

**INCORPORATED TOWNS, ELECTION OF OFFICERS**  
**Act of Apr. 18, 1929, P.L. 612, No. 253**

**Cl. 08**

AN ACT

For the election of the mayor, members of town council, and auditors, in incorporated towns of the Commonwealth; regulating the manner of voting for such officers, and repealing inconsistent general, local and special laws. (Title amended Aug. 18, 1961, P.L.1005, No.448)

Section 1. Be it enacted, &c., That the town council of all incorporated towns of this Commonwealth shall consist of six councilmen and a mayor who shall be president of the town council. At the municipal election in the year one thousand nine hundred and twenty-nine, six councilmen shall be elected at large by the voters in each such town, three for terms of two years each, and three for terms of four years each. Biennially thereafter, at each municipal election, three councilmen shall be elected for terms of four years each. At the municipal election in the year one thousand nine hundred and twenty-nine, and every four years thereafter, a mayor shall be elected by the voters for a term of four years. The term of the councilmen and mayor shall commence on the first Monday of January succeeding their election. Vacancies in the office of town council and mayor shall be filled in the manner now provided by law.

(1 amended Aug. 18, 1961, P.L.1005, No.448)

Section 2. At the municipal election preceding the expiration of the terms of the auditors now in office, and every fourth year thereafter, the voters shall elect at large three auditors for terms of four years each, from the first Monday of January succeeding such election. Vacancies in such office shall be filled in the manner now provided by law.

Section 3. In the election of councilmen and auditors, each voter shall be entitled to cast one vote for each councilman and auditor to be elected; and hereafter it shall be unlawful, at any such election, for a voter to cast more than one vote for any one candidate. Any system providing for cumulative voting in any such town at any such election is hereby abolished.

Section 4. (a) The councilmen, and the auditors, shall have and possess such powers and perform such duties as are now by law vested in and conferred upon such officers by the laws of the Commonwealth. The mayor shall have and possess such powers and perform such duties as are now by law vested in and conferred upon the president of the town council by the laws of the Commonwealth.

(b) The council may provide by ordinance passed by two-thirds vote of the entire number of councilmen elected, for the appointment of an independent auditor who shall be a certified public accountant, registered in Pennsylvania, a firm of certified public accountants so registered or a competent public accountant or a competent firm of public accountants. Where such an ordinance has been so adopted, an independent auditor shall be appointed annually by resolution before the close of the fiscal year, to make an independent examination of the accounting records of the town for such fiscal year and such independent auditor shall also perform the other duties as may be imposed by law upon elected auditors, or by resolution of town council.

(c) When an independent auditor is appointed as herein provided, the office of elected town auditor or controller, as the case may be, is thereby abolished although the town

auditors, or controller, then in office shall continue to hold their office during the term for which elected and the town auditors or controller shall not audit, settle, or adjust the accounts audited by such independent auditor but shall perform the other duties of their office.

(d) Whenever any town has provided by ordinance for the audit of its accounts by an appointed auditor, the town shall have the right at any time to repeal said ordinance, and thereupon the office of appointed auditor shall be abolished, as of the date set in such ordinance and said town shall have the further right at the next municipal election following the repeal of said ordinance to elect three auditors, one for a term of two years, one for a term of four years, and one for a term of six years, from the first Monday of January succeeding such election, which auditors so elected shall succeed the appointed auditor and shall have and possess all the powers and perform all the duties provided in this act for elected auditors.

(e) Whenever any town has provided by ordinance for the audit of its accounts, concise financial information prepared or approved by the auditors and consistent with the audited financial statements for total assets, total liabilities and total net position at the end of the fiscal year and total revenue, total expenses and changes in total net position for that fiscal year and a reference to a place within the town where copies of the financial statements and accompanying audit report may be examined shall be published in a newspaper of general circulation within the town. If the full financial statements and accompanying audit report are not published, copies shall be supplied to the publishing newspaper when the request for publication is submitted. ((e) amended Oct. 24, 2018, P.L.880, No.137)

(4 amended July 9, 1976, P.L.541, No.131)