THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **1443** Session of 2011

INTRODUCED BY CREIGHTON, ROSS, GINGRICH, FREEMAN AND SANTARSIERO, MAY 3, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 3, 2011

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," repealing
4   provisions relating to right of council to declare seat of
5   member vacant for failure to attend meetings.

6   The General Assembly of the Commonwealth of Pennsylvania

7 hereby enacts as follows:

8   Section 1. Section 904 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10 2001 (P.L.651, No.56), is repealed:

11   [Section 904. Right of Council to Declare Seat of Member

12 Vacant for Failure to Attend Meetings, Etc.--If any person,

13 having qualified as a member of council, shall neglect or refuse

14 to attend two successive regular meetings unless detained by

15 sickness, or prevented by necessary absence from the borough, or

16 if in attendance at any meetings shall neglect or refuse to vote

17 or by withdrawal from council or otherwise refuse to act in the

18 person's official capacity as a member of council, the borough

19 council, acting without such person, may declare the person's

1   office as a member of council vacant, and may fill such vacancy

2   as provided in section 901 of this act. For such actions a

3   majority of the remaining members of the council shall

4   constitute a quorum.

5   No such office shall be declared vacant for failure to attend

6   meetings of the council until the holder thereof shall have been

7   given opportunity of hearing before the remaining members of the

8   council, at which time he shall show cause why he shall not be

9   removed. He shall be given at least ten days' written notice of

10 the time and place of such hearing.]

11   Section 2. This act shall take effect in 60 days.