
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 674 Session of
1995

INTRODUCED BY CORMAN, BAKER, ROBBINS, STOUT AND STEWART,
MARCH 6, 1995

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 20, 1995

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," providing
4 for budget and tax ordinances.

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

7 Section 1. Section 1007 of the act of February 1, 1966 (1965
8 P.L.1656, No.581), known as The Borough Code, is amended to
9 read:

10 Section 1007. Passage, Approval and Veto of Ordinances.--(a)
11 Every ordinance and every resolution of legislative character
12 except as herein otherwise provided, passed by the council,
13 shall be presented to the mayor for his approval. If the mayor
14 approves, he shall sign it; but, if he shall not so approve, he
15 shall return it with his objections to the council at its next
16 regular meeting occurring at least ten days after the meeting at
17 which such ordinance was passed by the council, when the

1 objections shall be entered upon the minutes and the council
2 shall proceed to a reconsideration thereof either at the meeting
3 at which the vetoed ordinance was returned or at any other
4 regular, special or adjourned meeting held not later than ten
5 days thereafter. If, after such reconsideration, two-thirds of
6 all the members elected to said council, or a majority of
7 council plus one, when the number composing such council is less
8 than nine, shall vote to pass such ordinance or resolution, it
9 shall become of as full force and effect as if it had received
10 the approval of the mayor; but in such case the vote shall be
11 determined by yeas and nays, and the names and votes of the
12 members shall be entered on the minutes. If any such ordinance
13 or resolution shall not be returned by the mayor at the regular
14 meeting of the council occurring at least ten days next
15 succeeding its presentation to him, it shall likewise have as
16 full force as if it had been approved. [A veto of the annual tax
17 ordinance of the borough, referred to in section 1301 of this
18 act, may be overridden by a vote of two-thirds of all the
19 members of council, and thereafter such ordinance shall become
20 of as full force and effect as if it had received the approval
21 of the mayor.]

22 **(b)** The enactment of an ordinance except as herein otherwise
23 provided shall be the date when the mayor shall approve it or
24 the date of passage by the council over the veto of the mayor,
25 or in the case of any ordinance not returned by the mayor at the
26 regular meeting of council, occurring at least ten days after
27 the meeting at which such ordinance was passed by the council,
28 the date of enactment shall be the date of such succeeding
29 regular meeting of council.

30 **(c)** When council shall present the mayor with the annual

1 ~~budget and tax ordinance referred to in section 1310 of this~~ <—
2 ~~act, the mayor shall, within ten days of receiving the budget or~~ <—
3 ~~tax ordinance, approve either the budget or tax ordinance, or~~ <—
4 ~~both, by affixing his signature thereto, or return either the~~ <—
5 ~~budget or tax ordinance, or both, to the borough secretary with~~ <—
6 ~~a statement setting forth his objections thereto. Council shall~~
7 ~~proceed to a reconsideration thereof at any regular, special or~~
8 ~~adjourned meeting held not later than ten days after the mayor~~
9 ~~has returned either the budget or tax ordinance, or both, to the~~ <—
10 ~~secretary with his objections. The mayor's objections shall be~~
11 ~~entered upon the minutes of the meeting. A veto of the budget of~~ <—
12 ~~the borough may be overridden by a vote of two thirds of all the~~
13 ~~members of council or a majority of council plus one, when the~~
14 ~~number composing such council is less than nine. Thereafter, the~~
15 ~~budget shall have full force and effect as if it had received~~
16 ~~the approval of the mayor. A veto of the tax ordinance of the~~
17 ~~borough may be overridden by a vote of two-thirds of all the~~
18 ~~members of council, and thereafter such ordinance shall have~~
19 ~~full force and effect as if it had received the approval of the~~
20 ~~mayor.~~

21 SECTION 2. SECTION 1310 OF THE ACT, AMENDED OCTOBER 9, 1967 <—
22 (P.L.399, NO.181), IS AMENDED TO READ:

23 SECTION 1310. ADOPTION OF BUDGET; TAX ORDINANCE.--UPON
24 COMPLETION OF THE BUDGET, CONTAINING THE ESTIMATED RECEIPTS AND
25 EXPENDITURES, AND ITS ADOPTION BY MOTION IN COUNCIL, WHICH SHALL
26 NOT BE LATER THAN DECEMBER THIRTY-FIRST, IT SHALL BE THE DUTY OF
27 THE COUNCIL TO ADOPT AN ORDINANCE LEVYING THE TAXES REFERRED TO
28 IN THIS ACT FOR THE FISCAL YEAR FOR APPROVAL OF THE MAYOR OR
29 PASSAGE OVER HIS VETO. ADOPTION OF THE BUDGET BY MOTION IN
30 COUNCIL SHALL NOT BE DEEMED AN ORDINANCE OR RESOLUTION OF

1 LEGISLATIVE CHARACTER WHICH NEED BE PRESENTED TO THE MAYOR FOR
2 HIS APPROVAL.

3 [COPY] A COPY OF THE BUDGET, TOGETHER WITH THE TAX ORDINANCE,
4 SHALL BE FILED WITH THE DEPARTMENT OF COMMUNITY AFFAIRS BY THE
5 SECRETARY OF THE BOROUGH, WITHIN FIFTEEN DAYS AFTER THE ADOPTION
6 OF THE TAX ORDINANCE.

7 Section ~~2~~ 3. This act shall take effect immediately.

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