

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2237 Session of
2008

INTRODUCED BY TANGRETTI, ROSS, FREEMAN, KESSLER AND GINGRICH,
FEBRUARY 11, 2008

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 11, 2008

AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),
2 entitled "An act concerning boroughs, and revising, amending
3 and consolidating the law relating to boroughs," further
4 providing for compensation of council members and for salary
5 of mayor.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 1001 of the act of February 1, 1966 (1965
9 P.L.1656, No.581), known as The Borough Code, amended June 25,
10 2001 (P.L.651, No.56), March 22, 2002 (P.L.207, No.17) and April
11 2, 2002 (P.L.236, No.28), is amended to read:

12 Section 1001. Organization of Council; Quorum; Voting;
13 Compensation; Eligibility.--The borough council shall organize
14 on the first Monday of January of each even-numbered year, by
15 electing one of their number as president and one of their
16 number as vice-president, who shall hold such offices at the
17 pleasure of the council. If the first Monday is a legal holiday,
18 the meeting and organization shall take place the first day
19 following. Any action taken by any borough council at any time

1 between 12:01 o'clock ante meridian on January 1 of an even-
2 numbered year and the organization of council in that year shall
3 be subject to reconsideration by the new council at any time
4 within ten days after such organization. The council may at the
5 organization meeting elect such other officers as may be
6 provided for by law or ordinance, or as may be deemed necessary
7 for the conduct of affairs of the borough and may transact such
8 other business as may come before the meeting. The president,
9 and during the president's absence or incapacity the vice-
10 president, shall preside over the meetings of council and
11 perform such other duties as are prescribed by this act or by
12 ordinance. A majority of the membership of council then in
13 office shall constitute a quorum. A member of the council shall
14 not be disqualified from voting on any issue before the council
15 solely because the member has previously expressed an opinion on
16 the issue in either an official or unofficial capacity. Members
17 of council may receive compensation to be fixed by ordinance at
18 any time and from time to time as follows: In boroughs with a
19 population of less than five thousand, a maximum of [eighteen
20 hundred seventy-five dollars (\$1875)] two thousand five hundred
21 fifty dollars (\$2550) a year; in boroughs with a population of
22 five thousand or more but less than ten thousand, a maximum of
23 [two thousand five hundred dollars (\$2500)] three thousand three
24 hundred seventy-five dollars (\$3375) a year; in boroughs with a
25 population of ten thousand or more but less than fifteen
26 thousand, a maximum of [three thousand two hundred fifty dollars
27 (\$3250)] four thousand four hundred dollars (\$4400) a year; in
28 boroughs with a population of fifteen thousand or more but less
29 than twenty-five thousand, a maximum of [four thousand one
30 hundred twenty-five dollars (\$4125)] five thousand five hundred

1 seventy-five dollars (\$5575) a year; in boroughs with a
2 population of twenty-five thousand or more but less than thirty-
3 five thousand, a maximum of [four thousand three hundred
4 seventy-five dollars (\$4375)] five thousand nine hundred dollars
5 (\$5900) a year; and in boroughs with a population of thirty-five
6 thousand or more, a maximum of [five thousand dollars (\$5000)]
7 six thousand seven hundred fifty dollars (\$6750) a year. Such
8 salaries shall be payable monthly or quarterly for the duties
9 imposed by the provisions of this act. Benefits provided to
10 members of council under section 1202(37) shall not be
11 considered pay, salary or compensation, but payment for all or a
12 part of the premiums or charges for the benefits shall be in
13 accordance with section 1202(37).

14 The population shall be determined by the latest available
15 official census figures. In no case shall the compensation for
16 any member of council exceed that of the mayor in any given
17 borough: Provided, however, That wherever the mayor's
18 compensation exceeds that authorized by this section for members
19 of council, the president of council may receive compensation
20 not to exceed that of the office of mayor.

21 Section 2. Section 1025 of the act, amended March 22, 2002
22 (P.L.207, No.17), is amended to read:

23 Section 1025. Salary of Mayor Limited.--The salary of the
24 mayor shall be established by ordinance and shall not exceed, in
25 boroughs with a population of less than five thousand, a maximum
26 of [two thousand five hundred dollars (\$2500)] three thousand
27 three hundred seventy-five dollars (\$3375) a year; in boroughs
28 with a population of five thousand or more but less than ten
29 thousand, a maximum of [five thousand dollars (\$5000)] six
30 thousand seven hundred fifty dollars (\$6750) a year; in boroughs

1 with a population of ten thousand or more but less than fifteen
2 thousand, a maximum of [seven thousand five hundred dollars
3 (\$7500)] ten thousand one hundred twenty-five dollars (\$10,125)
4 a year. In any borough with a population in excess of fifteen
5 thousand, the salary of the mayor shall not exceed [five hundred
6 dollars (\$500)] six hundred seventy-five dollars (\$675) per
7 annum per thousand population or fraction thereof, the
8 population to be determined by the latest official census
9 figures. Such salaries shall be payable monthly or quarterly for
10 the duties imposed by the provisions of this act. Benefits
11 provided to the mayor under section 1202(37) shall not be
12 considered pay, salary or compensation, but payment for all or a
13 part of the premiums or charges for the benefits shall be in
14 accordance with section 1202(37).

15 Section 3. This act shall take effect in 60 days.