14 SECTION ~~5~~ 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—
15 SECTION 2506.2. AUTHORITY TO SELL CERTAIN REAL PROPERTY AND
16 PERSONAL PROPERTY AS A SINGLE UNIT.--NOTWITHSTANDING ANY OTHER
17 PROVISIONS OF LAW, WHENEVER THE BOARD OF COMMISSIONERS
18 DETERMINES THAT THE CONTINUED OWNERSHIP AND OPERATION OF AN
19 INSTITUTION FOR THE CARE OF DEPENDENTS IS ECONOMICALLY
20 UNFEASIBLE, THE COUNTY COMMISSIONERS MAY SELL THE REAL PROPERTY
21 BELONGING TO THE COUNTY AND BEING USED FOR SUCH PURPOSES,
22 TOGETHER WITH ALL OF THE CONTENTS OF PERSONAL PROPERTY USED IN
23 CONNECTION WITH AND INCIDENTAL TO THE OPERATION OF THE
24 INSTITUTION, AS A SINGLE UNIT. ANY SUCH SALE OF REAL PROPERTY
25 AND PERSONAL PROPERTY AS A SINGLE UNIT SHALL BE DEEMED A SALE OF
26 REAL PROPERTY ONLY AND SHALL COMPLY ONLY WITH THE PROVISIONS OF
27 THIS ACT RELATING TO THE SALE OF REAL PROPERTY.

28 SECTION ~~6~~ 7. SECTIONS 2511, 2515, ~~2516, 2518 AND 2519~~ AND <—
29 2516 of the act are amended to read:

30 Section 2511. Sale of Personal Property; Demolition and

1 Removal of County Buildings.--(a) (1) The county commissioners
2 may sell at private sale any county owned personal property
3 valued by the controller at not more than [five hundred dollars
4 (\$500)] one thousand dollars (\$1,000), or at public sale, under
5 conditions prescribed by the commissioners, any county owned
6 personal property valued [by the controller] in excess of that
7 amount.

8 (2) The provisions of this section shall be construed to
9 allow:

10 (i) County property to be traded in or exchanged for new
11 personal property.

12 (ii) The sale of personal property with real property as a
13 single unit.

14 (b) Whenever any county owned building [valued by the
15 controller at not more than one thousand dollars (\$1000)] is
16 deemed by the county commissioners to be no longer suitable for
17 use by the county, they may cause it to be demolished or removed
18 from its location by such means or in such manner as they deem
19 to be in the public interest. [Any such county owned building
20 valued by the controller in excess of that amount may be so
21 demolished or removed with the approval of the court of quarter
22 sessions of the county.]

23 Section 2515. Authority for Acquiring, Constructing or
24 Altering County Buildings; Exception.--[Whenever the board of
25 commissioners are authorized and required to erect a courthouse,
26 jail or other county building, they shall submit the plans and
27 specifications adopted by them to the court of common pleas for
28 its approval. Upon approval, the county commissioners shall let
29 the work by contract to the lowest responsible bidder, in
30 accordance with the provisions of this act.] (a) The county

1 commissioners may purchase or take by gift any building at the
2 county seat or elsewhere as authorized by law deemed suitable
3 and proper by them for use as a county building.

4 (b) The county commissioners may provide, in accordance with
5 this section, for the construction or alteration, including
6 enlargement of a county court house, county jail, prison,
7 workhouse, detention house and such other county buildings, as
8 may be required or authorized by law. Such construction or
9 alteration shall be done at the county seat or elsewhere as
10 authorized by law. Whenever the county commissioners undertake
11 any such construction or alteration, they shall cause to be
12 prepared plans and specifications therefor. The county
13 commissioners may secure bids for the contract or contracts
14 involved in the construction or alteration in accordance with
15 this act. Any such contract or contracts shall be made as
16 provided by this act.

17 (c) Except where another procedure is provided by law with
18 regard to such construction or alteration of any particular
19 county building, the county commissioners shall comply with the
20 provisions of this section for all such purposes.

21 Section 2516. Right to Build on Public Squares.--Whenever
22 the courthouse, jail or other building of the county is located
23 upon a public square or common in the city, borough or township,
24 then being the county seat, and a new building is authorized and
25 required to be erected in place of such courthouse, jail or
26 other building, the board of county commissioners may erect such
27 new building upon any other of the public squares or commons of
28 said city, borough or township, or upon any part thereof[, if
29 the council of the city, borough or township shall have first
30 consented to such new location for said building].

1 SECTION 7.1. SECTION 2517 OF THE ACT, AMENDED MARCH 25, 1988 ←
2 (P.L.292, NO.33), IS AMENDED TO READ:

3 SECTION 2517. SEPARATE SPECIFICATIONS AND CONTRACTS FOR
4 CERTAIN ITEMS.--(A) IN THE PREPARATION OF SPECIFICATIONS FOR
5 THE ERECTION, CONSTRUCTION AND ALTERATION OF ANY PUBLIC
6 BUILDING, WHEN THE ENTIRE COST OF SUCH WORK SHALL EXCEED TEN
7 THOUSAND DOLLARS (\$10,000), THE ARCHITECT, ENGINEER OR OTHER
8 PERSON PREPARING SUCH SPECIFICATIONS SHALL PREPARE SEPARATE
9 SPECIFICATIONS FOR THE PLUMBING, HEATING, VENTILATING AND
10 ELECTRICAL WORK. THE BOARD OF COMMISSIONERS SHALL RECEIVE
11 SEPARATE BIDS UPON EACH OF THE SAID BRANCHES OF WORK AND AWARD
12 THE CONTRACT FOR THE SAME TO THE LOWEST RESPONSIBLE BIDDER FOR
13 EACH OF SAID BRANCHES.

14 (B) NOTWITHSTANDING THE SEPARATE SPECIFICATION PROVISIONS OF
15 SUBSECTION (A), AN AUTHORITY ORGANIZED UNDER THE ACT OF AUGUST
16 23, 1967 (P.L.251, NO.102), KNOWN AS THE ECONOMIC DEVELOPMENT
17 FINANCING LAW, WHICH IS ENGAGED TO ERECT, CONSTRUCT OR ALTER A
18 PUBLIC PURPOSE FACILITY FOR THE COUNTY MAY ELECT TO USE AN
19 ALTERNATIVE CONTRACTING PROCEDURE AS FOLLOWS:

20 (1) THE AUTHORITY MAY, IN ITS SOLE DISCRETION, ELECT TO USE
21 AN ALTERNATIVE CONTRACTING PROCEDURE FOR A PROJECT INVOLVING
22 SELECTED PUBLIC PURPOSE FACILITIES. IF THE AUTHORITY ELECTS TO
23 UTILIZE AN ALTERNATIVE CONTRACTING PROCEDURE, ITS BOARD SHALL
24 ADOPT A RESOLUTION THAT THE USE OF AN ALTERNATIVE CONTRACTING
25 PROCEDURE IS THE MOST EFFICIENT, ECONOMICAL AND TIMELY METHOD TO
26 PROCEED WITH A PROJECT. UPON ADOPTION OF A RESOLUTION, THE
27 AUTHORITY SHALL REQUEST WRITTEN PROPOSALS FROM PROPOSERS FOR A
28 PROJECT INVOLVING SELECTED PUBLIC PURPOSE FACILITIES UNDER AN
29 ALTERNATIVE CONTRACTING METHOD. IN ITS REQUEST FOR PROPOSALS,
30 THE AUTHORITY SHALL INCLUDE SUCH TERMS, CONDITIONS AND

1 REQUIREMENTS WHICH IT DEEMS NECESSARY TO PROTECT THE AUTHORITY
2 AND THE INTERESTS OF THE PUBLIC.

3 (2) IN REVIEWING AND EVALUATING THE PROPOSALS FOR A PROJECT
4 INVOLVING SELECTED PUBLIC PURPOSE FACILITIES, THE AUTHORITY
5 SHALL, IN ADDITION TO COMPLIANCE WITH THE TERMS, CONDITIONS AND
6 REQUIREMENTS SET FORTH IN THE REQUEST FOR PROPOSALS, CONSIDER
7 THE FOLLOWING CRITERIA:

8 (I) THE COST OF THE PROJECT;

9 (II) EXPERIENCE OF THE PROPOSER;

10 (III) ADHERENCE TO THE ACT OF MARCH 3, 1978 (P.L.6, NO.3),
11 KNOWN AS THE STEEL PRODUCTS PROCUREMENT ACT;

12 (IV) ADHERENCE TO PREVAILING WAGE LAWS AND OTHER WORK FORCE
13 STANDARDS; AND

14 (V) COMMITMENT TO ENTER INTO VOLUNTARY CONTRACTS WITH
15 DISADVANTAGED BUSINESS ENTERPRISES. AFTER DUE CONSIDERATION OF
16 PROPOSALS UNDER THE CRITERIA DESCRIBED IN THIS PARAGRAPH, THE
17 AUTHORITY MAY, IN ITS DISCRETION, UPON RECOMMENDATION OF ITS
18 DESIGNEE OR PROJECT END USER, SELECT A PROPOSAL AND AWARD A
19 CONTRACT TO A RESPONSIBLE PROPOSER UNDER AN ALTERNATIVE
20 CONTRACTING PROCEDURE. THE AWARD OF A CONTRACT FOR THE PROJECT
21 NEED NOT BE AWARDED TO THE LOWEST PRICED PROPOSER.

22 (3) ANY CONTRACT AWARDED UNDER THIS SUBSECTION SHALL BE
23 EXEMPT FROM THE ACT OF MAY 1, 1913 (P.L.155, NO.104), ENTITLED
24 "AN ACT REGULATING THE LETTING OF CERTAIN CONTRACTS FOR THE
25 ERECTION, CONSTRUCTION, AND ALTERATION OF PUBLIC BUILDINGS," OR
26 FROM ANY SUBSEQUENT ENACTMENT OR REENACTMENT OF SUBSTANTIALLY
27 SIMILAR SEPARATE BID SPECIFICATION REQUIREMENTS.

28 (4) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

30 (I) ALTERNATIVE CONTRACTING PROCEDURE. A PROCEDURE UNDER

1 WHICH A PROPOSER WOULD BE RESPONSIBLE FOR ALL ASPECTS OR PHASES
2 NECESSARY TO ACHIEVE THE DEVELOPMENT OF A PARCEL OF PROPERTY.
3 SUCH ASPECTS OR PHASES OF DEVELOPMENT MAY INCLUDE, BUT NOT
4 NECESSARILY BE LIMITED TO, THE PLANNING, DESIGN, FINANCE,
5 CONSTRUCTION AND MANAGEMENT OF PROPERTY.

6 (II) DESIGN/BUILD CONTRACT. A CONSTRUCTION CONTRACT IN WHICH
7 THE CONTRACTOR IS RESPONSIBLE FOR BOTH THE DESIGN AND
8 CONSTRUCTION OF ANY PUBLIC STRUCTURE, BUILDING OR OTHER PUBLIC
9 IMPROVEMENT OF ANY KIND TO ANY PUBLIC REAL PROPERTY.

10 (III) PROPOSER. A FIRM, ORGANIZATION, OR COMPANY OR A
11 COMBINATION OF FIRMS, ORGANIZATIONS OR COMPANIES ACTING AS A
12 PARTNERSHIP, JOINT VENTURE, CONSORTIUM OR SIMILAR JOINT
13 RELATIONSHIP WITH SUFFICIENT KNOWLEDGE, EXPERTISE AND EXPERIENCE
14 IN DESIGN/BUILD CONTRACTS.

15 (IV) PROJECT OR PROJECT INVOLVING A SELECTED PUBLIC PURPOSE
16 FACILITY. THE DEMOLITION, MODIFICATION AND CONSTRUCTION OF A
17 BUILDING OR GROUP OF BUILDINGS WITH RELATED FACILITIES FORMERLY
18 OWNED BY A COUNTY AND PREVIOUSLY USED AS A JAIL OR OFFICE
19 FACILITY.

20 (V) PROJECT END USER. THE GOVERNMENTAL BODY OR ENTITY THAT
21 WILL USE THE SELECTED PUBLIC PURPOSE FACILITY UNDER A CONTRACT
22 OR LEASE WITH THE AUTHORITY.

23 SECTION 7.2. SECTIONS 2518 AND 2519 OF THE ACT ARE AMENDED
24 TO READ:

25 SECTION 2518. ADDITIONAL BOND TO PROTECT LABOR AND
26 MATERIALMEN ON CONTRACTS.--[(A) IT SHALL BE THE DUTY OF THE
27 COUNTY TO REQUIRE ANY PERSON, COPARTNERSHIP, ASSOCIATION OR
28 CORPORATION ENTERING INTO CONTRACT WITH SUCH COUNTY FOR THE
29 CONSTRUCTION, ERECTION, INSTALLATION, COMPLETION, ALTERATION,
30 REPAIR OF OR ADDITION TO ANY PUBLIC WORK OR IMPROVEMENT, OF ANY

1 KIND WHATSOEVER, WHERE THE AMOUNT OF SUCH CONTRACT IS IN EXCESS
2 OF FIVE HUNDRED DOLLARS (\$500), BEFORE COMMENCING WORK UNDER
3 SUCH CONTRACT, TO EXECUTE AND DELIVER TO SUCH COUNTY, IN
4 ADDITION TO ANY OTHER BOND WHICH MAY NOW OR HEREAFTER BE
5 REQUIRED BY LAW TO BE GIVEN IN CONNECTION WITH SUCH CONTRACT, AN
6 ADDITIONAL BOND FOR THE USE OF ANY AND EVERY PERSON,
7 COPARTNERSHIP, ASSOCIATION OR CORPORATION INTERESTED, IN A SUM
8 NOT LESS THAN FIFTY PER CENTUM AND NOT MORE THAN ONE HUNDRED PER
9 CENTUM OF THE CONTRACT PRICE, AS SUCH COUNTY MAY PRESCRIBE. SUCH
10 BOND SHALL HAVE AS SURETY THEREON ONE OR MORE SURETY COMPANIES
11 LEGALLY AUTHORIZED TO DO BUSINESS IN THIS COMMONWEALTH, AND
12 SHALL BE CONDITIONED FOR THE PROMPT PAYMENT FOR ALL MATERIAL
13 FURNISHED AND LABOR SUPPLIED OR PERFORMED IN THE PROSECUTION OF
14 THE WORK, WHETHER OR NOT THE SAID MATERIAL OR LABOR ENTER INTO
15 AND BECOME COMPONENT PARTS OF THE WORK OR IMPROVEMENT
16 CONTEMPLATED.

17 (B) SUCH ADDITIONAL BOND SHALL BE DEPOSITED WITH AND HELD BY
18 THE COUNTY FOR THE USE OF ANY PARTY INTERESTED THEREIN.

19 (C) EVERY SUCH ADDITIONAL BOND SHALL PROVIDE THAT EVERY
20 PERSON, COPARTNERSHIP, ASSOCIATION OR CORPORATION WHO, WHETHER
21 AS SUBCONTRACTOR OR OTHERWISE, HAS FURNISHED MATERIAL OR
22 SUPPLIED OR PERFORMED LABOR IN THE PROSECUTION OF THE WORK, AS
23 ABOVE PROVIDED, AND WHO HAS NOT BEEN PAID THEREFOR, MAY SUE IN
24 ASSUMPSIT ON SAID ADDITIONAL BOND, IN THE NAME OF THE COUNTY,
25 FOR HIS, THEIR OR ITS USE, AND PROSECUTE THE SAME TO FINAL
26 JUDGMENT FOR SUCH SUM OR SUMS AS MAY BE JUSTLY DUE HIM, THEM OR
27 IT, AND HAVE EXECUTION THEREON, BUT THE COUNTY SHALL NOT BE
28 LIABLE FOR THE PAYMENT OF ANY COSTS OR EXPENSE OF ANY SUIT.

29 (D) ANY CONTRACT EXECUTED IN VIOLATION OF THE PROVISIONS OF
30 THIS SECTION SHALL BE NULL AND VOID.]

1 (E) UNLESS COVERED UNDER THE BONDING REQUIREMENTS OF THE ACT
2 OF DECEMBER 20, 1967 (P.L.869, NO.385), KNOWN AS THE "PUBLIC
3 WORKS CONTRACTORS' BOND LAW OF 1967," FOR CONSTRUCTION CONTRACTS
4 AWARDED FOR AMOUNTS BETWEEN TWENTY-FIVE THOUSAND DOLLARS
5 (\$25,000) AND ONE HUNDRED THOUSAND DOLLARS (\$100,000), THE
6 SUCCESSFUL BIDDER SHALL FURNISH A BOND GUARANTEEING PERFORMANCE
7 OF THE CONTRACT, IN AN AMOUNT AS DETERMINED BY THE BOARD OF
8 COMMISSIONERS AT THE TIME OF ADVERTISING FOR BIDS WHICH SHALL BE
9 NOT LESS THAN TEN PER CENTUM NOR MORE THAN ONE HUNDRED PER
10 CENTUM OF THE AMOUNT OF THE CONTRACT, WITHIN THIRTY (30) DAYS
11 AFTER THE CONTRACT IS AWARDED. WHEN A CONSTRUCTION CONTRACT IS
12 AWARDED IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS (\$100,000),
13 THE FOLLOWING BONDS SHALL BE DELIVERED TO THE COUNTY AND SHALL
14 BE BINDING ON THE PARTIES UPON THE EXECUTION OF THE CONTRACT:

15 (1) A PERFORMANCE BOND, EXECUTED BY A SURETY COMPANY
16 AUTHORIZED TO DO BUSINESS IN THIS COMMONWEALTH AND MADE PAYABLE
17 TO THE COUNTY IN AN AMOUNT AS DETERMINED BY THE COUNTY
18 COMMISSIONERS AT THE TIME OF ADVERTISING FOR BIDS WHICH SHALL BE
19 NOT LESS THAN FIFTY PER CENTUM NOR MORE THAN ONE HUNDRED PER
20 CENTUM OF THE PRICE SPECIFIED IN THE CONTRACT AND CONDITIONED
21 UPON THE FAITHFUL PERFORMANCE OF THE CONTRACT IN ACCORDANCE WITH
22 THE PLANS, SPECIFICATIONS AND CONDITIONS OF THE CONTRACT.

23 (2) A PAYMENT BOND, EXECUTED BY A SURETY COMPANY AUTHORIZED
24 TO DO BUSINESS IN THIS COMMONWEALTH AND MADE PAYABLE TO THE
25 COUNTY IN AN AMOUNT EQUAL TO ONE HUNDRED PER CENTUM OF THE PRICE
26 SPECIFIED IN THE CONTRACT AND CONDITIONED UPON THE PROMPT
27 PAYMENT FOR ALL MATERIALS FURNISHED OR LABOR SUPPLIED OR
28 PERFORMED IN THE PROSECUTION OF THE WORK. LABOR OR MATERIALS
29 INCLUDE PUBLIC UTILITY SERVICES AND REASONABLE RENTALS OF
30 EQUIPMENT FOR THE PERIODS WHEN THE EQUIPMENT IS ACTUALLY USED AT

1 THE SITE.

2 (F) A PERFORMANCE BOND SHALL BE SOLELY FOR THE PROTECTION OF
3 THE COUNTY. A PAYMENT BOND SHALL BE SOLELY FOR THE PROTECTION OF
4 CLAIMANTS SUPPLYING LABOR OR MATERIALS TO THE PRIME CONTRACTOR
5 TO WHOM THE CONTRACT WAS AWARDED OR TO ANY OF ITS SUBCONTRACTORS
6 IN THE PROSECUTION OF THE WORK PROVIDED FOR IN THE CONTRACT,
7 WHETHER OR NOT THE LABOR OR MATERIALS CONSTITUTES A COMPONENT
8 PART OF THE CONSTRUCTION.

9 (G) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE
10 AUTHORITY OF THE COMMISSIONERS TO REQUIRE A PERFORMANCE BOND,
11 PAYMENT BOND OR OTHER SECURITY IN ADDITION TO THOSE BONDS OR IN
12 CIRCUMSTANCES OTHER THAN SPECIFIED IN SUBSECTION (E).

13 (H) ACTIONS ON PAYMENT BONDS SHALL BE PURSUANT TO THE
14 FOLLOWING:

15 (1) SUBJECT TO PARAGRAPH (2), ANY CLAIMANT WHO HAS PERFORMED
16 LABOR OR FURNISHED MATERIAL IN THE PROSECUTION OF THE WORK
17 PROVIDED FOR IN ANY CONTRACT FOR WHICH A PAYMENT BOND HAS BEEN
18 GIVEN UNDER SUBSECTION (E) AND WHO HAS NOT BEEN PAID IN FULL
19 BEFORE THE EXPIRATION OF NINETY (90) DAYS AFTER THE DAY ON WHICH
20 THE CLAIMANT PERFORMED THE LAST OF THE LABOR OR FURNISHED THE
21 LAST OF THE MATERIALS FOR WHICH IT CLAIMS PAYMENTS MAY BRING AN
22 ACTION ON THE PAYMENT BOND IN ITS OWN NAME, IN ASSUMPSIT, TO
23 RECOVER ANY AMOUNT DUE IT FOR THE LABOR OR MATERIAL AND MAY
24 PROSECUTE THE ACTION TO FINAL JUDGMENT AND HAVE EXECUTION ON THE
25 JUDGMENT.

26 (2) ANY CLAIMANT WHO HAS A DIRECT CONTRACTUAL RELATIONSHIP
27 WITH ANY SUBCONTRACTOR OF THE PRIME CONTRACTOR WHO GAVE THE
28 PAYMENT BOND BUT HAS NO CONTRACTUAL RELATIONSHIP, EXPRESS OR
29 IMPLIED, WITH THE PRIME CONTRACTOR MAY BRING AN ACTION ON THE
30 PAYMENT BOND ONLY IF IT HAS GIVEN WRITTEN NOTICE TO THE

1 CONTRACTOR WITHIN NINETY (90) DAYS FROM THE DATE ON WHICH THE
2 CLAIMANT PERFORMED THE LAST OF THE LABOR OR FURNISHED THE LAST
3 OF THE MATERIALS FOR WHICH IT CLAIMS PAYMENT, STATING WITH
4 SUBSTANTIAL ACCURACY THE AMOUNT AND THE NAME OF THE PERSON FOR
5 WHOM THE WORK WAS PERFORMED OR TO WHOM THE MATERIAL WAS
6 FURNISHED.

7 (3) NOTICE SHALL BE SERVED BY REGISTERED MAIL IN AN ENVELOPE
8 ADDRESSED TO THE CONTRACTOR AT ANY PLACE WHERE ITS OFFICE IS
9 REGULARLY MAINTAINED FOR THE TRANSACTION OF BUSINESS OR SERVED
10 IN ANY MANNER IN WHICH LEGAL PROCESS MAY BE SERVED IN THE MANNER
11 PROVIDED BY LAW FOR THE SERVICE OF A SUMMONS EXCEPT THAT THE
12 SERVICE NEED NOT BE MADE BY A PUBLIC OFFICER.

13 (I) THE DOLLAR THRESHOLD SET FORTH IN SUBSECTION (E) SHALL
14 BE ADJUSTED ANNUALLY TO REFLECT THE ANNUAL PERCENTAGE CHANGE IN
15 THE COMPOSITE CONSTRUCTION COST INDEX OF THE UNITED STATES
16 DEPARTMENT OF COMMERCE OCCURRING IN THE ONE-YEAR PERIOD ENDING
17 DECEMBER 31 OF EACH YEAR.

18 SECTION 2519. COMPLIANCE WITH WORKMEN'S COMPENSATION LAW.--

19 (A) ALL CONTRACTS EXECUTED BY THE BOARD OF COMMISSIONERS WHICH
20 SHALL INVOLVE THE CONSTRUCTION OR DOING OF ANY WORK INVOLVING
21 THE EMPLOYMENT OF LABOR SHALL CONTAIN A PROVISION THAT THE
22 CONTRACTOR SHALL ACCEPT, IN SO FAR AS THE WORK COVERED BY ANY
23 SUCH CONTRACT IS CONCERNED, THE PROVISIONS OF THE [WORKMEN'S
24 COMPENSATION ACT] ACT OF JUNE 2, 1915 (P.L.736, NO.338), KNOWN
25 AS THE "WORKERS' COMPENSATION ACT," AND ANY REENACTMENTS,
26 SUPPLEMENTS OR AMENDMENTS THERETO, AND THAT THE SAID CONTRACTOR
27 WILL INSURE HIS LIABILITY THEREUNDER OR FILE WITH THE BOARD OF
28 COMMISSIONERS A CERTIFICATE OF EXEMPTION FROM INSURANCE FROM THE
29 DEPARTMENT OF LABOR AND INDUSTRY OF THE COMMONWEALTH.

30 (B) THE BOARD OF COMMISSIONERS, BEFORE SIGNING ON BEHALF OF

1 THE COUNTY ANY CONTRACT, REQUIRING IN ITS PERFORMANCE THE
2 EMPLOYMENT OF LABOR, SHALL REQUIRE PROOF THAT THE SAID
3 CONTRACTOR WITH WHOM THE CONTRACT IS MADE SHALL HAVE ACCEPTED
4 THE [WORKMEN'S] WORKERS' COMPENSATION ACT AND ANY REENACTMENTS,
5 SUPPLEMENTS OR AMENDMENTS THERETO, AND PROOF THAT THE SAID
6 CONTRACTOR HAS INSURED HIS LIABILITY THEREUNDER IN ACCORDANCE
7 WITH THE TERMS OF SAID ACT OR THAT THE CONTRACTOR HAS HAD ISSUED
8 TO HIM A CERTIFICATE OF EXEMPTION FROM INSURANCE FROM THE
9 DEPARTMENT OF LABOR AND INDUSTRY.

10 (C) ANY CONTRACT EXECUTED IN VIOLATION OF THE PROVISIONS OF
11 THIS SECTION SHALL BE NULL AND VOID.

12 SECTION 7 8. SECTION 2520 OF THE ACT IS REPEALED. <—

13 SECTION 8 9. SECTIONS 2529, 2545 AND 2550 OF THE ACT ARE <—
14 AMENDED TO READ:

15 SECTION 2529. DISORDERLY CONDUCT IN AND ABOUT COURTHOUSES
16 AND JAILS PROHIBITED.--IT IS UNLAWFUL FOR ANY PERSON TO CAUSE
17 ANY OUTCRY OR DISORDER, OR BE GUILTY OF ANY INDECENT OR
18 UNBECOMING CONDUCT TENDING TO DISTURB THE PEACE AND GOOD ORDER,
19 IN THE COUNTY COURTHOUSE, JAIL OR OTHER COUNTY BUILDINGS, OR TO
20 WILFULLY OR CARELESSLY DEFILE, DEFACE OR INJURE THE FLOORS,
21 WALLS OR ANY OTHER PORTION OF SAID BUILDINGS, OR FENCES OR
22 RAILINGS SURROUNDING THE SAME, OR THE CARPETS, FURNITURE OR
23 OTHER ARTICLES OR THINGS USED IN OR ABOUT SAID BUILDINGS,
24 BELONGING TO THE COUNTY. [ANY PERSON VIOLATING ANY OF THE
25 PROVISIONS OF THIS SECTION SHALL MAKE RESTITUTION FOR DAMAGES
26 ARISING THEREFROM AND SHALL, UPON SUMMARY CONVICTION THEREOF, BE
27 SENTENCED TO PAY A FINE NOT EXCEEDING FIFTY DOLLARS (\$50). IN
28 CASE SUCH PERSON SHALL NEGLECT OR REFUSE TO PAY THE SAME, HE OR
29 SHE SHALL SUFFER AN IMPRISONMENT NOT EXCEEDING THIRTY (30)
30 DAYS.] ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS

1 SECTION COMMITS A SUMMARY OFFENSE AND, UPON CONVICTION, SHALL
2 MAKE RESTITUTION FOR DAMAGES ARISING THEREFROM.

3 SECTION 2545. JOINING WITH [CITY] MUNICIPALITY IN IMPROVING
4 CERTAIN STREETS AND HIGHWAYS.--(A) THE BOARD OF COMMISSIONERS
5 OF THE COUNTY MAY ERECT PUBLIC BUILDINGS IN ANY [CITY, WITH THE
6 APPROVAL OF THE COURT OF COMMON PLEAS] MUNICIPALITY. THE COUNTY
7 MAY JOIN WITH THE PROPER AUTHORITIES OF SUCH [CITY] MUNICIPALITY
8 IN THE GRADING, REGRADING, PAVING, RE-PAVING AND IMPROVEMENT OF
9 SO MUCH OF THE STREETS AND HIGHWAYS AS ARE IN, UPON OR ALONGSIDE
10 OF THE GROUNDS UPON WHICH SAID PUBLIC BUILDINGS STAND.

11 (B) THE COMMISSIONERS MAY ENTER INTO CONTRACT WITH ANY SUCH
12 [CITY AUTHORITIES] MUNICIPALITY FOR THE PAYMENT OF A JUST
13 PROPORTION OF THE EXPENSE OF SAID GRADING, RE-GRADING, PAVING,
14 RE-PAVING AND IMPROVEMENT OF SAID STREETS AND HIGHWAYS, AND MAY
15 APPROPRIATE FROM THE COUNTY TREASURY SUFFICIENT FUNDS FOR THIS
16 PURPOSE. THEY MAY ACT WITH ANY COMMITTEE OR COMMITTEES WHICH MAY
17 BE APPOINTED BY SUCH [CITY AUTHORITIES] MUNICIPALITY TO
18 ESTABLISH GRADES, DETERMINE THE KIND AND QUALITY OF PAVING
19 MATERIALS TO BE USED, AND RATIFY THE CONTRACTS ENTERED INTO BY
20 SAID [CITY AUTHORITIES] MUNICIPALITY IN THE COURSE OF SAID
21 IMPROVEMENTS.

22 (C) NO OBLIGATION SHALL REST UPON THE COUNTY FOR ANY
23 PROPORTION OF THE EXPENSES OF SUCH IMPROVEMENTS UNTIL THE
24 SELECTION OF GRADES AND PAVING MATERIALS AND THE ACCEPTANCE OF
25 BIDS BY SAID [CITY AUTHORITIES] MUNICIPALITY SHALL HAVE BEEN
26 RATIFIED BY THE BOARD OF COMMISSIONERS [AND APPROVED BY THE
27 COURT OF COMMON PLEAS].

28 SECTION 2550. PARKS AND COMFORT HOUSES.--(A) THE
29 COMMISSIONERS MAY PURCHASE LAND TO BE USED FOR PARK PURPOSES OR
30 FOR THE ERECTION THEREON OF PUBLIC COMFORT HOUSES. THE LAND

1 PURCHASED FOR SUCH PURPOSES SHALL LIE WITHIN THE LIMITS OF [SUCH
2 COUNTY AND SHALL BE CONTIGUOUS TO OR IN THE VICINITY OF A COUNTY
3 ROAD AND SHALL BE OUTSIDE THE CORPORATE LIMITS OF ANY CITY OR
4 BOROUGH. THE AMOUNT THAT MAY BE EXPENDED FOR SUCH PURPOSES SHALL
5 NOT EXCEED THE SUM OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) IN
6 ANY ONE YEAR, NOR THE SUM OF FIVE THOUSAND DOLLARS (\$5,000) FOR
7 ANY SINGLE PARK OR ANY SINGLE COMFORT HOUSE. THE BOARD OF
8 COMMISSIONERS SHALL AGREE WITH THE OWNER OR OWNERS OF THE LAND
9 SELECTED UPON A REASONABLE PRICE TO BE PAID THEREFOR.] THE
10 COUNTY. THE COUNTY MAY ERECT AND MAINTAIN ON THE LAND SUCH
11 BUILDINGS AS ARE NECESSARY TO FULFILL THE PURPOSE FOR WHICH THE
12 LAND WAS ACQUIRED.

13 (B) THE COMMISSIONERS MAY ADOPT REASONABLE RULES AND
14 REGULATIONS NECESSARY FOR PRESERVATION, MANAGEMENT AND CONTROL
15 OF PARKS AND PUBLIC COMFORT HOUSES SO ESTABLISHED AND
16 MAINTAINED, AND PROVIDE PENALTIES FOR THE BREACH THEREOF. ALL
17 RULES ADOPTED BY THE BOARD OF COMMISSIONERS SHALL, BEFORE
18 BECOMING OPERATIVE, BE PUBLISHED ONCE A WEEK FOR THREE
19 CONSECUTIVE WEEKS IN [THREE NEWSPAPERS] A NEWSPAPER OF GENERAL
20 CIRCULATION IN THE COUNTY[, AND SHALL BE RECORDED IN THE OFFICE
21 OF THE RECORDER OF DEEDS IN THE COUNTY].

22 (C) ANY PERSON VIOLATING ANY RULES SO ADOPTED SHALL[, UPON
23 SUMMARY CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS THAN
24 FIVE DOLLARS (\$5) NOR MORE THAN TWENTY-FIVE DOLLARS (\$25), WHICH
25 SHALL BE PAYABLE TO THE COUNTY TREASURER, WHO SHALL ADD THE FINE
26 TO THE FUND FOR THE IMPROVEMENT OF COUNTY ROADS] BE GUILTY OF A
27 SUMMARY OFFENSE.

28 SECTION 9 10. SECTION 2555 OF THE ACT, AMENDED APRIL 20, <—
29 1956 (1955 P.L.1481, NO.490), IS AMENDED TO READ:

30 SECTION 2555. MONUMENTS AND MEMORIALS TO WAR VETERANS.--THE

1 COMMISSIONERS MAY APPROPRIATE MONEY FOR AND PROVIDE FOR THE
2 ERECTION OF MONUMENTS OR MEMORIALS COMMEMORATING THE SERVICES OF
3 ANY PERSON WHO HAS SERVED IN THE ARMED FORCES OF THE UNITED
4 STATES OR IN ANY WOMEN'S ORGANIZATION OFFICIALLY CONNECTED
5 THEREWITH DURING ANY PART OF ANY WAR OR ARMED CONFLICT IN WHICH
6 THE UNITED STATES HAS BEEN OR MAY HEREAFTER BE ENGAGED. [THE
7 STYLE AND CHARACTER OF SUCH MONUMENTS OR MEMORIALS SHALL BE
8 APPROVED BY THE STATE ART COMMISSION.]

9 SECTION ~~10~~ 11. SECTION 2556 OF THE ACT IS AMENDED TO READ: <—

10 SECTION 2556. ASSISTANCE TO PRIVATE OR MUNICIPAL AGENCIES.--
11 THE COMMISSIONERS MAY, IN ORDER TO PREVENT DUPLICATION,
12 APPROPRIATE MONEY TO ASSIST ANY INDIVIDUAL, PRIVATE CORPORATION,
13 CITY, BOROUGH OR TOWNSHIP IN THE ERECTION OF ANY MONUMENT OR
14 MEMORIAL FOR SAID SOLDIERS, SAILORS AND MARINES. [BEFORE ANY
15 SUCH APPROPRIATION IS MADE, THE STYLE AND CHARACTER OF SUCH
16 MONUMENT OR MEMORIAL SHALL BE APPROVED BY THE STATE ART
17 COMMISSION.]

18 SECTION ~~11~~ 12. SECTIONS 2557 AND 2558 OF THE ACT ARE <—
19 REPEALED.

20 SECTION ~~12~~ 13. SECTION 2577(B) OF THE ACT IS AMENDED TO <—
21 READ:

22 SECTION 2577. ACQUIRING OF PROPERTY.--* * *

23 (B) COUNTIES MAY APPROPRIATE MONEY FROM THE PUBLIC FUNDS OR
24 BY ISSUANCE OF BONDS IN ACCORDANCE WITH [THE MUNICIPAL BORROWING
25 LAW] 53 PA.C.S. PT. VII, SUBPT. B (RELATING TO INDEBTEDNESS AND
26 BORROWING) FOR THE ERECTION ON SAID PROPERTY TAKEN, PURCHASED OR
27 ACQUIRED THROUGH CONDEMNATION PROCEEDINGS, PUBLIC AUDITORIUMS,
28 PUBLIC LIBRARIES, PUBLIC MEMORIAL BUILDINGS AND MONUMENTS. THEY
29 MAY APPROPRIATE MONEYS FOR THE OPERATION AND MAINTENANCE OF SUCH
30 PUBLIC AUDITORIUMS, PUBLIC LIBRARIES, MEMORIALS, BUILDINGS AND

1 MONUMENTS.

2 SECTION ~~13~~ 14. SECTION 2579 OF THE ACT IS REPEALED. <—

3 SECTION ~~14~~ 15. SECTION 2590 OF THE ACT IS AMENDED TO READ: <—

4 SECTION 2590. AUTHORITY TO PROVIDE; APPROVAL.--THE COUNTY
5 COMMISSIONERS OF EACH COUNTY MAY[, UPON PRESENTMENT OF TWO
6 SUCCESSIVE GRAND JURIES OF THE COUNTY,] BUY OR LEASE LAND AND
7 CONSTRUCT AND MAINTAIN THEREON, AT THE EXPENSE OF THE COUNTY, A
8 MORGUE FOR THE RECEPTION AND CARE OF THE BODIES OF ALL UNCLAIMED
9 DECEASED PERSONS UPON WHOM IT MAY BE NECESSARY TO HOLD A
10 CORONER'S INQUEST AND SUCH OTHER BODIES AS THE CORONER OF THE
11 COUNTY MAY, BY WRITTEN ORDER, DIRECT TO BE RECEIVED THEREIN. THE
12 LOCATION OF SUCH MORGUE SHALL BE DETERMINED BY THE COUNTY
13 COMMISSIONERS, SUBJECT TO THE APPROVAL OF [A JUDGE OF THE COURT
14 OF COMMON PLEAS AND] THE CORONER OF THE COUNTY.

15 SECTION ~~15~~ 16. SECTIONS 2706, 2707, 2708, 2709, 2710 AND <—
16 2711 OF THE ACT ARE REPEALED.

17 SECTION ~~16~~ 17. SECTIONS 2712, 2713(A), 2714, 2715 AND 2717 <—
18 OF THE ACT ARE AMENDED TO READ:

19 SECTION 2712. BUILDING OR REBUILDING IN EMERGENCIES.--WHEN A
20 COUNTY BRIDGE WHOLLY WITHIN THE COUNTY OR ON THE BOUNDARY LINE
21 BETWEEN ANY TWO COUNTIES HAS BEEN OR SHALL HEREAFTER BE
22 DESTROYED OR PARTIALLY DESTROYED, OR RENDERED IMPASSABLE, OR
23 BECOMES INSUFFICIENT OR INADEQUATE TO ACCOMMODATE PUBLIC TRAVEL,
24 OR IN ANY OTHER CASE OF EMERGENCY IT BECOMES NECESSARY TO
25 CONSTRUCT OR RECONSTRUCT ANY SUCH BRIDGE, THE COUNTY
26 COMMISSIONERS OF THE COUNTY OR OF ANY TWO COUNTIES, IN CASE OF A
27 JOINT COUNTY BRIDGE, MAY[, UPON THE APPROVAL OF THE COURT OR
28 COURTS OF QUARTER SESSIONS OF SUCH COUNTY OR COUNTIES,] ERECT
29 AND CONSTRUCT A NEW BRIDGE, OR RECONSTRUCT ANY PARTIALLY
30 DESTROYED, INSUFFICIENT OR INADEQUATE BRIDGE, TO TAKE THE PLACE

1 OF SUCH WHOLLY OR PARTIALLY DESTROYED OR INSUFFICIENT OR
2 INADEQUATE BRIDGE.

3 SECTION 2713. BRIDGES ON BOUNDARY BETWEEN TWO COUNTIES.--(A)
4 WHENEVER ANY BRIDGE CONTEMPLATED BY ANY OF THE PROVISIONS OF
5 THIS ARTICLE IS ON THE BOUNDARY LINE BETWEEN TWO COUNTIES OR
6 WITHIN ONE-FOURTH OF A MILE THEREFROM AND NECESSARY FOR THE
7 ACCOMMODATION OF THE INHABITANTS OF BOTH COUNTIES, THE
8 COMMISSIONERS OF SUCH COUNTIES SHALL ACT JOINTLY IN THE EXERCISE
9 OF ALL POWERS CONFERRED UPON THEM AND IN THE PERFORMANCE OF ALL
10 DUTIES IMPOSED UPON THEM. [WHENEVER A PETITION OF RESIDENTS OR
11 TAXPAYERS IS REQUIRED, SUCH PETITION SHALL BE MADE BY THE
12 REQUIRED NUMBER OF PETITIONERS IN EACH COUNTY TO THE COURT OF
13 QUARTER SESSIONS OR THE COURT OF COMMON PLEAS, AS THE CASE MAY
14 BE, OF THEIR COUNTY. WHENEVER ANY OTHER PETITIONS ARE REQUIRED,
15 SUCH PETITIONS SHALL BE MADE TO EACH OF SUCH COURTS. EACH OF THE
16 COURTS SHALL ACT ON SUCH PETITIONS AND SHALL COMMUNICATE ITS
17 APPROVAL OR DISAPPROVAL TO THE OTHER COURT.]

18 * * *

19 SECTION 2714. PAYMENT OF COST[; TOLLS; RENTALS].--(A) ALL
20 EXPENSES IN CONNECTION WITH ANY MATTERS AFFECTING ANY SUCH
21 BRIDGE SHALL BE BORNE BY THE TWO COUNTIES JOINTLY IN EQUAL
22 PROPORTIONS OR IN ANY OTHER PROPORTIONS, AS THE COMMISSIONERS OF
23 THE SEVERAL COUNTIES MAY AGREE UPON.

24 [(B) WHENEVER IT IS NECESSARY FOR ANY COUNTIES, IN THE
25 CONSTRUCTION OF ANY JOINT COUNTY BRIDGE OR IN JOINT ACQUISITION
26 OF ANY TOLL BRIDGE, TO ISSUE BONDS IN PAYMENT OF SUCH
27 CONSTRUCTION, ERECTION OR ACQUISITION, INCLUDING THE APPROACHES
28 THERETO, THE DAMAGES SUSTAINED BY THE OWNER OR OWNERS OF LANDS
29 TAKEN IN THE CONSTRUCTION THEREOF AND INCLUDING REASONABLE FEES
30 FOR NECESSARY LEGAL SERVICES REQUIRED IN SUCH CONSTRUCTION,

1 ERECTION AND ACQUISITION, THE COMMISSIONERS OF SAID COUNTIES
2 MAY, WITH THE CONSENT OF THE STATE DEPARTMENT OF HIGHWAYS, IF
3 THE COST OF SUCH BRIDGE WAS IN EXCESS OF FOUR HUNDRED THOUSAND
4 DOLLARS (\$400,000), ASSESS, SUPERVISE AND COLLECT SUCH TOLLS FOR
5 THE USE OF SAID BRIDGE FOR ALL TRAFFIC AS MAY BE NECESSARY, TO
6 PAY THE INTEREST ON SAID BONDS AND TO CREATE A SINKING FUND FOR
7 THE PAYMENT AND REDEMPTION OF THE SAME WITHIN THIRTY YEARS FROM
8 THE DATE OF THE ISSUE THEREOF, AND TO PAY ALSO THE COSTS AND
9 EXPENSES OF OPERATING AND MAINTAINING SUCH BRIDGE BETWEEN THE
10 TIME OF CONSTRUCTION THEREOF AND THE DATE OF THE REDEMPTION OF
11 THE LAST OF SAID BONDS TO BE REDEEMED BY SUCH TOLLS.

12 (C) THE TOLLS SO COLLECTED SHALL BE DISTRIBUTED BETWEEN SUCH
13 COUNTIES IN PROPORTION TO THE AMOUNT PAID IN BY EACH COUNTY IN
14 THE ORIGINAL CONSTRUCTION OR ACQUISITION, AND IN NO CASE SHALL
15 ANY TOLLS BE COLLECTED AFTER THE REDEMPTION OF THE ORIGINAL
16 BONDS ISSUED. ALL MONEYS RECEIVED FROM RENTALS FOR SPECIAL USE
17 SHALL BE DIVIDED BETWEEN THEM IN THE SAME PROPORTION. SUCH
18 BRIDGE SHALL BE A JOINT COUNTY BRIDGE.]

19 SECTION 2715. MANAGEMENT, MAINTENANCE AND POLICING OF JOINT
20 COUNTY [TOLL BRIDGES; TURNING OVER TO THE DEPARTMENT OF
21 HIGHWAYS] BRIDGES.--(A) SUCH JOINT COUNTY BRIDGE SHALL BE
22 MANAGED, CONTROLLED, MAINTAINED, REPAIRED, OPERATED AND LIGHTED
23 BY THE COMMISSIONERS OF THE SAID COUNTIES, ACTING AS A JOINT
24 COUNTY BRIDGE COMMISSION, WHO ARE HEREBY AUTHORIZED TO ACT
25 JOINTLY IN THE EMPLOYMENT OF SUCH [WORKMEN, COLLECTORS OF TOLLS
26 AND OTHER] EMPLOYES AND FIX THEIR WAGES, SALARIES AND
27 COMPENSATION, AND TO INCUR SUCH OTHER EXPENSES IN THE
28 CONSTRUCTION AND OPERATION OF SUCH BRIDGE, INCLUDING THE
29 COMPENSATION OF SUCH ATTORNEYS AS IN THEIR JUDGMENT SHALL BE
30 REQUISITE AND NECESSARY. ALL DECISIONS OF SUCH COMMISSION SHALL

1 REQUIRE A MAJORITY VOTE OF ALL THE MEMBERS THEREOF.

2 (B) THE COMMISSIONERS OF SAID COUNTIES, ACTING JOINTLY,
3 SHALL HAVE POWER TO ADOPT SUCH RULES AND REGULATIONS AS THEY
4 DEEM EXPEDIENT FOR THE PROPER GOVERNMENT AND MANAGEMENT OF SAID
5 BRIDGE AND FOR THE PRESERVATION OF GOOD ORDER, SAFE TRAFFIC AND
6 PROPER CONDUCT THEREON. [SAID COMMISSIONERS ARE FURTHER
7 AUTHORIZED AND EMPOWERED TO MAKE ARRESTS FOR EVASION OR ATTEMPTS
8 TO EVADE THE PAYMENT OF TOLLS WHICH MAY BE FIXED OR MAY HAVE
9 BEEN FIXED FOR PASSAGE OVER SAID BRIDGE.]

10 (C) FOR ANY VIOLATIONS THEREOF, THE OFFENDER OR OFFENDERS
11 SHALL BE [SUBJECT TO A FINE OR PENALTY OF NOT LESS THAN TEN
12 DOLLARS (\$10) OR MORE THAN TWENTY-FIVE DOLLARS (\$25), TOGETHER
13 WITH COSTS, TO BE ADJUDGED BY A JUSTICE OF THE PEACE OR ALDERMAN
14 OF EITHER OF SAID COUNTIES, AND ON DEFAULT OF PAYMENT OF SUCH
15 FINE OR PENALTY, THEN TO IMPRISONMENT OF NOT LESS THAN TEN (10)
16 DAYS OR MORE THAN THIRTY (30) DAYS IN THE COUNTY PRISON OF
17 EITHER OF SAID COUNTIES] GUILTY OF A SUMMARY OFFENSE.

18 [(D) SAID POWERS AND DUTIES OF SAID COMMISSIONERS, ACTING AS
19 A JOINT COMMISSION, SHALL CONTINUE UNTIL THE REDEMPTION OF THE
20 LAST OF SAID BONDS TO BE REDEEMED BY SUCH TOLLS, WHEREUPON SAID
21 BRIDGE SHALL BE TURNED OVER AS A FREE BRIDGE TO THE
22 COMMONWEALTH, IF SUCH BRIDGE CROSSES A RIVER AND IS LOCATED ON A
23 STATE HIGHWAY ROUTE OR CONNECTS TWO STATE HIGHWAY ROUTES.
24 THEREAFTER, SUCH BRIDGE SHALL BE MAINTAINED BY THE HIGHWAY
25 DEPARTMENT AT THE EXPENSE OF THE COMMONWEALTH.]

26 SECTION 2717. DYKES, BANKS, CAUSEWAYS AND SLUICWAYS FOR
27 PROTECTION OF BRIDGES AND HIGHWAYS.--THE BOARD OF COMMISSIONERS,
28 FOR THE PURPOSE OF PROTECTING ANY COUNTY BRIDGE OR BRIDGES, THE
29 ABUTMENTS THEREOF AND APPROACHES THERETO AND ANY PUBLIC HIGHWAY
30 ADJACENT TO THE SAME FROM THE INCURSIONS OF FLOODS OR WATERS OF

1 ANY CREEK, RIVULET OR OTHER STREAM, AND SO AS TO PROLONG THE
2 LIFE OF SAID STRUCTURES, MAY ERECT AND MAINTAIN DYKES, BANKS,
3 CAUSEWAYS AND SLUICeways OVER, ON AND ACROSS ANY CREEK, RIVULET
4 OR OTHER STREAM NOT NAVIGABLE, AND WHICH CREEK, RIVULET OR OTHER
5 STREAM IS AFFECTED BY THE RISE AND FALL OF THE TIDE, FLOODS OR
6 WATERS OF ANY CREEK, RIVULET OR OTHER STREAM, AND SECURE A RIGHT
7 OF WAY FOR PROPER INGRESS AND EGRESS THERETO, AND IN CONNECTION
8 WITH SUCH ACTIVITIES, TO TAKE, INJURE AND DESTROY ANY NECESSARY
9 LAND OR PROPERTY, IN ACCORDANCE WITH ARTICLE XXVI. ANY SUCH
10 CHANGE IN AN EXISTING STREAM CHANNEL UNDER THE PROVISIONS OF
11 THIS OR THE PRECEDING SECTION SHALL FIRST BE APPROVED BY THE
12 [DEPARTMENT OF FORESTS AND WATERS] DEPARTMENT OF ENVIRONMENTAL
13 PROTECTION.

14 SECTION ~~17~~ 18. SECTIONS 2718, 2721, 2722, 2723, 2724, 2725 <—
15 AND 2726 OF THE ACT ARE REPEALED.

16 SECTION ~~18~~ 19. SECTIONS 2729, 2730, 2731 AND 2734 OF THE ACT <—
17 ARE AMENDED TO READ:

18 SECTION 2729. REBUILDING INSUFFICIENT BRIDGE.--WHENEVER IT
19 SHALL APPEAR TO THE COMMISSIONERS THAT ANY COUNTY BRIDGE IS NOT
20 SUFFICIENT FOR ANY CAUSE TO ACCOMMODATE THE PUBLIC TRAVEL, THEY
21 MAY[, UPON THE APPROVAL OF THE COURT OF QUARTER SESSIONS AS
22 HEREINAFTER PROVIDED,] ERECT AND CONSTRUCT A NEW AND SUFFICIENT
23 BRIDGE TO TAKE THE PLACE OF THE INSUFFICIENT, DESTROYED OR
24 PARTIALLY DESTROYED BRIDGE, OR MAY WIDEN AND STRAIGHTEN COUNTY
25 BRIDGES WHERE DEEMED NECESSARY TO ACCOMMODATE THE PUBLIC TRAVEL.
26 SUCH NEW BRIDGE WHEN CONSTRUCTED SHALL BE A COUNTY BRIDGE.

27 SECTION 2730. REBUILDING BRIDGES WHOLLY OR PARTLY
28 DESTROYED.--(A) THE COUNTY COMMISSIONERS SHALL REBUILD AND
29 RECONSTRUCT ALL BRIDGES HERETOFORE BUILT OR THAT MAY HEREAFTER
30 BE ERECTED BY THE COUNTY COMMISSIONERS, WHETHER CONSTRUCTED

1 UNDER GENERAL, SPECIAL OR LOCAL LAWS, WHENEVER ANY SUCH BRIDGE
2 HAS BEEN OR SHALL HEREAFTER BE BLOWN DOWN, DESTROYED, PARTIALLY
3 DESTROYED OR SWEEP AWAY BY FLOODS, FRESHETS, ICE, STORM, FIRE OR
4 OTHER CASUALTY, AT THE EXPENSE OF THE COUNTY.

5 (B) FOR THE PURPOSE OF CARRYING INTO EFFECT THE PROVISIONS
6 OF THIS SECTION, THE COUNTY COMMISSIONERS ARE HEREBY AUTHORIZED
7 TO BORROW ANY SUM OF MONEY, IN ACCORDANCE WITH [THE MUNICIPAL
8 BORROWING LAW] 53 PA.C.S. PT. VII, SUBPT. B (RELATING TO
9 INDEBTEDNESS AND BORROWING).

10 SECTION 2731. CLOSING, VACATING, ABANDONING AND REMOVING.--
11 WHENEVER IT SHALL APPEAR TO THE COMMISSIONERS OF THE COUNTY THAT
12 ANY COUNTY BRIDGE HAS FROM ANY CAUSE BECOME BURDENSOME AND IS NO
13 LONGER NECESSARY FOR THE ACCOMMODATION OF PUBLIC TRAVEL, THEY
14 MAY[, UPON THE APPROVAL OF THE COURT OF QUARTER SESSIONS,]
15 CLOSE, VACATE, ABANDON AND REMOVE SAID BRIDGE.

16 SECTION 2734. APPROPRIATIONS; TAX LEVY AND INCURRING OF
17 INDEBTEDNESS.--FOR THE PURPOSE OF CARRYING INTO EFFECT THE
18 PROVISIONS OF THIS SUBSECTION, THE COUNTY COMMISSIONERS ARE
19 HEREBY AUTHORIZED TO MAKE APPROPRIATIONS, LEVY TAXES, BORROW
20 MONEY AND INCUR INDEBTEDNESS, IN ACCORDANCE WITH [THE MUNICIPAL
21 BORROWING LAW] 53 PA.C.S. PT. VII, SUBPT. B (RELATING TO
22 INDEBTEDNESS AND BORROWING).

23 SECTION ~~19~~ 20. SECTIONS 2751, 2752, 2753 AND 2754 OF THE ACT <—
24 ARE REPEALED.

25 SECTION ~~20~~ 21. SECTIONS 2755, 2756, 2757, 2771 AND 2772(A) <—
26 OF THE ACT ARE AMENDED TO READ:

27 SECTION 2755. ASSISTANCE IN BUILDING BRIDGES NOT ENTERED AS
28 COUNTY BRIDGES.--WHEN [IT IS FOUND BY THE REPORT OF VIEWERS AND
29 BY THE COURT] THE COUNTY COMMISSIONERS FIND THAT A BRIDGE IS
30 NECESSARY AND THAT THE ERECTION OF SUCH BRIDGE WILL REQUIRE MORE

1 EXPENSE THAN IT IS REASONABLE THAT THE ONE OR MORE ADJOINING
2 TOWNSHIPS, BOROUGHS OR CITIES OF THE THIRD CLASS SHOULD BEAR,
3 [OR IN LIEU OF SUCH PROCEEDINGS, WITH THE APPROVAL OF THE
4 SECRETARY OF HIGHWAYS, WHEN THE COST TO THE COUNTY WILL NOT
5 EXCEED FIFTEEN HUNDRED DOLLARS (\$1500)] AND THE COUNTY
6 COMMISSIONERS DO NOT DEEM IT ADVISABLE TO ENTER SUCH BRIDGE ON
7 RECORD AS A COUNTY BRIDGE BUT SHALL CONSIDER IT PROPER TO ASSIST
8 SUCH TOWNSHIP OR TOWNSHIPS OR SUCH CITY OF THE THIRD CLASS OR
9 SUCH BOROUGH IN BUILDING THE SAME, THEY MAY EITHER BUILD SUCH
10 BRIDGE OR ANY PORTION OR PORTIONS THEREOF OR FURNISH SUCH
11 TOWNSHIP OR TOWNSHIPS OR CITY OF THE THIRD CLASS OR BOROUGH THE
12 WHOLE OR PART OF THE MONEY NECESSARY TO BUILD IT, WITHOUT
13 ENTERING SUCH BRIDGE ON RECORD AS A COUNTY BRIDGE.

14 SECTION 2756. RECORD TO BE KEPT BY COUNTY; MAINTENANCE,
15 REPAIR AND REBUILDING BY TOWNSHIP OR MUNICIPALITIES.--THE COUNTY
16 COMMISSIONERS SHALL KEEP A RECORD OF ALL THEIR PROCEEDINGS IN
17 SUCH CASES, AND SUCH BRIDGES SHALL BE MAINTAINED, KEPT IN REPAIR
18 AND REBUILT, WHEN NECESSARY, BY THE RESPECTIVE TOWNSHIPS,
19 BOROUGHS OR CITIES OF THE THIRD CLASS, AND THE COUNTY SHALL NOT
20 BE LIABLE FOR THE COSTS OF THE MAINTENANCE, REPAIR OR REBUILDING
21 OF THE SAME OR ANY PART OF SUCH COST: PROVIDED, HOWEVER, THAT
22 [IN CASE THE REPORT OF A BOARD OF VIEWERS APPOINTED BY THE COURT
23 FOR THE PURPOSE, DULY APPROVED BY THE COURT, SHALL SET FORTH
24 THAT THE COST OF THE REPAIR OR REBUILDING OF SUCH BRIDGE IS
25 GREATER THAN IT IS REASONABLE THAT THE SAID TOWNSHIP OR
26 TOWNSHIPS, BOROUGH OR CITY OF THE THIRD CLASS SHOULD BEAR, THEN]
27 IT SHALL BE LAWFUL FOR THE COUNTY COMMISSIONERS OF THE COUNTY IN
28 WHICH SUCH BRIDGE IS LOCATED TO FURNISH SUCH TOWNSHIP OR
29 TOWNSHIPS, BOROUGHS OR CITY OF THE THIRD CLASS EITHER THE WHOLE
30 OR PART OF THE MONEY NECESSARY TO REPAIR OR TO REBUILD SUCH

1 BRIDGE OR BRIDGES, AS THE SAID BOARD OF COUNTY COMMISSIONERS MAY
2 DEEM JUST AND PROPER.

3 SECTION 2757. ENTERING ON RECORD AS COUNTY BRIDGE.--WHENEVER
4 THE COUNTY COMMISSIONERS [OF THE COUNTY] HAVE HERETOFORE
5 ASSISTED OR SHALL HEREAFTER ASSIST ANY [TOWNSHIP OR BOROUGH]
6 MUNICIPALITY IN THE BUILDING OF THE WHOLE OR ANY PORTION OF A
7 BRIDGE AND IT SHALL AFTERWARDS APPEAR TO THE COMMISSIONERS [AND
8 TO THE COURT OF QUARTER SESSIONS] THAT THE CARE, MAINTENANCE AND
9 RESPONSIBILITY OF SAID BRIDGE IS GREATER THAN IT IS REASONABLE
10 THAT THE SAID [TOWNSHIP OR BOROUGH] MUNICIPALITY SHOULD BEAR,
11 THEY MAY[, WITH THE APPROVAL OF SAID COURT,] ENTER SUCH BRIDGE
12 UPON RECORD AS A COUNTY BRIDGE, AND IT SHALL THEREAFTER BE A
13 COUNTY BRIDGE THE SAME AS IF IT HAD ORIGINALLY BEEN SO ENTERED
14 ON RECORD.

15 SECTION 2771. BRIDGES AND APPROACHES AUTHORIZED.--THE COUNTY
16 COMMISSIONERS[, UPON THE APPROVAL OF THE COURT OF QUARTER
17 SESSIONS,] MAY LOCATE, LAY OUT, OPEN, CONSTRUCT AND MAINTAIN
18 PUBLIC BRIDGES ACROSS ANY RIVER OR STREAM, WHETHER SUCH BRIDGE
19 IS WHOLLY OR PARTLY WITHIN ANY CITY, BOROUGH OR TOWNSHIP
20 THEREIN, TOGETHER WITH SUCH BRIDGE APPROACHES, VIADUCT OR OTHER
21 APPROACHES AS THE COUNTY COMMISSIONERS MAY DEEM NECESSARY OR
22 CONVENIENT FOR THE PURPOSE OF CONNECTING ANY SUCH BRIDGE WITH
23 THE EXISTING STREETS OR PUBLIC ROADS IN SUCH CITIES, BOROUGHS OR
24 TOWNSHIPS, AND TO THAT END MAY TAKE, ENTER UPON, APPROPRIATE
25 PROPERTY AND RIGHTS OF PROPERTY OF ALL KINDS, WHETHER DEVOTED TO
26 A PUBLIC OR PRIVATE USE, FOR THE PURPOSES AFORESAID, AND FOR THE
27 NECESSARY SLOPES, PIERS, WALLS, ABUTMENTS, FILLS AND
28 EMBANKMENTS, IN THE MANNER AND SUBJECT TO THE RESTRICTIONS AND
29 PROCEDURE PROVIDED IN ARTICLE XXVI OF THIS ACT, AND MAY ENTER
30 UPON OR OVER ANY STREET, PUBLIC HIGHWAY OR PUBLIC ROAD IN SUCH

1 CITIES, BOROUGHS OR TOWNSHIPS.

2 SECTION 2772. PLANS AND SURVEYS[; PETITION TO QUARTER
3 SESSIONS].--(A) WHENEVER THE COUNTY COMMISSIONERS SHALL RESOLVE
4 TO EXERCISE ANY OF THE POWERS CONFERRED BY THE PRECEDING
5 SECTION, THEY SHALL CAUSE TO BE PREPARED PLANS AND SURVEYS
6 SHOWING THE LOCATION OF THE PROPOSED BRIDGE AND ITS APPROACHES
7 AND THE PROPERTY OR RIGHTS OF PROPERTY AFFECTED THEREBY,
8 TOGETHER WITH ANY STREETS OR PUBLIC ROADS IN ANY CITY, BOROUGH
9 OR TOWNSHIP PROPOSED TO BE USED IN CONNECTION THEREWITH[, AND
10 THEY SHALL PRESENT THE SAME, TOGETHER WITH THEIR PETITION, ON
11 BEHALF OF SAID COUNTY, TO THE COURT OF QUARTER SESSIONS, PRAYING
12 FOR AUTHORITY TO LOCATE, LAY OUT, OPEN AND CONSTRUCT SUCH
13 BRIDGE].

14 * * *

15 SECTION ~~21~~ 22. SECTION 2773 OF THE ACT IS REPEALED. <—

16 SECTION ~~22~~ 23. SECTION 2774 OF THE ACT IS AMENDED TO READ: <—

17 SECTION 2774. APPROVAL OF STATE OR FEDERAL OFFICERS, BOARD
18 OR BODY; CHANGE IN LOCATION.--(A) WHERE THE PROPOSED BRIDGE
19 CROSSES ANY NAVIGABLE STREAM OR OTHER PUBLIC WATER OR THE
20 PROPERTY RIGHTS OR PROPERTY OR RIGHTS OF WAY OF ANY RAILROAD OR
21 OTHER PUBLIC SERVICE CORPORATION, AND BY REASON THEREOF THE
22 APPROVAL OF ANY STATE OR FEDERAL OFFICER, BOARD OR BODY IS
23 REQUIRED AS TO THE LOCATION AND CONSTRUCTION OF SUCH BRIDGE OR
24 ITS APPROACHES, THE COUNTY SHALL BE DEEMED TO HAVE FULL AND
25 COMPLETE AUTHORITY TO CONSTRUCT SUCH BRIDGE IN SUCH OTHER
26 LOCATION AND IN SUCH OTHER MANNER AS MAY BE NECESSARY TO COMPLY
27 WITH THE CONDITIONS PRESCRIBED BY SUCH OFFICER, BOARD OR BODY IN
28 GRANTING SUCH APPROVAL[: PROVIDED, THE] IF COUNTY COMMISSIONERS
29 BE OF THE OPINION, AND BY RESOLUTION DULY ADOPTED SO DECIDE,
30 THAT THE BRIDGE AS THUS CHANGED IS NECESSARY FOR THE CONVENIENCE

1 OF THE TRAVELING PUBLIC AND WILL ACCOMMODATE SUBSTANTIALLY THE
2 SAME TRAVELING PUBLIC AS THE BRIDGE WOULD HAVE DONE IF IT HAD
3 BEEN CONSTRUCTED AT THE LOCATION AND IN THE MANNER ORIGINALLY
4 PROVIDED.

5 [(B) UPON THE ADOPTION OF ANY SUCH RESOLUTION AND PRIOR TO
6 THE CONSTRUCTION OF SUCH BRIDGE AND THE ENTRY UPON AND TAKING OF
7 PROPERTY FOR THAT PURPOSE, SUCH COUNTY, THROUGH ITS COUNTY
8 COMMISSIONERS, SHALL PRESENT ITS PETITION TO THE COURT OF
9 QUARTER SESSIONS OF SAID COUNTY, BRIEFLY SETTING FORTH THE FACTS
10 AS TO THE OBTAINING OF SUCH APPROVAL AND THE CHANGE MADE IN
11 CONSEQUENCE THEREOF AND THE ADOPTION OF SUCH RESOLUTION,
12 TOGETHER WITH PLANS AND SURVEYS SHOWING THE NEW LOCATION AND
13 MANNER OF CONSTRUCTION AND AN ESTIMATE SHOWING THE COST OF THE
14 CONSTRUCTION OF SUCH BRIDGE AS THUS CHANGED.

15 (C) IF THE PROCEEDINGS SHALL APPEAR TO BE REGULAR, THE COURT
16 SHALL MAKE AN ORDER FIXING A TIME, NOT LESS THAN TWENTY DAYS
17 THEREAFTER, FOR THE FILING OF EXCEPTIONS THERETO.

18 (D) NOTICE OF THE TIME AND PLACE OF HEARING ON SAID
19 EXCEPTIONS SHALL BE GIVEN BY ADVERTISEMENT PUBLISHED ONCE A WEEK
20 FOR TWO SUCCESSIVE WEEKS IN AT LEAST TWO NEWSPAPERS OF GENERAL
21 CIRCULATION IN SUCH COUNTY AND BY HANDBILLS POSTED IN
22 CONSPICUOUS PLACES ALONG OR IN THE NEIGHBORHOOD OF THE PROPOSED
23 BRIDGE AND ITS APPROACHES, OR OTHERWISE, AS THE COURT SHALL
24 DIRECT, HAVING REGARD TO THE CIRCUMSTANCES OF THE CASES.

25 (E) UPON THE HEARING THEREOF, THE COURT MAY, FOR PROPER
26 CAUSE SHOWN, DISAPPROVE OF SAID PETITION; OTHERWISE, IT SHALL
27 THEREUPON MAKE A DECREE AUTHORIZING AND EMPOWERING THE COUNTY TO
28 CONTRACT SUCH BRIDGE IN ACCORDANCE WITH SUCH NEW PLANS AND
29 SURVEYS, AND THEREUPON SUCH BRIDGE SHALL BE DEEMED TO HAVE BEEN
30 LAID OUT AND OPENED IN ACCORDANCE WITH SUCH PLANS AND SURVEYS.]

1 SECTION ~~23~~ 24. SECTION 2776 OF THE ACT IS REPEALED. <—

2 SECTION ~~24~~ 25. SECTION 2777 OF THE ACT IS AMENDED TO READ: <—

3 SECTION 2777. COUNTY AUTHORIZED TO CONTRACT WITH [CITY OR
4 BOROUGH] MUNICIPALITY.--WHEN SUCH BRIDGE IS PROPOSED TO BE
5 LOCATED OR ERECTED IN ANY [CITY OR BOROUGH] MUNICIPALITY, THE
6 COUNTY MAY AGREE THAT SUCH [CITY OR BOROUGH] MUNICIPALITY MAY
7 BEAR A PORTION OF THE COST OF THE LOCATING, LAYING OUT, OPENING
8 AND CONSTRUCTING OF SUCH BRIDGE AND ITS APPROACHES AND
9 APPURTENANCES, AND THAT THE [CITY OR BOROUGH] MUNICIPALITY MAY
10 PROVIDE THE APPROACH THEREFOR AND BEAR THE COST OF THE
11 MAINTENANCE OF ANY APPROACH WITHIN THE RESPECTIVE [CITY OR
12 BOROUGH] MUNICIPALITY, AS SHALL BE AGREED UPON BETWEEN ANY SUCH
13 COUNTY AND SUCH [CITY OR BOROUGH]. ALL SUCH AGREEMENTS SHALL BE
14 ENTERED INTO IN WRITING AND AT LEAST ONE EXECUTED COPY SHALL BE
15 FURNISHED TO EACH COUNTY, CITY AND BOROUGH BECOMING A PARTY
16 THERETO.] MUNICIPALITY.

17 SECTION ~~25~~ 26. SECTIONS 2779, 2780 AND 2781 OF THE ACT ARE <—
18 REPEALED.

19 SECTION ~~26~~ 27. SUBARTICLE (D) OF ARTICLE XXVII OF THE ACT IS <—
20 REPEALED.

21 SECTION ~~27~~ 28. SECTIONS 2801, 2802 AND 2803 OF THE ACT ARE <—
22 AMENDED TO READ:

23 SECTION 2801. BUILDING OR REBUILDING.--WHENEVER IT IS
24 NECESSARY TO ERECT A BRIDGE ON THE BOUNDARY LINE BETWEEN TWO
25 COUNTIES, EITHER TO TAKE THE PLACE OF AN INTERCOUNTY BRIDGE
26 WHICH HAS BECOME INSUFFICIENT FOR ANY CAUSE TO ACCOMMODATE
27 PUBLIC TRAVEL OR TO PROVIDE A NEW BRIDGE WHERE NONE HAS
28 PREVIOUSLY BEEN, SUCH COUNTIES MAY JOINTLY BUILD OR REBUILD SUCH
29 BRIDGE[, AFTER FIRST HAVING OBTAINED THE APPROVAL OF THE COURT
30 OF QUARTER SESSIONS IN EACH COUNTY].

1 SECTION 2802. JOINING WITH [CITY] MUNICIPALITY.--WHEN SUCH
2 BRIDGE IS ON THE DIVIDING LINE BETWEEN TWO COUNTIES WHICH IS
3 ALSO THE DIVIDING LINE BETWEEN ONE COUNTY AND A [CITY]
4 MUNICIPALITY IN THE OTHER COUNTY, AND SUCH [CITY] MUNICIPALITY
5 HAS AUTHORITY TO BUILD OR REBUILD SUCH BRIDGE OR TO JOIN WITH
6 ANY COUNTY THEREIN, SAID COUNTY MAY JOIN WITH SAID [CITY]
7 MUNICIPALITY IN THE OTHER COUNTY IN BUILDING OR REBUILDING SUCH
8 BRIDGE. [IN SUCH CASE, THE APPROVAL OF THE COURT OF QUARTER
9 SESSIONS OF THE COUNTY SO JOINING WITH A CITY ONLY SHALL BE
10 REQUIRED.]

11 SECTION 2803. COST; STATUS.--THE COST OF SUCH BRIDGE SHALL
12 BE PAID IN SUCH PROPORTIONS AS SHALL BE AGREED UPON BY THE TWO
13 COUNTIES OR BY THE COUNTY AND [CITY] MUNICIPALITY SO JOINING.
14 SUCH BRIDGE WHEN BUILT SHALL BE AN INTERCOUNTY BRIDGE AND BE
15 SUBJECT TO ALL PROVISIONS OF EXISTING LAWS RELATING TO
16 INTERCOUNTY BRIDGES.

17 SECTION ~~28~~ 29. SUBARTICLE (F) OF ARTICLE XXVIII OF THE ACT <—
18 IS REPEALED.

19 SECTION ~~29~~ 30. SECTIONS 2822, 2823, 2824, 2832, 2833 AND <—
20 2834 OF THE ACT ARE REPEALED.

21 SECTION ~~30~~ 31. SUBARTICLE (I) OF ARTICLE XXVIII OF THE ACT <—
22 IS REPEALED.

23 SECTION ~~31~~ 32. SECTIONS 2851, 2852, 2853 AND 2855 OF THE ACT <—
24 ARE AMENDED TO READ:

25 SECTION 2851. [CITY] MUNICIPAL BRIDGES BENEFITING
26 NEIGHBORING [TOWNSHIPS] MUNICIPALITIES.--WHENEVER DIFFERENT
27 PARTS OF ANY [CITY] MUNICIPALITY OR ANY PART OF SUCH [CITY]
28 MUNICIPALITY AND ANY [TOWNSHIP] MUNICIPALITY BORDERING THEREON
29 ARE SEPARATED THEREFROM BY ANY INTERVENING VALLEY OR RAVINE, AND
30 THE COUNTY COMMISSIONERS [OF SUCH COUNTY] SHALL DECIDE IT

1 NECESSARY THAT A PUBLIC BRIDGE FOR THE PURPOSE OF CONNECTING THE
2 TERRITORIES THUS SEPARATED BE CONSTRUCTED AND THAT SUCH BRIDGE
3 WILL BE OF SUBSTANTIAL ADVANTAGE AND BENEFIT TO THE TAXABLE
4 INHABITANTS OF THE [TOWNSHIP] MUNICIPALITY BORDERING THEREON OR
5 [TOWNSHIPS] MUNICIPALITIES ADJACENT THERETO, SUCH COUNTY MAY
6 CONTRACT WITH SUCH [CITY] MUNICIPALITY FOR THE LAYING OUT AND
7 CONSTRUCTION BY SUCH [CITY] MUNICIPALITY OF SUCH BRIDGE AND MAY
8 PAY TO THE [CITY] MUNICIPALITY SUCH PORTION OF THE COST THEREOF
9 AS THE COUNTY COMMISSIONERS SHALL DEEM REASONABLE, AND SHALL
10 APPROPRIATE MONEY, LEVY TAXES AND INCUR INDEBTEDNESS THEREFOR.

11 SECTION 2852. MUNICIPAL BRIDGES WHERE COUNTY MIGHT HAVE
12 BUILT BRIDGE.--WHERE, UNDER THE PROVISIONS OF EXISTING LAWS, A
13 [CITY OF THE THIRD CLASS, A BOROUGH OR A TOWNSHIP OF THE FIRST
14 CLASS] MUNICIPALITY IS AUTHORIZED TO CONSTRUCT A BRIDGE OR
15 VIADUCT OVER A RIVER, CREEK OR STREAM OR OTHER PLACE OVER WHICH
16 THE COUNTY IS AUTHORIZED TO BUILD BRIDGES, AND SUCH MUNICIPALITY
17 IS AUTHORIZED TO CONTRACT WITH THE COUNTY AND WITH RAILROADS,
18 STREET RAILWAYS AND OTHER COMPANIES OR PARTIES INTERESTED FOR
19 THE BUILDING AND MAINTENANCE OF SUCH BRIDGE OR VIADUCT, AND FOR
20 THE PAYMENT OF ANY DAMAGES CAUSED BY THE LOCATION OR ERECTION
21 THEREOF, THE COUNTY COMMISSIONERS MAY[, WITH THE APPROVAL OF THE
22 COURT OF QUARTER SESSIONS,] CONTRACT WITH SUCH [CITY, BOROUGH OR
23 TOWNSHIP] MUNICIPALITY FOR THAT PART OR PORTION OF THE BRIDGE OR
24 VIADUCT WHICH CROSSES ANY OF THE PLACES HEREINBEFORE MENTIONED,
25 INCLUDING THE ABUTMENTS AND PIERS THEREOF. SUCH PART SHALL
26 THEREAFTER BE MAINTAINED AS A COUNTY BRIDGE. IN LIEU THEREOF,
27 THE COUNTY COMMISSIONERS MAY[, WITH THE APPROVAL OF THE COURT,]
28 CONTRACT FOR ANY PART OR PORTION OF THE WHOLE STRUCTURE EQUAL TO
29 OR GREATER THAN THE PART OR PORTION WHICH THE COUNTY MIGHT HAVE
30 BUILT.

1 SECTION 2853. CONTRIBUTION WHERE COUNTY MIGHT NOT HAVE BUILT
2 BRIDGE.--WHEN SUCH BRIDGE OR VIADUCT IS BUILT BY A [BOROUGH OR
3 TOWNSHIP OF THE FIRST CLASS] MUNICIPALITY AND DOES NOT CROSS ANY
4 PLACE OVER WHICH THE COUNTY IS AUTHORIZED TO CONSTRUCT A BRIDGE
5 BUT CROSSES MERELY RAILROAD OR RAILROADS AND PRIVATE PROPERTY,
6 THE COUNTY COMMISSIONERS MAY[, SUBJECT TO THE APPROVAL OF THE
7 COURT OF QUARTER SESSIONS,] CONTRACT TO PAY AN AMOUNT OF MONEY,
8 NOT EXCEEDING THIRTY PER CENTUM OF THE ENTIRE COST OF THE
9 PROPOSED BRIDGE OR VIADUCT. SUCH BRIDGE OR VIADUCT SHALL
10 THEREAFTER BE MAINTAINED AS A [BOROUGH OR TOWNSHIP] MUNICIPAL
11 STRUCTURE, AND THE COUNTY SHALL NOT BE LIABLE FOR ANY PART OF
12 THE COST OF MAINTENANCE OR REPAIR THEREOF.

13 SECTION 2855. CONTRACTS FOR WORK.--AFTER ANY SUCH CONTRACT
14 HAS BEEN ENTERED INTO, THE COUNTY COMMISSIONERS, IN CONJUNCTION
15 WITH THE [CITY, BOROUGH OR TOWNSHIP] MUNICIPALITY, SHALL HAVE
16 PREPARED PLANS AND SPECIFICATIONS OF THE ENTIRE WORK AND SHALL
17 ADVERTISE FOR BIDS AND AWARD THE CONTRACT TO THE LOWEST
18 RESPONSIBLE BIDDER. SUCH CONTRACT SHALL PROVIDE THAT THE COUNTY
19 SHALL PAY ITS CERTAIN PART OF SUCH BRIDGE OR VIADUCT DIRECTLY TO
20 THE CONTRACTOR. THE CONTRACTOR SHALL HAVE A RIGHT OF ACTION
21 AGAINST THE COUNTY FOR THE PART OF THE CONTRACT WHICH THE COUNTY
22 AGREES TO PAY.

23 SECTION ~~32~~ 33. SECTION 2857 OF THE ACT IS REPEALED. <—

24 SECTION ~~33~~ 34. SECTIONS 2901, 2902 AND 2903 OF THE ACT ARE <—

25 AMENDED TO READ:

26 SECTION 2901. COUNTY ROADS; ESTABLISHMENT AND MAINTENANCE.--

27 (A) THE WORDS DEFINED IN SECTION 2801 OF THIS ACT SHALL BE
28 CONSTRUED TO HAVE LIKE MEANINGS WHEN USED IN THIS ARTICLE.

29 (B) ESTABLISHING COUNTY ROADS. FOR THE PURPOSE OF PROVIDING
30 PUBLIC ROADS, SPECIALLY CONSTRUCTED, IMPROVED AND MAINTAINED,

1 THE COUNTY COMMISSIONERS MAY[, UPON APPROVAL BY THE COURT OF
2 QUARTER SESSIONS,] ORIGINALLY LAY OUT AND OPEN ANY ROAD, AND
3 TAKE POSSESSION OF AND EXERCISE CONTROL OVER ANY EXISTING
4 [TOWNSHIP] MUNICIPAL ROAD OR PART THEREOF, AND BUILD AND
5 MAINTAIN ROADS AS COUNTY ROADS WITHIN THEIR RESPECTIVE LIMITS.
6 THEY MAY, AT ANY TIME, STRAIGHTEN, WIDEN, EXTEND AND ALTER ANY
7 SUCH ROAD OR PART THEREOF, AND VACATE SO MUCH THEREOF AS MAY
8 BECOME UNNECESSARY AND USELESS. ANY ROAD SO TAKEN OVER OR
9 IMPROVED SHALL THEREUPON BECOME A COUNTY ROAD AND BE SUBJECT TO
10 THE CONTROL AND SUPERVISION OF THE COUNTY COMMISSIONERS. IT
11 SHALL BE THE DUTY OF THE COUNTY TO KEEP AND MAINTAIN COUNTY
12 ROADS ESTABLISHED UNDER THIS ACT AND ALL OTHER COUNTY ROADS IN
13 REPAIR, THE EXPENSE THEREOF TO BE PAID BY THE COUNTY IN THE
14 MANNER HEREINAFTER PROVIDED.

15 [(B.1) WHEN THE COUNTY COMMISSIONERS ACQUIRE REAL PROPERTY
16 FOR THE COUNTY TO BE USED FOR ORIGINALLY LAYING OUT OR OPENING
17 ANY ROAD, SUFFICIENT PROPERTY MAY BE ACQUIRED TO ENABLE
18 CONSTRUCTION OF ROADS TWO HUNDRED (200) FEET IN WIDTH EXCLUSIVE
19 OF DIVISION STRIPS: PROVIDED, THAT THE LIMITS OF WIDTH SHALL NOT
20 BE CONSTRUED TO INCLUDE THE WIDTH REQUIRED FOR NECESSARY SLOPES
21 IN CUTS OR FILLS.]

22 (C) ACQUISITION OF RIGHTS OF WAY OF ABANDONED RAILROADS. THE
23 COMMISSIONERS OF THE COUNTY MAY TAKE OVER ANY ABANDONED RIGHTS
24 OF WAY OR BRIDGE OF A RAILROAD COMPANY OR ANY PART THEREOF FOR
25 THE PURPOSE OF RELOCATING ANY EXISTING OR LOCATING A NEW COUNTY
26 ROAD, AND THEY MAY PURCHASE SUCH ABANDONED RIGHT OF WAY OR
27 BRIDGE OR SUCH PART THEREOF, AS MAY BE NECESSARY FOR THE
28 RELOCATING OR LOCATING OF SAID COUNTY ROAD, FROM THE OWNER
29 THEREOF, AT A FAIR PRICE[, TO BE APPROVED BY THE COURT OF
30 QUARTER SESSIONS OF THE COUNTY].

1 WHENEVER ANY SUCH ABANDONED RIGHT OF WAY OR BRIDGE OF A
2 RAILROAD COMPANY OR ANY PART THEREOF IS PURCHASED UNDER THE
3 PROVISIONS OF THIS SECTION, A COUNTY ROAD SHALL BE LAID OUT AND
4 LOCATED THEREON AND SHALL THEREAFTER BE CONSTRUCTED, IMPROVED
5 AND MAINTAINED IN ACCORDANCE WITH LAW. ANY SUCH BRIDGE SO TAKEN
6 OVER SHALL BECOME A COUNTY BRIDGE AND SHALL BE MAINTAINED,
7 REBUILT AND REPAIRED ACCORDINGLY.

8 (D) JOINT ACTION BY COUNTIES. THE PROVISIONS OF THIS ARTICLE
9 MAY ALSO BE EXERCISED JOINTLY BY ADJOINING COUNTIES AS TO ROADS
10 EXTENDING ALONG AND ADJACENT TO COUNTY LINES AND FROM ONE
11 ADJOINING COUNTY INTO ANOTHER.

12 THE PROCEDURE AND JURISDICTION IN EACH COUNTY IN SUCH CASES
13 SHALL BE THE SAME AS TO ANY PORTION OF SUCH ROAD LYING WITHIN
14 ITS LIMITS, EXCEPT THAT THE PETITION, PLANS AND SURVEYS OF SUCH
15 ROAD SHALL DESCRIBE AND EXHIBIT EVERY PORTION OF SUCH ROAD
16 WITHIN THE LIMITS OF SUCH COUNTY AND EVERY PORTION THEREOF
17 EXTENDING ALONG THE LINE OF OR INTO AN ADJOINING COUNTY. THE
18 SEVERAL PORTIONS THEREOF LYING WITHIN LIMITS OF EACH COUNTY
19 SHALL BE TREATED IN ALL PROCEEDINGS AS ONE CONTINUOUS ROAD.

20 (E) TO BE COUNTY ROAD AS SOON AS SO DECREED. ALL ROADS AND
21 PARTS THEREOF HERETOFORE AND HEREAFTER DECREED BY THE COURT
22 UNDER THIS OR ANY FORMER ACTS OF ASSEMBLY TO BE A COUNTY ROAD
23 SHALL BE SUBJECT TO THE CONTROL AND SUPERVISION OF THE COUNTY
24 COMMISSIONERS. [UPON THE DECREE OR ORDER MAKING AN EXISTING
25 TOWNSHIP ROAD OR PART THEREOF A COUNTY ROAD, THE SAME SHALL
26 IMMEDIATELY BE KEPT IN REPAIR, MADE, CONSTRUCTED AND MAINTAINED
27 BY THE COUNTY AND THE TOWNSHIP RELIEVED OF ANY DUTY THERETO AS A
28 TOWNSHIP ROAD.]

29 (F) MAINTENANCE AND REPAIR OF COUNTY ROADS. THE
30 COMMISSIONERS SHALL HAVE PREPARED PLANS AND ESTIMATES, AS OFTEN

1 AS REQUIRED, FOR THE REPAIR AND MAINTENANCE OF ALL ROADS WHICH
2 THE COUNTY IS REQUIRED BY LAW TO MAINTAIN AND REPAIR. THEY MAY
3 INVITE PROPOSALS FOR MAINTAINING AND REPAIRING SUCH ROADS OR
4 PARTS THEREOF IN ACCORDANCE WITH SUCH PLANS AND ESTIMATES AND
5 AWARD THE CONTRACT THEREFOR IN LIKE MANNER AS CONTRACTS FOR NEW
6 IMPROVEMENTS, OR THEY MAY MAKE THE NECESSARY REPAIRS THEMSELVES.
7 FOR THE PURPOSE OF MAKING SUCH REPAIRS, THE COMMISSIONERS MAY
8 EMPLOY OR APPOINT THE PROPER PERSONS AND BUY THE NECESSARY
9 MATERIALS AND BUY OR RENT THE NECESSARY MACHINERY. THE COUNTY
10 MAY ALSO LEASE ANY OF ITS MACHINERY TO ANY POLITICAL SUBDIVISION
11 WITHIN THE COUNTY, UPON SUCH TERMS AND CONDITIONS AS MAY BE
12 AGREED UPON.

13 (G) ANNUAL TAX. THE COMMISSIONERS MAY LEVY, ASSESS AND
14 COLLECT AN ANNUAL TAX, OF NOT MORE THAN TWO MILLS UPON THE
15 DOLLAR, UPON ALL REAL AND PERSONAL PROPERTY WITHIN SAID COUNTY
16 TAXABLE FOR COUNTY PURPOSES FOR THE PURPOSE OF ACQUIRING AND
17 SECURING A FUND FROM WHICH TO PAY ALL COSTS, DAMAGES AND
18 EXPENSES REQUIRED IN THE LOCATING, OPENING, BUILDING, IMPROVING,
19 WIDENING, STRAIGHTENING, EXTENDING, MAINTAINING, REPAIRING OR
20 VACATING OF ROADS OR PARTS THEREOF COVERED BY THE PROVISIONS OF
21 THIS SECTION, AND FOR THE TAKING AND USE OF SUCH LAND AS MAY BE
22 NECESSARY IN CONSTRUCTING AND MAINTAINING PROPER SLOPES,
23 EMBANKMENTS, FILLS AND CULVERTS. THE MONEYS SO RAISED SHALL NOT
24 BE EXPENDED FOR ANY OTHER PURPOSES THAN THOSE NAMED IN THIS
25 SECTION, EXCEPT FOR THE MAINTENANCE, REPAIR, CONSTRUCTION AND
26 RECONSTRUCTION OF ANY COUNTY BRIDGE OR BRIDGES, WHETHER OR NOT
27 LOCATED ON A COUNTY ROAD OR ROADS. ALL WARRANTS FOR THE PAYMENT
28 OF ANY PORTION OF THE MONEY RAISED FOR THE PURPOSES AFORESAID
29 SHALL BE ISSUED, IN THE MANNER PROVIDED BY THIS ACT, UPON
30 ESTIMATES WHICH SHALL BE MADE FROM TIME TO TIME BY THE PERSONS

1 CHARGED WITH SUCH DUTY. THE AMOUNT AND TIME WITHIN WHICH THE
2 SAME SHALL BE PAID SHALL BE FIXED AND DETERMINED IN THE CONTRACT
3 MADE FOR THE PUBLIC WORK.

4 (H) BORROWING MONEY; BOND ISSUE AND TAX LEVY. THE COUNTY
5 COMMISSIONERS MAY BORROW MONEY AND SECURE ANY INDEBTEDNESS
6 CREATED BY THEM FOR THE PURPOSES AUTHORIZED UNDER THIS SECTION
7 [BY ISSUING BONDS IN ACCORDANCE WITH THE PROVISIONS OF THE
8 MUNICIPAL BORROWING LAW].

9 (I) CHANGING PART OF ROAD WITHOUT VIEW. WHENEVER THE BOARD
10 OF COMMISSIONERS DEEM IT ADVISABLE TO CONSTRUCT OR ALTER ANY
11 PART OF ANY ROAD UNDER THEIR SUPERVISION AND CAN AGREE WITH THE
12 PROPERTY OWNERS AFFECTED BY SUCH CHANGE AS TO DAMAGES, THEY MAY,
13 UPON PAYMENT OF THE DAMAGES AGREED UPON, CONSTRUCT OR ALTER SUCH
14 PART OF SUCH PUBLIC ROAD AS CONTEMPLATED IN SUCH AGREEMENT
15 WITHOUT THE FORMALITY OF A VIEW. [THIS AUTHORITY SHALL NOT
16 EXTEND TO ANY CONSTRUCTION OR ALTERATION, THE COSTS AND EXPENSES
17 OF WHICH TO SUCH COUNTY, INCLUDING DAMAGES, SHALL EXCEED ONE
18 THOUSAND DOLLARS (\$1000). A PETITION SETTING FORTH THE FACTS,
19 ACCOMPANIED BY A MAP OR DRAFT OF SUCH PROPOSED CHANGE, SHALL BE
20 PRESENTED TO THE COURT OF QUARTER SESSIONS FOR APPROVAL BEFORE
21 SUCH ACTUAL CHANGE IS MADE, WHEREUPON THE NEW LOCATION THUS
22 APPROVED BY THE COURT SHALL BE THE PUBLIC ROAD TO ALL INTENTS
23 AND PURPOSES AND THE OLD LOCATION SHALL BE VACATED.]

24 (J) ASSESSMENT OF BENEFITS. WHENEVER, IN THE COUNTY, ANY
25 ROAD OR HIGHWAY SHALL BE ORIGINALLY LOCATED, LAID OUT OR
26 CONSTRUCTED OR RELOCATED, OPENED, STRAIGHTENED, WIDENED,
27 EXTENDED OR ALTERED, OR ANY PART THEREOF VACATED, THE VIEWERS
28 APPOINTED TO ASSESS DAMAGES FOR TAKING, INJURING OR DESTROYING
29 PROPERTY, AFTER HAVING DETERMINED THE AMOUNT OF DAMAGES
30 SUSTAINED, SHALL ASSESS THE WHOLE OR SUCH PART OF SUCH DAMAGES

1 AS MAY BE REPRESENTED BY BENEFITS UPON THE PROPERTIES ABUTTING
2 ON AND BENEFITED BY SUCH IMPROVEMENTS. THE REMAINING PART OF
3 SUCH DAMAGES, IF ANY, NOT SO ASSESSED AGAINST THE ABUTTING
4 PROPERTIES, SHALL BE PAID BY THE COUNTY. THE TOTAL ASSESSMENTS
5 FOR BENEFITS SHALL IN NO CASE EXCEED THE TOTAL DAMAGES AWARDED
6 AND AGREED UPON.

7 THE VIEWERS SHALL IN SUCH CASES FILE THEIR REPORT SHOWING THE
8 BALANCE STRUCK BETWEEN THE DAMAGES AWARDED AND THE BENEFITS
9 ASSESSED.

10 (K) INTEREST ON BENEFITS ASSESSED. ALL ASSESSMENTS FOR
11 BENEFITS SHALL BEAR INTEREST AT THE EXPIRATION OF THIRTY DAYS
12 AFTER THEY HAVE BEEN FINALLY DETERMINED AND FIXED AND SHALL BE
13 PAYABLE TO THE TREASURER OF THE COUNTY.

14 (L) LIENS FOR BENEFITS ASSESSED. ALL LIENS FOR THE
15 ASSESSMENT OF BENEFITS PURSUANT TO THE PROVISIONS OF THE TWO
16 PRECEDING SUBSECTIONS SHALL BE FILED, REVIVED AND COLLECTED IN
17 ACCORDANCE WITH LAW.

18 NO APPEAL TAKEN SHALL PREVENT THE FILING OF LIENS BY THE
19 COUNTY FOR ANY ASSESSMENT MADE BY VIRTUE OF THE VIEWERS' REPORT,
20 BUT UPON THE FINAL DETERMINATION OF THE ISSUE THE COURT MAY MAKE
21 SUCH ORDER AS TO ANY LIEN FILED THAT SHALL APPEAR RIGHT AND
22 PROPER.

23 (M) SIDEWALKS ALONG COUNTY ROADS. WHENEVER CONSIDERED
24 NECESSARY FOR THE SAFETY AND ACCOMMODATION OF THE PUBLIC, THE
25 COUNTY COMMISSIONERS MAY LOCATE, CONSTRUCT AND MAINTAIN
26 SIDEWALKS ALONG COUNTY ROADS. THE COST OF THE CONSTRUCTION AND
27 MAINTENANCE OF SAID SIDEWALKS SHALL BE PAID BY THE COUNTY.

28 (N) LIGHTS ALONG COUNTY ROADS. WHENEVER CONSIDERED NECESSARY
29 FOR THE SAFETY AND CONVENIENCE OF THE TRAVELING PUBLIC, THE
30 COUNTY COMMISSIONERS MAY SUPPLY AND EQUIP ANY COUNTY ROAD OR

1 PARTS THEREOF WITH LIGHTS OF SUCH KIND AS THEY SHALL DEEM
2 NECESSARY. THE COMMISSIONERS MAY FOR THIS PURPOSE CONTRACT WITH
3 ANY INDIVIDUAL OR WITH ANY MUNICIPAL OR PRIVATE CORPORATION. THE
4 COST OF THE CONSTRUCTION MAY AND THE COST OF MAINTENANCE OF THE
5 SAID LIGHTS SHALL BE PAID BY THE COUNTY.

6 SECTION 2902. SYSTEM OF MAIN THOROUGHFARES IN COUNTY.--(A)
7 ADOPTION OF SYSTEM. THE COUNTY COMMISSIONERS MAY, IN THE MANNER
8 PROVIDED BY THIS SECTION, CAUSE TO BE LAID OUT, SURVEYED AND
9 ADOPTED A SYSTEM OF MAIN THOROUGHFARES WHICH SAID BOARD SHALL
10 ADJUDGE THE PROPER ROADS TO BE ESTABLISHED AND SPECIALLY
11 CONSTRUCTED AND IMPROVED. IN ADOPTING SUCH SYSTEM, THE
12 COMMISSIONERS SHALL CONSIDER THE POPULATION AND NEEDS OF ALL
13 PARTS OF THE COUNTY AND MAKE AN EQUITABLE DISTRIBUTION OF THE
14 ROADS TO BE SPECIALLY CONSTRUCTED, LOCATED AND IMPROVED BY THE
15 SAID COUNTY. THEY SHALL CAUSE A PLAN OR PLANS TO BE MADE SHOWING
16 SAID SYSTEM OF PROPOSED ROADS, THE RELATION OF THE PROPOSED
17 ROADS TO EXISTING PUBLIC ROADS WHICH CONNECT THEREWITH OR ARE TO
18 BE SUPPLIED THEREBY, THE NAMES OF ABUTTING PROPERTY OWNERS, AND
19 ALSO ROADS WHICH ALREADY HAVE BEEN IMPROVED BY THE COUNTY. UPON
20 APPROVAL OF SAID PLAN OR PLANS BY THE COMMISSIONERS, THEY SHALL
21 CAUSE SAID APPROVAL TO BE ENGROSSED UPON SAID PLANS AND
22 CERTIFIED BY AT LEAST TWO COMMISSIONERS. SAID PLANS SHALL BE
23 FILED FOR PUBLIC INSPECTION IN THE OFFICE OF THE COMMISSIONERS
24 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN A BOOK TO
25 BE PROVIDED FOR THE PURPOSE.

26 NO PART OF THE PROPOSED ROADS OF SAID SYSTEM SHALL BE AN
27 EASEMENT UPON PRIVATE PROPERTY OR IN ANY MANNER INTERFERE WITH
28 THE USE THEREOF UNTIL ESTABLISHED AS A PUBLIC ROAD BY THE ACTION
29 OF THE COURT OF QUARTER SESSIONS.

30 (B) IMPROVEMENT OF [BOROUGH AND TOWNSHIP] MUNICIPAL ROADS.

1 WHENEVER SUCH SYSTEM OF MAIN THOROUGHFARES HAS BEEN ADOPTED OR
2 WHEN THE ADOPTION THEREOF IS CONTEMPLATED WITHIN TWO YEARS AFTER
3 THE COMMENCEMENT OF SUCH IMPROVEMENT, THE COMMISSIONERS MAY[,
4 UPON APPROVAL BY THE COURT OF QUARTER SESSIONS AS HEREINAFTER
5 PROVIDED,] TAKE EXCLUSIVE CONTROL OF AND IMPROVE ANY ROAD OR
6 SECTION THEREOF LOCATED EITHER WHOLLY OR IN PART IN ANY [BOROUGH
7 OR TOWNSHIP] MUNICIPALITY, WHETHER EXISTING BY THEIR AUTHORITY
8 OR LAID OUT IN WHOLE OR IN PART BY VIRTUE OF THIS ACT OR
9 OTHERWISE. FOR THAT PURPOSE, THEY MAY ORIGINALLY LOCATE, LAY
10 OUT, ESTABLISH IN WHOLE OR IN PART, RELOCATE, STRAIGHTEN, WIDEN,
11 EXTEND, ALTER AND OPEN ROADS, AND CONSTRUCT AND IMPROVE THE
12 SAME, AND VACATE SO MUCH OF ANY ROADS AS MAY BE THEREBY RENDERED
13 UNNECESSARY AND USELESS. ANY ROAD AS ESTABLISHED OR ALTERED,
14 CONSTRUCTED AND IMPROVED UNDER THE PROVISIONS OF THIS SUBSECTION
15 SHALL, BY ORDINANCE ENACTED BY EACH [BOROUGH OR BY RESOLUTION
16 ADOPTED BY THE COMMISSION OR SUPERVISORS OF EACH TOWNSHIP]
17 MUNICIPALITY THROUGH WHICH SUCH ROAD SHALL PASS, BECOME [BOROUGH
18 OR TOWNSHIP] MUNICIPAL ROADS, AND THE DUTY OF MAINTAINING AND
19 KEEPING THE SAME IN REPAIR SHALL DEVOLVE UPON EACH RESPECTIVE
20 [TOWNSHIP OR BOROUGH] MUNICIPALITY THROUGH OR INTO WHICH THE
21 SAME EXTENDS.

22 (C) PLAN OF SYSTEM TO BE FOLLOWED; VARIATIONS. AFTER SUCH
23 PLANS HAVE BEEN ADOPTED AND RECORDED PURSUANT TO LAW, ALL
24 APPLICATIONS UNDER THE PRECEDING SUBSECTION [TO THE COURT OF
25 QUARTER SESSIONS] SHALL BE RESTRICTED AND SHALL RELATE ONLY TO
26 THE ESTABLISHING, OPENING, CONSTRUCTION AND IMPROVEMENT OF THE
27 PROPOSED ROADS OF SAID SYSTEM OR PARTS THEREOF AND THE VACATION
28 OF ROADS SUPPLIED BY THE PORTION OPENED AND IMPROVED. THE
29 COMMISSIONERS[, UPON APPROVAL BY THE COURT OF QUARTER SESSIONS
30 AS HEREINAFTER PROVIDED,] MAY RELOCATE, STRAIGHTEN, WIDEN,

1 EXTEND, ALTER AND OPEN, CONSTRUCT AND IMPROVE THE PROPOSED ROADS
2 AS LAID OUT, SURVEYED, MARKED AND SHOWN UPON THE PLANS OF SAID
3 SYSTEM, OR TO ORIGINALLY LOCATE, LAY OUT AND ESTABLISH,
4 CONSTRUCT AND IMPROVE ROADS WHICH SUBSTANTIALLY SUPPLY SAID
5 SYSTEM OR PARTS THEREOF WHICH, ALTHOUGH NOT PARTS OF SAID
6 SYSTEM, ARE DEEMED BY THE SAID COURT TO BE MAIN THOROUGHFARES OF
7 SUFFICIENT IMPORTANCE TO BE IMPROVED BY THE COUNTY AND TO BE
8 ADDED TO SAID PLAN, AND IN SUCH CASE TO VACATE SO MUCH OF THE
9 ROADS OF SAID SYSTEM AND OF ROADS ALREADY ESTABLISHED AS MAY BE
10 RENDERED UNNECESSARY BY THE CHANGES OR BY AN ENTIRELY NEW
11 LOCATION.

12 (D) IMPROVEMENT OF ROADS NOT PART OF SYSTEM ON CONTRIBUTION
13 FROM PARTIES INTERESTED. THE COMMISSIONERS MAY ALSO ORIGINALLY
14 LOCATE, LAY OUT AND ESTABLISH IN WHOLE OR IN PART, RELOCATE,
15 STRAIGHTEN, WIDEN, EXTEND, ALTER AND OPEN, CONSTRUCT AND IMPROVE
16 ROADS NOT PARTS OF SAID SYSTEM NOR DEEMED MAIN THOROUGHFARES,
17 UPON PARTIES INTERESTED THEREIN PAYING OR SECURING TO BE PAID,
18 [IN A MANNER TO BE APPROVED BY THE COURT OF QUARTER SESSIONS,]
19 SUCH PROPORTION OF THE COST OF THE ORIGINAL CONSTRUCTION AND
20 IMPROVEMENT AS THE COMMISSIONERS MAY DEEM JUST, WHICH SHALL NOT
21 BE LESS THAN ONE-FOURTH OF SUCH COST IN ANY CASE.

22 (E) ANNUAL TAX. THE COMMISSIONERS MAY LEVY, ASSESS AND
23 COLLECT AN ANNUAL TAX, OF NOT MORE THAN TWO MILLS UPON THE
24 DOLLAR, UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE COUNTY
25 TAXABLE FOR COUNTY PURPOSES, FOR THE PURPOSE OF ACQUIRING AND
26 SECURING A FUND FROM WHICH TO PAY ALL COSTS, DAMAGES AND
27 EXPENSES REQUIRED IN LOCATING, OPENING, WIDENING, STRAIGHTENING,
28 EXTENDING, BUILDING, IMPROVING, MAINTAINING, REPAIRING OR
29 VACATING OF THE ROADS OR PARTS THEREOF IMPROVED UNDER THE
30 PROVISIONS OF THIS SECTION, AND FOR THE TAKING AND USING OF SUCH

1 LAND AS MAY BE MADE NECESSARY IN CONSTRUCTING AND MAINTAINING
2 PROPER SLOPES, EMBANKMENTS, FILLS AND CULVERTS. THE MONEYS SO
3 RAISED SHALL NOT BE EXPENDED FOR ANY OTHER PURPOSES THAN THOSE
4 NAMED IN THIS SUBSECTION. ALL WARRANTS FOR THE PAYMENT OF ANY
5 PORTION OF THE MONEY RAISED FOR THE PURPOSES AFORESAID SHALL BE
6 ISSUED, IN THE MANNER PROVIDED BY THIS ACT, UPON ESTIMATES WHICH
7 SHALL BE MADE FROM TIME TO TIME BY THE PERSON CHARGED WITH SUCH
8 DUTY, AND THE AMOUNT AND TIME WITHIN WHICH THE SAME SHALL BE
9 PAID SHALL BE FIXED AND DETERMINED IN THE CONTRACT MADE FOR THE
10 PUBLIC WORK HEREIN AUTHORIZED.

11 (F) BORROWING MONEY AND BOND ISSUE. ANY COUNTY MAY BORROW
12 MONEY AND SECURE SUCH INDEBTEDNESS [BY ISSUING BONDS IN
13 ACCORDANCE WITH THE PROVISIONS OF THE MUNICIPAL BORROWING LAW]
14 FOR THE PURPOSE OF BUILDING AND IMPROVING THE ROADS OR ANY PART
15 THEREOF CONSTRUCTED UNDER THE PROVISIONS OF THIS SECTION.

16 SECTION 2903. PROVIDING ROADS, TUNNELS, SUBWAYS AND
17 UNDERGROUND ROADS.--(A) WHENEVER THE COUNTY COMMISSIONERS SHALL
18 DEEM IT EXPEDIENT SO TO DO [AND UPON THE APPROVAL THEREOF BY THE
19 COURT OF QUARTER SESSIONS AS HEREINAFTER PROVIDED,] THEY MAY
20 CAUSE TO BE PURCHASED, LOCATED, CONSTRUCTED, OPERATED AND
21 MAINTAINED ROADS, TUNNELS, SUBWAYS OR UNDERGROUND ROADS ANYWHERE
22 WITHIN THE COUNTY, EITHER WHOLLY OR PARTLY WITHIN THE BOUNDARIES
23 OF ANY CITY, BOROUGH OR TOWNSHIP. ANY ROAD, TUNNEL, SUBWAY OR
24 UNDERGROUND ROAD PURCHASED OR CONSTRUCTED UNDER THE PROVISIONS
25 OF THIS SECTION SHALL FOREVER THEREAFTER BE A COUNTY ROAD,
26 TUNNEL, SUBWAY OR UNDERGROUND ROAD, AND THE DUTY OF MAINTAINING
27 AND KEEPING THE SAME IN REPAIR SHALL DEVOLVE UPON THE COUNTY.
28 THE EXPENSE THEREOF SHALL BE PAID BY THE COUNTY AS HEREINAFTER
29 PROVIDED.

30 (B) CONTRACTS OR LEASE FOR SPECIAL USE OF IMPROVEMENTS. THE

1 COMMISSIONERS[, SUBJECT TO THE APPROVAL OF THE COURT OF QUARTER
2 SESSIONS,] MAY MAKE A CONTRACT OR LEASE WITH ANY STREET RAILWAY
3 OR TRANSPORTATION COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE
4 CONCURRENT USE OF SUCH A PORTION OF SAID ROAD, TUNNEL OR SUBWAY
5 OR UNDERGROUND ROAD, AS SHALL NOT SUBSTANTIALLY IMPAIR OR
6 RESTRICT THE PUBLIC USE AND ENJOYMENT THEREOF, UPON SUCH TERMS
7 AND CONDITIONS AS SHALL BE AGREED UPON. [NO SUCH CONTRACT OR
8 LEASE FOR THE CONCURRENT USE OF A PORTION OF SUCH IMPROVEMENT
9 SHALL BE FOR A LONGER TERM OR PERIOD THAN TWENTY YEARS. ANY SUCH
10 CONTRACT OR LEASE SHALL BE MADE IN ACCORDANCE WITH APPLICABLE
11 PROVISIONS OF THE PUBLIC UTILITY LAW.]

12 (C) TAKING STREET OR OTHER PROPERTY OF [CITY OR BOROUGH]
13 MUNICIPALITY. SHOULD THE COMMISSIONERS OF THE COUNTY DEEM IT
14 NECESSARY OR ADVISABLE TO ENTER UPON OR APPROPRIATE ANY ROAD OR
15 PROPERTY OF ANY CITY OR BOROUGH IN THE COUNTY, OR TAKE ANY OTHER
16 ACTION AFFECTING THE PROPERTY RIGHTS OR AUTHORITY OF SUCH [CITY
17 OR BOROUGH] MUNICIPALITY, FOR THE PURPOSE OF CONSTRUCTING OR
18 MAINTAINING A ROAD, TUNNEL, SUBWAY OR UNDERGROUND ROAD, OR IN
19 CONNECTION WITH THE IMPROVEMENT OF ANY OF THEM, WHICH HAS BEEN
20 OR IS ABOUT TO BE PURCHASED BY THE COUNTY OR OTHERWISE, THE
21 CONSENT THERETO OF SUCH [CITY OR BOROUGH] MUNICIPALITY BY
22 ORDINANCE SHALL BE OBTAINED BEFORE THE ACTUAL ENTERING IN OR
23 UPON OR THE APPROPRIATION OF SUCH ROAD OR PROPERTY. AFTER SUCH
24 ENTRY AND APPROPRIATION, THE COUNTY SHALL BE LIABLE AND CHARGED
25 WITH THE SUPERVISION, CONTROL AND MAINTENANCE OF SAID ROADS AND
26 PROPERTIES, OR SO MUCH THEREOF AS IS TAKEN AND USED FOR THE
27 PURPOSE OF CONSTRUCTING AND MAINTAINING SUCH ROAD, TUNNEL,
28 SUBWAY OR UNDERGROUND ROAD, OR IN CONNECTION WITH THE
29 IMPROVEMENT OF ANY OF THEM, PURCHASED OR TO BE PURCHASED AS
30 AFORESAID.

1 (D) ANNUAL TAX LEVY. THE COMMISSIONERS MAY LEVY, ASSESS AND
2 COLLECT AN ANNUAL TAX, OF NOT MORE THAN TWO MILLS ON THE DOLLAR,
3 ON ALL REAL AND PERSONAL PROPERTY WITHIN THE COUNTY TAXABLE FOR
4 COUNTY PURPOSES FOR THE PURPOSE OF ACQUIRING AND SECURING A FUND
5 FROM WHICH TO PAY ALL COSTS, DAMAGES AND EXPENSES REQUIRED IN
6 THE PURCHASING, IMPROVING, LOCATING, OPENING, CONSTRUCTING,
7 MAINTAINING AND REPAIRING ROADS, TUNNELS, SUBWAYS AND
8 UNDERGROUND ROADS, PURCHASED OR CONSTRUCTED UNDER THE PROVISIONS
9 OF THIS SECTION, AND THE TAKING AND USING OF SUCH LAND AS MAY BE
10 MADE NECESSARY IN CONSTRUCTING THE SAME AND IN MAINTAINING
11 PROPER SLOPES, EMBANKMENTS, APPROACHES AND TERMINI FOR SAID
12 ROADS, TUNNELS, SUBWAYS AND UNDERGROUND ROADS. THE MONEY SO
13 RAISED SHALL NOT BE USED OR EXPENDED FOR ANY OTHER PURPOSES THAN
14 THOSE NAMED IN THIS SUBSECTION. ALL WARRANTS FOR THE PAYMENT OF
15 ANY PORTION OF THE MONEY RAISED FOR THE PURPOSES AFORESAID SHALL
16 BE ISSUED, IN THE MANNER PROVIDED BY THIS ACT, UPON ESTIMATES
17 WHICH SHALL BE MADE FROM TIME TO TIME BY THE PERSON CHARGED WITH
18 SUCH DUTY. THE AMOUNT AND TIME WITHIN WHICH THE SAME SHALL BE
19 PAID SHALL BE FIXED AND DETERMINED IN THE CONTRACT MADE FOR THE
20 PUBLIC WORK HEREIN AUTHORIZED.

21 (E) BORROWING MONEY AND BOND ISSUE. THE COUNTY MAY BORROW
22 MONEY AND INCUR INDEBTEDNESS [IN ACCORDANCE WITH THE PROVISIONS
23 OF THE MUNICIPAL BORROWING LAW,] TO AN AMOUNT NOT EXCEEDING THE
24 CONSTITUTIONAL LIMITATIONS, FOR THE PURCHASE AND IMPROVEMENT OR
25 CONSTRUCTION OF SUCH ROADS, TUNNELS, SUBWAYS AND UNDERGROUND
26 ROADS.

27 SECTION ~~34~~ 35. SECTION 2904 OF THE ACT IS REPEALED. <—

28 SECTION ~~35~~ 36. SECTIONS 2907, 2909, 2912 AND 2931 HEADING <—
29 AND (A) OF THE ACT ARE AMENDED TO READ:

30 SECTION 2907. PENALTIES FOR INJURING DRAINS, ETC.--IF ANY

1 PERSON SHALL STOP, FILL UP OR INJURE ANY SUCH DRAIN, CHANNEL OR
2 DITCH, OR THE INLETS OR OUTLETS THERETO, OR SHALL DIVERT OR
3 CHANGE THE COURSE THEREOF, WITHOUT ANY AUTHORITY OF THE COUNTY,
4 OR SHALL BE RESPONSIBLE FOR THE SAME, AND DOES NOT ELIMINATE OR
5 REMOVE SUCH OBSTRUCTION OF OR INTERFERENCE WITH SAID DRAINS,
6 CHANNELS, DITCHES, ETC., UPON TEN (10) DAYS NOTICE IN WRITING
7 FROM THE COUNTY SO TO DO, THEN AND IN THAT CASE SUCH PERSON
8 SHALL[, UPON SUMMARY CONVICTION IN AN ACTION BEFORE ANY
9 MAGISTRATE, ALDERMAN OR JUSTICE OF THE PEACE, BE SENTENCED TO
10 PAY A FINE OR PENALTY OF TEN DOLLARS (\$10) FOR EVERY SUCH
11 OFFENSE TOGETHER WITH THE COSTS OF PROSECUTION, AND SUCH FINES
12 AS SHALL BE IMPOSED SHALL BE PAID TO THE TREASURER OF THE PROPER
13 COUNTY] BE CONVICTED OF A SUMMARY OFFENSE. EVERY DAY'S
14 VIOLATION, AFTER WRITTEN NOTICE HAS BEEN RECEIVED BY THE PROPER
15 PERSON, SHALL CONSTITUTE A SEPARATE OFFENSE: PROVIDED, HOWEVER,
16 THAT NOTHING HEREIN CONTAINED SHALL LIMIT OR DEPRIVE THE SAID
17 COUNTIES OF ANY OTHER REMEDY WHICH THEY MAY NOW OR IN THE FUTURE
18 HAVE, IN LAW OR EQUITY.

19 SECTION 2909. VACATION AS COUNTY ROADS.--UPON PETITION OF
20 THE COUNTY COMMISSIONERS, THE COURT OF [QUARTER SESSIONS] COMMON
21 PLEAS MAY VACATE AS A COUNTY ROAD ANY PORTIONS OF ANY ABANDONED
22 OR CONDEMNED [TURNPIKE] ROAD, OR ANY PORTIONS OF ANY [TURNPIKE]
23 ROAD PURCHASED BY THE COUNTY, OR OF ANY ROAD, THE PERMANENT
24 LOCATION OR IMPROVEMENT WHEREOF HAS BEEN ORDERED OR MADE UNDER
25 THIS OR FORMER ACTS RELATING TO COUNTY ROADS. ALL PORTIONS OF
26 SUCH ROADS SO VACATED SHALL BECOME AND BE TOWNSHIP ROADS, IF
27 LOCATED WITHIN A TOWNSHIP, OR SHALL BECOME AND BE BOROUGH OR
28 CITY ROADS, IF LOCATED WITHIN A BOROUGH OR CITY. WRITTEN NOTICE
29 OF THE CONTENTS OF SAID PETITION AND THE TIME WHEN THE SAME WILL
30 BE PRESENTED TO THE COURT SHALL BE GIVEN BY THE COUNTY

1 COMMISSIONERS TO THE SUPERVISORS OR COMMISSIONERS OF THE
2 TOWNSHIP OR TOWNSHIPS OR TO THE COUNCIL OF THE BOROUGH OR CITY
3 THROUGH WHICH SAID ROAD PASSES, AT LEAST TEN DAYS BEFORE THE
4 DATE OF PRESENTING THE SAME. AT THE TIME SAID PETITION IS
5 PRESENTED, THE COURT MAY FIX A TIME FOR HEARING IN OPEN COURT,
6 OR MAY REFER THE MATTER TO AN EXAMINER TO TAKE TESTIMONY AND
7 REPORT HIS FINDINGS TO THE COURT AT SUCH TIME AS THE COURT SHALL
8 DIRECT. AT ANY HEARING IN OPEN COURT OR BEFORE AN EXAMINER
9 APPOINTED BY THE COURT, ALL PARTIES IN INTEREST MAY APPEAR AND
10 BE HEARD. AFTER SUCH HEARING, THE COURT, IF IT SHALL FIND THAT
11 THE CONDITIONS PRESCRIBED BY THIS ACT HAVE BEEN COMPLIED WITH,
12 MAY GRANT THE PRAYER OF THE PETITIONERS AND MAKE A DECREE
13 ACCORDINGLY OR MAKE SUCH ORDER IN THE PREMISES AS IT DEEMS RIGHT
14 AND JUST. NO ORDER OF VACATION SHALL BE MADE UNTIL THE TOWNSHIP,
15 BOROUGH OR CITY AFFECTED SHALL HAVE CONSENTED THERETO BY AN
16 ORDINANCE OR RESOLUTION CERTIFIED TO THE COURT.

17 SECTION 2912. LAYING OUT; ALTERING; VACATING.--ROADS FORMING
18 OR INTENDED TO FORM A CONTINUOUS HIGHWAY FROM ONE COUNTY TO
19 ANOTHER, WHICH CROSS A RIVER, CREEK OR RIVULET FORMING A
20 BOUNDARY LINE BETWEEN SAID COUNTIES, MAY BE LAID OUT OR ALTERED
21 OR VACATED IN THE MANNER PROVIDED IN THE CASE OF OTHER ROADS[,
22 EXCEPT THAT THE COURT OF QUARTER SESSIONS OF EACH COUNTY SHALL
23 APPOINT THREE VIEWERS AND THAT A REPORT AS AFORESAID SHALL BE
24 MADE TO EACH COURT RESPECTIVELY, AND THAT EACH COURT SHALL
25 OTHERWISE HAVE AND EXERCISE CONCURRENT JURISDICTION THEREIN].

26 SECTION 2931. IMPROVEMENT ON ORDER OF COURT OF [QUARTER
27 SESSIONS] COMMON PLEAS.--(A) IN ALL CASES IN WHICH IT SHALL BE
28 FOUND IMPOSSIBLE TO ENTER INTO SUCH CONTRACTS OR AGREEMENTS, OR
29 WHERE EITHER THE CITY OR BOROUGH AND THE TOWNSHIP OR THE COUNTY
30 IN WHICH SUCH TOWNSHIP IS SITUATED SHALL REFUSE TO ENTER INTO

1 SUCH CONTRACT OR AGREEMENT, EITHER THE MUNICIPALITY OR THE
2 COUNTY OR TOWNSHIP MAY PRESENT ITS PETITION TO THE COURT OF
3 [QUARTER SESSIONS] COMMON PLEAS OF EITHER COUNTY SETTING FORTH
4 THE FACTS AND CIRCUMSTANCES, INCLUDING THE CONDITION OF THE ROAD
5 FROM WHICH THE NECESSITY AND DESIRABILITY FOR THE GRADING,
6 CURBING, MACADAMIZING OR PAVING OF THE ROADWAY APPEARS, AND THE
7 ESTIMATED COST THEREOF, AND THAT THE TERMS OF SUCH CONTRACT
8 CANNOT BE AGREED UPON BY THE MUNICIPALITY AND COUNTY OR
9 TOWNSHIP, OR EITHER OR ANY OF THEM, OR THAT EITHER SUCH
10 MUNICIPALITY OR THE COUNTY OR TOWNSHIP OR ANY OF THEM REFUSES TO
11 ENTER INTO SUCH CONTRACT.

12 * * *

13 SECTION ~~36~~ 37. SECTION 2932 OF THE ACT IS REPEALED. <—

14 SECTION ~~37~~ 38. SECTIONS 2940(A) AND 2942 OF THE ACT ARE <—
15 AMENDED TO READ:

16 SECTION 2940. LAYING OUT DETOURS WHEN COUNTY ROAD IS
17 CLOSED.--(A) EXCEPT IN THE CASE OF EMERGENCY WHEREIN THE SAFETY
18 OF THE PUBLIC WOULD BE ENDANGERED, NO COUNTY ROAD SHALL BE
19 CLOSED TO VEHICULAR TRAFFIC EXCEPT UPON ORDER OF THE COUNTY
20 COMMISSIONERS, NOR FOR A LONGER PERIOD THAN IS NECESSARY FOR THE
21 PURPOSE FOR WHICH SUCH ORDER IS ISSUED. EXCEPT FOR TEMPORARY
22 EMERGENCY POLICE MEASURES WHEREIN THE SAFETY OF THE PUBLIC WOULD
23 BE ENDANGERED IF IT WERE NOT TEMPORARILY CLOSED, NO COUNTY ROAD
24 SHALL BE CLOSED TO VEHICULAR TRAFFIC WHEN THE SAME HAS BEEN
25 DESIGNATED AS A DETOUR BY THE DEPARTMENT OF [HIGHWAYS OF THE
26 COMMONWEALTH] TRANSPORTATION UNLESS THE WRITTEN CONSENT OF THE
27 DEPARTMENT OF [HIGHWAYS] TRANSPORTATION HAS FIRST BEEN OBTAINED,
28 OR UNLESS THE COUNTY COMMISSIONERS HAVING JURISDICTION OVER SAID
29 ROAD SHALL, BY RESOLUTION, DECLARE SUCH CLOSING NECESSARY FOR
30 THE PROTECTION OF THE PUBLIC SAFETY.

1 * * *

2 SECTION 2942. FINES AND DAMAGES.--(A) ANY PERSON WHO SHALL
3 WILFULLY REMOVE, DEFACE, DESTROY OR DISREGARD ANY BARRICADE,
4 LIGHT, DANGER SIGN, DETOUR SIGN OR WARNING OF ANY CHARACTER
5 WHATSOEVER, ERECTED OR PLACED UNDER AUTHORITY OF SECTION 2940 OF
6 THIS ACT, OR WHO SHALL DRIVE ON, OVER OR ACROSS ANY ROAD WHICH
7 HAS BEEN CLOSED BY PROPER AUTHORITY, SHALL[, UPON CONVICTION
8 THEREOF IN A SUMMARY PROCEEDING BEFORE A MAGISTRATE, ALDERMAN OR
9 JUSTICE OF THE PEACE, BE SENTENCED TO PAY A FINE OF NOT LESS
10 THAN TWENTY-FIVE DOLLARS (\$25) NOR MORE THAN ONE HUNDRED DOLLARS
11 (\$100) AND THE COST OF PROSECUTION, AND IN DEFAULT OF THE
12 PAYMENT THEREOF, SHALL BE IMPRISONED ONE DAY FOR EACH DOLLAR OF
13 FINE AND COSTS UNPAID] BE CONVICTED OF A SUMMARY OFFENSE:

14 PROVIDED, HOWEVER, THAT PERSONS WHO HAVE NO OUTLET DUE TO THE
15 CLOSING OF A ROAD MAY DRIVE ON, OVER OR ACROSS SUCH ROAD, WITH
16 THE CONSENT IN WRITING OF AND SUBJECT TO SUCH CONDITIONS AS MAY
17 BE PRESCRIBED BY THE COUNTY COMMISSIONERS RESPONSIBLE FOR THE
18 CLOSING, OR THEIR AGENTS OR CONTRACTORS, WITHOUT BEING SUBJECT
19 TO THE FINES IMPOSED BY THIS SECTION.

20 (B) IN ADDITION TO THE FINES HEREIN PROVIDED, THE COUNTY
21 COMMISSIONERS RESPONSIBLE FOR THE MAINTENANCE OF A ROAD WHICH
22 HAS BEEN CLOSED TO VEHICULAR TRAFFIC, OR THEIR AGENTS OR
23 CONTRACTORS, MAY, IN AN ACTION AT LAW, RECOVER DAMAGES FROM ANY
24 PERSON OR PERSONS WHO HAVE DAMAGED A ROAD WHEN IT IS CLOSED TO
25 VEHICULAR TRAFFIC.

26 (C) ALL FINES COLLECTED UNDER THE PROVISIONS OF THIS SECTION
27 SHALL BE PAID [BY THE OFFICER RECEIVING THE SAME TO THE
28 TREASURER OF THE BOROUGH, TOWNS OR TOWNSHIPS IN WHICH THE
29 OFFENSES SHALL HAVE BEEN COMMITTED] TO THE COUNTY TREASURER FOR
30 THE GENERAL FUND USE OF THE COUNTY.

1 SECTION ~~38~~ 39. SECTIONS 2950, 2951, 2952 AND 2953 OF THE ACT <—
2 ARE REPEALED.

3 SECTION ~~39~~ 40. SECTIONS 2954(B), 3025, 3027 AND 3053 OF THE <—
4 ACT ARE AMENDED TO READ:

5 SECTION 2954. PENALTY FOR DESTROYING, ET CETERA, INDEX
6 BOARDS.--* * *

7 (B) ANY PERSON VIOLATING THE PROVISIONS OF THIS SECTION
8 SHALL[, UPON SUMMARY CONVICTION, BE SENTENCED TO PAY A FINE OF
9 NOT LESS THAN TEN DOLLARS (\$10) NOR MORE THAN TWENTY-FIVE
10 DOLLARS (\$25) WITH ALL COSTS OF PROSECUTION, TOGETHER WITH THE
11 VALUE OF SUCH SIGN SO DESTROYED, REMOVED OR DEFACED. IN DEFAULT
12 OF PAYMENT OF SAID FINE, COSTS AND EXPENSES, SUCH PERSON SHALL
13 UNDERGO AN IMPRISONMENT FOR A PERIOD OF NOT LESS THAN FIVE (5)
14 NOR MORE THAN SIXTY (60) DAYS] BE CONVICTED OF A SUMMARY
15 OFFENSE, AND IN ADDITION TO OTHER FINES AND PENALTIES PROVIDED
16 BY LAW, MAY BE REQUIRED TO PROVIDE REIMBURSEMENT FOR THE VALUE
17 OF SUCH SIGN SO DESTROYED.

18 SECTION 3025. COUNTY MAY PROVIDE PARKS.--IT SHALL BE LAWFUL <—
19 FOR AND THE RIGHT AND POWER IS HEREBY CONFERRED UPON THE COUNTY
20 TO ENTER UPON, TAKE, USE AND APPROPRIATE, BY THE RIGHT OF
21 EMINENT DOMAIN, AND TO ACQUIRE BY PURCHASE, LEASE, GIFT, DEVISE
22 OR OTHERWISE, PRIVATE PROPERTY, FOR THE PURPOSE OF ESTABLISHING,
23 MAKING, ENLARGING, EXTENDING, OPERATING AND MAINTAINING PUBLIC
24 PARKS AND MULTI-USE RECREATIONAL TRAILS WITHIN THE LIMITS OF
25 SUCH COUNTY, WHENEVER THE COUNTY COMMISSIONERS THEREOF SHALL, BY
26 RESOLUTION, DETERMINE THEREON.

27 SECTION 3027. TITLE ACQUIRED IN EMINENT DOMAIN
28 PROCEEDINGS.--IN EVERY CASE OF THE TAKING OF PROPERTY BY EMINENT
29 DOMAIN HEREUNDER, THE COUNTY [SHALL ACQUIRE THE ENTIRE TITLE,
30 WHETHER IN FEE OR OTHERWISE, HELD BY THE OWNER OR OWNERS OF SAID

1 PROPERTY, OR OF ANY INTEREST THEREIN.] MAY ACQUIRE FEE SIMPLE
2 TITLE, OR AN EASEMENT OR ANY OTHER INTEREST THEREIN IN THE SAID
3 PROPERTY.

4 SECTION 3053. SALE OF UNUSED GROUNDS.--IF, FOR A PERIOD OF
5 FIVE YEARS, NO PUBLIC USE OF SAID REAL ESTATE AS CONTEMPLATED BY
6 THE GRANT TO THE COUNTY IS MADE, THE COUNTY COMMISSIONERS SHALL
7 HAVE POWER TO SELL SUCH REAL ESTATE [ON PETITION TO THE COURT OF
8 COMMON PLEAS, AS PROVIDED BY LAW, FOR THE SALE OF COUNTY
9 PROPERTY].

10 ~~SECTION 2 40. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.~~ <—

11 SECTION 41. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

12 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT
13 IMMEDIATELY:

14 (I) THE AMENDMENT OF SECTIONS 1970, 2517, 3025 AND
15 3027 OF THE ACT.

16 (II) THIS SECTION.

17 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
18 DAYS.