

# Pennsylvania

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Pennsylvania ranks 2nd among the states in number of local governments, with 5,031 as of June 2002.

## **COUNTY GOVERNMENTS (66)**

The entire area of the state is encompassed by county government except for Philadelphia County. Philadelphia County is substantially consolidated with the City of Philadelphia for governmental purposes and functions primarily as a city. Philadelphia is counted as a municipal government, rather than as a county government, for census purposes.

The governing body of each county government is a board of county commissioners. Any county may adopt a home-rule charter that provides for its government. Pennsylvania counties are divided into the following nine classes according to population size:

First class—1,500,000 inhabitants or more (Philadelphia; see above)

Second class—800,000 to 1,499,999 inhabitants (Allegheny)

Second class A—500,000 to 799,999 inhabitants (Delaware and Montgomery)

Third class—225,000 to 499,999 inhabitants

Fourth class—150,000 to 224,999 inhabitants

Fifth class—95,000 to 149,999 inhabitants

Sixth class—45,000 to 94,999 inhabitants and those having 35,000 to 44,999 inhabitants that, by ordinance or resolution of the board of county commissioners, elect to become a county of the sixth class.

Seventh class—20,000 to 44,999 inhabitants and those having 35,000 to 44,999 inhabitants that have not elected to become a county of the sixth class.

Eighth class—fewer than 20,000 inhabitants

## **SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (2,564)**

The 2,564 subcounty general purpose governments in Pennsylvania consist of 1,018 municipal (borough, city, and town) governments and 1,546 township governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Pennsylvania, boroughs, cities, towns, and townships have similar powers and perform similar functions.

### **Municipal Governments (1,018)**

The term “municipality,” as defined for census statistics on governments, applies only to the boroughs, cities, and

one incorporated town (Bloomsburg) in Pennsylvania. Townships, to which the terms “municipality” and “municipal corporation” are applied by Pennsylvania statutes, are counted for census purposes as township rather than municipal governments (see below). To change from a borough or township to a city requires a minimum population of 10,000 and a referendum. Any municipality may adopt a home-rule charter that provides for its government. The following classes, based on population size, apply to cities as of June 2002:

First class—1,000,000 inhabitants or more (Philadelphia)

Second class—250,000 to 999,999 (Pittsburgh)

Second class A—80,000 to 249,999 inhabitants and that by ordinance elect to become second-class A city (Scranton)

Third class—fewer than 249,999 inhabitants including those with a population of 80,000 to 249,999 that have not elected to become a second-class A city.

All cities, boroughs, and incorporated towns exist outside the area of any governmentally active township.

### **Township Governments (1,546)**

Townships, although not differing in legally authorized powers from the types of municipal governments described above, are counted for census purposes as a separate type of local government.

The entire area of the state is encompassed by townships except for areas within the boundaries of cities, boroughs, or incorporated towns. Pennsylvania townships are divided into two classes. Townships of the first class are those having a population density of 300 or more per square mile that have elected to choose first-class township status. All other townships are second-class townships. Change from second to first class is subject to referendum.

The governing body of each township is an elected board of commissioners in first-class townships and an elected board of supervisors in second-class townships. Any township may adopt a home-rule charter that provides for its government.

### **PUBLIC SCHOOL SYSTEMS (516)**

#### **School District Governments (516)**

The following types of school districts in Pennsylvania are counted as separate governments for census purposes and are classified by population size:

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First class—1,000,000 inhabitants or more (Philadelphia)  
First class A—250,000 to 999,999 inhabitants (Pittsburgh)  
Second class—30,000 to 249,999 inhabitants  
Third class—5,000 to 29,999 inhabitants  
Fourth class—fewer than 5,000 inhabitants  
Community colleges

Each of the above classes of school districts has an elected or appointed board of school directors to administer school affairs. All of the above school districts may issue bonds and levy school taxes. Voter approval may be required for bond issues.

Community colleges in Pennsylvania also are counted as governments. The community colleges may be established with the approval of the state board of education by a school district; a county, city, borough, town, or township; a board of school directors; or any combination thereof. Each is administered by a board of trustees. If sponsored by a first-class city, the board is appointed by the mayor from names submitted by a nominating panel. In second-class cities, the board is appointed by the mayor with the approval of the city council. Otherwise, the board is selected by a majority vote of the governing body of the local sponsor. The sponsoring local government may levy an additional tax for community college purposes.

### **Dependent Public School Systems (0)**

Pennsylvania has no dependent public school systems.

### **Other Educational Activities**

Area vocational-technical schools and institutes are classified for census purposes as joint educational service agencies of participating school districts and are not counted as separate governments. They are administered by boards of directors of the participating school districts. These schools provide vocational and technical education services for all school districts that elect to participate and that pay their proportionate share of the costs.

Intermediate units, which provide special educational services, are classified for census purposes as joint educational service agencies of the participating school districts and are not counted as separate governments. Each intermediate unit is governed by a board elected by a convention of school board members of component school districts. The state board of education approves and funds the budgets of the intermediate units.

The “joint schools” are joint activities of two or more school districts and are not counted as governments. Each is controlled by the boards of the participating districts or by a joint school committee, the members of which are chosen by and from the boards of the constituent districts. Their fiscal requirements are met by participating districts.

Consortiums of school districts may be formed under the intergovernmental cooperation act to jointly provide programs and services to member districts. They are governed by boards appointed by member school districts. The York County High School and Lancaster County Academy were formed under this law. These schools are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

School districts that do not provide special education services themselves may provide such jointly with other school districts. Such programs are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

Recreation, fair, or park boards may be created by school districts by the school district alone or jointly with another government. These boards are classified as dependent agencies of the creating government or governments and are not counted as separate governments.

Municipal authorities, often called “school building authorities,” finance construction of school buildings. They are described below under “Special District Governments.”

### **SPECIAL DISTRICT GOVERNMENTS (1,885)**

Pennsylvania statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

#### **Convention Center Authorities in Third-Class Counties**

These authorities may be created by a third-class county or a third-class county and its county seat. The board consists of seven members appointed by the county or by the county and county seat. An alternative board consists of nine members appointed by the county, county seat, and Governor. The authorities may issue bonds and fix and collect fees. The county may impose an excise tax on hotels for the benefit of the authority.

#### **Delaware River Joint Toll Bridge Commission**

This interstate commission was created by special acts of the New Jersey and Pennsylvania legislatures to build, operate, and maintain toll bridges across the Delaware River north of Philadelphia. The commission consists of five members appointed by the Governor of New Jersey and confirmed by the state senate and five appointed by the Governor of Pennsylvania who serve at the Governor’s pleasure. The commission may issue bonds and fix and collect tolls.

#### **Delaware River Port Authority**

This authority is counted under “New Jersey—Special District Governments.”

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## **East Fork Road District**

This district was created by a special act to provide and maintain roads, fire protection, planning, and related functions. A board of commissioners, appointed by the court of common pleas, governs the district. The district may levy ad valorem taxes and issue bonds.

## **Housing Authorities**

County or city housing authorities may be established by resolution of the county or city governing body or by the Governor on petition of taxpayers. Housing authorities are governed by five-member boards appointed by the county commissioners or the mayor with the approval of the city council with these exceptions: In cities of the first class, the mayor appoints two members, the city controller appoints two, and these four in turn appoint an additional member. In cities of the second class, the mayor appoints two additional members for a total of seven. The authorities may issue bonds and fix and collect rentals and charges.

## **Industrial and Commercial Development Authorities—1967 law**

Industrial and commercial development authorities organized under this law are established by ordinance of any county, city, borough, town, or township to finance industrial and commercial development projects. A board appointed by the governing body of the establishing government governs each authority. Authorities created under this law may fix and collect rentals and issue revenue bonds. Industrial development authorities established under the municipal authorities law are described below under “Municipal Authorities.”

## **Metropolitan Transportation Authorities**

State law authorizes these authorities in each metropolitan area. Each authority’s board consists of one member (who may be a state official serving in an ex officio capacity) appointed by the Governor, two members per county served appointed by the county commissioners (except in the case of a first-class city, by the mayor), and one member appointed by each of the majority and minority leaders in the senate and the house of representatives. The senate and house appointees serve at the pleasure of the appointing authority. The authorities may fix and collect fees and rents and issue revenue bonds. The Southeastern Pennsylvania Transportation Authority (SEPTA) was established under this law to provide bus and rail transit and commuter rail service in the Philadelphia area.

## **Municipal Authorities**

Pennsylvania law permits the governing body of a county, city, borough, town, township, or school district government, either singly or jointly, to establish a municipal authority by resolution or ordinance. A board appointed by the establishing government or governments governs each authority.

Municipal authorities may provide any of various types of governmental facilities, most commonly facilities for water supply and sewerage but also facilities for airports, school buildings, flood control, parks, recreation, hospital financing, parking, solid waste disposal, mass transit, marketing, and industrial development. An authority may fix and collect rentals or other charges and may issue revenue bonds. Authorities organized under this law are known by a variety of names.

Neighborhood improvement district management associations that are created as municipal authorities are dependent agencies of the creating government. See “Subordinate Agencies and Areas,” below.

## **Parking Authorities**

Authorities to provide parking facilities are created by resolution or ordinance of cities (except first-class cities), boroughs, or first-class townships. Each authority is governed by a five-member board appointed by the city mayor, the president of the borough council, or the president of the board of township commissioners. The authorities may lease parking facilities, impose rates and charges, and issue revenue bonds.

Parking authorities in first-class cities are state dependent. See “Subordinate Agencies and Areas,” below.

## **Pennsylvania Convention Center Authority**

This authority was created by 1986 legislation to construct, operate, and maintain a convention center in Philadelphia. A board of nine members governs the authority: four are appointed by the Governor, two by the mayor of Philadelphia, two by the Philadelphia city council, and one by the other eight. The authority may fix rentals, admissions fees, and other charges, receive the proceeds of city hotel occupancy taxes, and issue revenue bonds.

## **Philadelphia Regional Port Authority**

This authority was created by 1989 legislation to construct, maintain, and operate port facilities along the Delaware River. The authority consists of 11 members: four appointed by the Governor, three recommended by the mayor of Philadelphia and the governing bodies of specified counties (counties located in whole or in part within 20 miles of the city and having the Delaware River as a border) and appointed by the Governor, one appointed by the president of the senate, one appointed by the minority leader of the senate, one appointed by the speaker of the house, and one appointed by the minority leader in the house of representatives. The authority may fix and collect fees and rentals for use of its facilities and may issue revenue bonds.

## **Port Authorities in Counties of the Second Class**

These authorities may be formed in second-class counties to operate port facilities and transportation systems in the

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county by which they are organized and in adjoining counties to the extent necessary for an integrated transportation system. A board appointed by the board of county commissioners and including one of their members governs each authority. In addition, when the transportation system is extended into adjoining counties, a representative may be appointed by each additional member county to vote on matters affecting rates and services within that county. The authorities may impose fees and rentals for the use of facilities and may issue revenue bonds. The Port Authority of Allegheny County (PAT) was established under this law to provide bus and rail transit in the Pittsburgh area.

### **Port Authorities in Third-Class Cities**

Port authorities to operate port facilities and transportation systems are created by resolution of the governing body of a third-class city. Each authority has a governing board consisting of the Governor and the secretary of the department of transportation as ex officio members plus nine members appointed by the city mayor, one member appointed by the Governor, and one member appointed by the secretary of the department of transportation. The authority governing body may fix and collect fees and rentals for its facilities and may issue bonds. The Erie Western Pennsylvania Port Authority was created under this law.

### **Public Auditorium Authorities**

These authorities may be formed by resolution of second-class counties and/or second-class or second-class A cities. The authorities acquire, own, and operate auditoriums, stadiums, and similar facilities. Each authority is governed by a board appointed by the creating governments. These authorities may fix and collect fees and issue revenue bonds.

### **Residential Finance Authorities**

Authorities of this type may be established by resolution of the county commissioners of a second-class county (Allegheny). The authorities provide mortgage credit for the construction or the renovation of housing. A board appointed by the county commissioners governs each authority. The authority may make mortgage loans, fix charges in connection with its loans, and issue revenue bonds.

### **Southwestern Pennsylvania Convention Center Design Commission**

This commission was created by special act. It is governed by a 15-member board consisting of members appointed by the central city, central county, Governor, regional planning commission, and local convention and visitors bureau. The chair of the Sports and Exhibition Authority of

Pittsburgh and Allegheny County also serves as a member. The commission receives funding from a regional sales tax created with voter approval at the county level.

### **Sport and Exhibition Authorities**

Joint sport and exhibition authorities may be established by local resolution of a second-class county and second-class city within the second-class county. Each authority is governed by a seven-member board with three members appointed by each of the city and county and one member appointed jointly. The authorities may issue bonds and fix and collect fees. The creating governments also may issue bonds for the authority. The Sports and Exhibition Authority of Pittsburgh and Allegheny County was created under this act.

Sports and exhibition authorities created by a single government are subject to acquisition by the creating government at any time. These authorities are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Pennsylvania that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems,” above, regarding educational agencies of this nature).

Among the subordinate agencies and areas listed below, some represent “special taxing areas” within the territory of an established government. This method of financing additional services in limited areas by property taxation, while also used by some municipal and township governments in a few states, is more widely utilized by county governments. In the listing below of authorized county-related agencies, a bullet (\*) appears for each entity of this kind—i.e., any that may individually serve a portion rather than all of a county and for which a tax may be levied against the assessed value of property in the area served.

**Allegheny Regional Asset District (county).** This district was created by special act and county ordinance in 1993. The district funds and develops the region’s civic, recreational, library, sports, cultural, and other assets. The district is governed by an appointed board of seven voting members: four appointed by the board of county commissioners, two by the mayor of Pittsburgh, and one by vote of five of the other six members. In addition, one nonvoting member is appointed by the Governor. The district is funded by one-half of the revenues generated by a special 1 percent sales tax and hotel tax levied by Allegheny County. The district is authorized to issue revenue bonds.

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**Conservation districts (county).** These districts are established by the board of county commissioners to provide soil conservation services. The districts are governed by boards consisting of six members appointed by the county board of commissioners, plus one member of the county board. The districts receive their revenue from state and county appropriations and contributions for benefits provided.

**Pennsylvania Housing Finance Agency (state).** This agency was established to provide mortgage credit for low- and moderate-income housing. The agency board consists of 14 members including six appointed by the Governor with the consent of the senate and one person appointed by each of the majority and minority leaders in the senate and the house of representatives, plus the secretaries of banking, commerce, and community affairs and the state treasurer. The agency may fix and collect fees and issue revenue bonds.

**Pennsylvania Industrial Development Authority (state).** This authority was established to finance the construction of industrial development projects. The authority board consists of seven members appointed by the Governor with the consent of the senate, plus the secretaries of agriculture, banking, commerce, community affairs, and labor and industry. The authority may issue revenue bonds.

**Pennsylvania Intergovernmental Cooperation Authority (state).** This authority, established by special act in 1991, was created to assist the city of Philadelphia with its finances and to help maintain its access to financial markets. The governing body consists of five members appointed by the Governor and leaders of the state general assembly. The secretary of the budget for the commonwealth and the director of finance for the city are ex officio members of the board. The authority has the power to issue bonds to assist the city. The city may pledge any available revenues, including tax revenues for the repayment of the bonds. The city is required to develop a financial plan aimed at restoring fiscal health and to submit the plan to the authority for approval.

**Port of Pittsburgh Commission (state).** Established by special act in 1992, the geographic area covered by the commission includes ten counties in western Pennsylvania. The commission develops port facilities in the area to enhance commerce and industry. In addition, the commission is to develop and promote recreational facilities in the port district. The governing body of the commission consists of 15 members appointed by the Governor and leaders of the state general assembly. The commission has the power to fix and collect fees and rentals for port facilities and port-related projects. The commission may issue bonds secured by its revenues.

**Redevelopment authorities (county and municipal).**

Any city or county may establish a redevelopment authority by resolution or ordinance. A five-member board, appointed by the mayor or the county governing body, governs each authority. Redevelopment authorities may issue revenue bonds. Redevelopment proposals are subject to the approval of the sponsoring government.

**State authorities (state).** A number of statewide authorities have been created by acts of the general assembly to finance the construction of public facilities for the purposes indicated by the authority names. The largest of these are as follows:<sup>1</sup>

Higher Educational Facilities Authority  
Pennsylvania Turnpike Commission  
State Public School Building Authority

Each of the governing bodies of these authorities consists of members appointed by the Governor, state officials serving in an ex officio capacity, or a combination of the two. These state authorities receive their revenue primarily from rentals, tolls, or charges and may issue revenue bonds.

Other examples include:

**State<sup>2</sup>**

Automobile Theft Prevention Authority  
Ben Franklin Technology Development Authority  
Commonwealth Mental Health Research Foundation  
Delaware River Bridge and Tunnel Commission  
Delaware River Joint Bridge Commission of Pennsylvania and New York  
Department of transportation districts  
Flood control districts  
Health districts  
Insurance Fraud Prevention Authority  
Parking authorities in first-class cities  
Patient Safety Authority  
Pennsylvania Civil Disorder Authority  
Pennsylvania Economic Development Financing Authority  
Pennsylvania Energy Development Authority  
Pennsylvania Higher Education Assistance Agency  
Pennsylvania Infrastructure Investment Authority  
Pennsylvania Minority Business Development Authority  
Pennsylvania Nursing Home Loan Agency  
Pennsylvania Parent Assistance Authority  
Pennsylvania Public Television Network Commission  
Pocono Mountain Memorial Parkway Commission  
Underground Storage Tank Indemnification Board

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<sup>1</sup>Since 1975, the Pennsylvania Department of General Services has performed the functions of the General State Authority.

<sup>2</sup>The Delaware River Joint Bridge Commission of Pennsylvania and New York has never been ratified by New York.

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### County<sup>3</sup>

Historic districts  
County authorities in counties of the second class and second class A  
Institution districts  
Recreation, park, and fair boards  
Sports and exhibition authorities (single county, second class)  
Transportation development districts (county)  
Veterans housing authorities

### Municipal<sup>4</sup>

Business improvement districts (1973 law)  
Historic districts  
Institution districts in first-class cities  
Municipal libraries  
Neighborhood improvement district management associations (except in first-class cities)  
Recreation, park, and fair boards (boroughs, second- and third-class cities, and incorporated towns)  
Sewer districts in first-class cities

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<sup>3</sup>Institution districts are still authorized by law but have been abolished in many counties.

<sup>4</sup>Although institution districts are authorized in first-class cities (Philadelphia), none exist. Neighborhood improvement district management associations may be created as municipal authorities or as nonprofit corporations. The nonprofit corporations may be private and, in such case, would be excluded from Governments Division reporting. Neighborhood improvement districts are taxing areas governed by neighborhood improvement district management associations.

Shade tree commissions in third-class cities, boroughs, and incorporated towns  
Sports and exhibition authorities (single city, second class)  
Transportation development districts (municipal)  
Veterans housing authorities

### Township<sup>5</sup>

Fire and water districts in first-class townships  
Historic districts  
Neighborhood improvement district management associations  
Recreation, park, and fair boards  
Sewer districts and sanitary sewer districts in first-class townships  
Shade tree commissions in first-class townships  
Transportation development districts (municipal)

Joint recreation, park, or fair boards may be created by counties, municipalities (boroughs, second- and third-class cities, and incorporated towns), townships, and school districts.

Local development districts are state planning areas, typically governed by planning and development commissions.

Pennsylvania laws also provide for various types of local areas for election areas and administration of justice.

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<sup>5</sup>Business improvement districts were authorized under 1973 legislation that applied only to boroughs, cities, and incorporated towns.