

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1993 Session of
1991

INTRODUCED BY SAURMAN, NAHILL, E. Z. TAYLOR AND FOX,
OCTOBER 8, 1991

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 8, 1991

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 tax levy.

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

7 Section 1. Section 1302(a) of the act of February 1, 1966
8 (1965 P.L.1656, No.581), known as The Borough Code, amended
9 December 17, 1990 (P.L.739, No.184), is amended to read:

10 Section 1302. Tax Levy.--(a) The council of the borough
11 shall have power, by ordinance, to levy and collect annually, a
12 tax, not exceeding thirty mills for general borough purposes,
13 unless the council by majority action shall, upon due cause
14 shown by resolution, petition the court of common pleas, in
15 which case the court may order [a rate of not more than five
16 mills additional] an additional rate to be levied and in
17 addition thereto any of the following taxes:

18 (1) An annual tax sufficient to pay interest and principal

1 on any indebtedness incurred pursuant to the act of July 12,
2 1972 (P.L.781, No.185), known as the "Local Government Unit Debt
3 Act," or any prior or subsequent act governing the incurrence of
4 indebtedness of the borough;

5 (2) To provide for pensions, retirement or the purchase of
6 annuity contracts for borough employes, not exceeding one-half
7 mill;

8 (3) To defray the cost and expenses of caring for shade
9 trees as provided in section 2729 of this act, and the expense
10 of publishing the notice referred to in such section, not
11 exceeding one-tenth mill;

12 (4) For lighting and illuminating the streets, highways and
13 other public places with electric light, gas light or other
14 illuminant, not exceeding eight mills;

15 (5) For gas, water and electric light, not exceeding eight
16 mills, such additional millage permitted only following a
17 favorable referendum on the matter held in accordance with the
18 act of April 16, 1875 (P.L.55), as amended;

19 (6) For the purchase of fire engines, fire apparatus and
20 fire hose for the use of the borough, or for assisting any fire
21 company in the borough in the purchase, renewal or repair of any
22 of its fire engines, fire apparatus or fire hose, for the
23 purposes of making appropriations to fire companies both within
24 and without the borough and of contracting with adjacent
25 municipalities or volunteer fire companies therein for fire
26 protection, or for the purchase of land upon which to erect a
27 fire house, or for the erection and maintenance of a fire house
28 or fire houses, not exceeding three mills. If an annual tax for
29 the purposes specified in this clause is proposed to be set at a
30 level higher than three mills, the question shall be submitted

1 to the voters of the borough, and the county board of elections
2 shall frame the question in accordance with the election laws of
3 the Commonwealth for submission to the voters of the borough;

4 (7) For building a fire house, lockup and/or municipal
5 building, not exceeding two mills, such additional millage
6 permitted only following a favorable referendum on the matter
7 held in accordance with the act of May 4, 1927 (P.L.673);

8 (8) To establish and/or maintain a local library or to
9 maintain or aid in the maintenance of a local library
10 established by deed, gift or testamentary provision, for the use
11 of the residents of the borough, in accordance with the act of
12 June 14, 1961 (P.L.324, No.188), known as The Library Code.

13 (9) For the purpose of supporting ambulance and rescue
14 squads serving the borough, not to exceed one-half mill, except
15 as provided in subsection (e).

16 * * *

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