
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1788 Session of
1979

INTRODUCED BY DININNI, OCTOBER 2, 1979

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 2, 1979

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 the decrease in the number of councilmen based
5 on increased minimum borough population.

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

8 Section 1. Section 818, act of February 1, 1966 (1965
9 P.L.1656, No.581), known as "The Borough Code," is amended to
10 read:

11 Section 818. Decrease in Number of Councilmen.--The court of
12 quarter sessions may, upon petition of at least five percent of
13 the registered electors of any borough, which, according to the
14 latest official census, had a population of not more than [one
15 thousand] two thousand five hundred, reduce the total number of
16 councilmen for such borough from seven to five or to three. The
17 sufficiency of the number of signers to any such petition shall
18 be ascertained as of the date when the petition is presented to
19 court.

1 The court shall give notice of the filing of such petition by
2 advertisement in the legal journal of the county, if one is
3 published in the county, and in one newspaper of general
4 circulation in the borough, and in such notice shall fix a day
5 and time for hearing. After such hearing, the court may decrease
6 the number of councilmen elected in such borough from seven to
7 five or three, as requested in the petition.

8 At the municipal election following the decrease in the
9 number of councilmen in such borough, from seven to five, if
10 four councilmen would otherwise have been elected, there shall
11 instead be elected three councilmen; if three councilmen would
12 otherwise have been elected there shall instead be elected two
13 councilmen. At the second municipal election following the
14 decrease in the number of councilmen in such borough, if four
15 councilmen would otherwise have been elected, there shall
16 instead be elected three councilmen; if three councilmen would
17 otherwise have been elected, there shall be elected two
18 councilmen. At all following municipal elections, there shall be
19 elected the proper number of councilmen to correspond to the
20 number of councilmen whose terms are to expire the first Monday
21 of the following January.

22 At the municipal election following the decrease in the
23 number of councilmen in such borough from seven to three, if
24 four councilmen would otherwise have been elected there shall
25 instead be elected two councilmen; if three councilmen would
26 otherwise have been elected there shall instead be elected one
27 councilman. At the second municipal election following the
28 decrease in the number of councilmen in such borough, if four
29 councilmen would otherwise have been elected, there shall
30 instead be elected two councilmen; if three councilmen would

1 otherwise have been elected, there shall be elected one
2 councilman. At all the following municipal elections, there
3 shall be elected the proper number of councilmen to correspond
4 to the number of councilmen whose terms are to expire the first
5 Monday of the following January.

6 In any borough where, under the provisions of this section,
7 the number of councilmen shall be reduced, the councilmen then
8 in office shall remain in office until the end of their
9 respective terms. If any such borough shall thereafter attain a
10 population in excess of [one thousand] two thousand five
11 hundred, according to the latest official census, the number of
12 councilmen shall automatically be increased from three or five
13 to seven, following the reverse of the procedure set forth in
14 the third or fourth paragraph of this section, as the case may
15 be.

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