

SCOMM

23:47

CHAPTER 71. GENERAL PROVISIONS

1 Sec. 29.71.010. (Sec. 29.73.030.) ADVERSE POSSESSION. A home rule or
2 general law municipality may not be divested of title to real property by
3 adverse possession.

4 Sec. 29.71.020. (Sec. 29.73.040.) TAXATION OF MUNICIPALITIES. No
5 state law or regulation may assess or tax, or be construed to assess or tax,
6 home rule or general law cities or boroughs of the state, unless the law or
7 regulation expressly provides that the cities or boroughs are to be assessed
8 or taxed by the particular law or regulation.

9 Sec. 29.71.030. (Sec. 29.78.010.) DEFINITIONS. In this title, unless
10 otherwise provided, or the context otherwise requires,

11 (1) "borough" means a general law first, second or third
12 class organized borough;

13 (2) "city" means a general law first or second class city;

14 (3) "conditional use" means exception, special exception,
15 special use, or special permit designated in the zoning ordinance;

16 (4) "consolidation" means dissolution of two or more
17 municipalities and their incorporation as a new municipality;

18 (5) "majority" means a simple majority;

19 (6) "merger" means dissolution of a municipality and its
20 absorption by another municipality;

21 (7) "municipal election" includes but is not limited to
22 elections to choose city councilmen, borough assemblymen, school board
23 members and utility board members;

24 (8) "municipality" means a general law municipal corporation
25 and political subdivision, which is a first or second class borough or city,
26 or a third class borough, incorporated under the laws of the state;

27 (9) "owner", "record owner", or "owner of record" means
28 owner of record or purchaser of record;
29

1 (10) "personal property" means tangible property other than
2 real property, such as merchandise and stock in trade, machinery and
3 equipment, furniture and fixtures, motor vehicles and vehicles, boats and
4 vessels and aircraft;

5 (11) "property" means real and personal property;

6 (12) "published" means appearing at least once in a
7 newspaper of general circulation distributed within the municipality or, if
8 there is no newspaper of general circulation distributed within the
9 municipality, posting in three public places for at least five days;

10 (13) "real property" means land and improvements and all
11 possessory rights and privileges appurtenant to the property, and includes
12 personal property affixed to the land or improvements;

13 (14) "regular election" means the municipal election held on
14 the first Tuesday of October annually, or on an election date or at an
15 interval of years provided by ordinance;

16 (15) "street" includes streets, avenues, boulevards, roads,
17 lanes, alleys, and other ways;

18 (16) "subdivision" means the division of a tract or parcel
19 of land into two or more lots, sites, or other divisions for the purpose,
20 whether immediate or future, of sale or building development, includes
21 resubdivision, and, when appropriate to the context, relates to the process
22 of subdividing or to the land or area subdivided;

23 (17) "voter" means a United States citizen who is qualified
24 to vote in state elections and has been a resident of the municipality for
25 30 days immediately preceding the election and who is registered to vote in
26 state elections and is not disqualified under art. V of the state
27 constitution.

28 (18) "areawide power" means a power of an organized borough
29 exercised throughout the borough;

1 (19) "nonareawide power" means a power of an organized
2 borough exercised by the borough only in the area outside of cities.
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
6