

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1788

Session of
1979

INTRODUCED BY MR. DININNI, OCTOBER 2, 1979

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, DECEMBER 10, 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] COMMON PLEAS may, upon petition of at least <—
13 five percent of the registered electors of any borough, which,
14 according to the latest official census, had a population of not
15 more than [one thousand] two thousand five hundred, reduce the
16 total number of councilmen for such borough from seven to five
17 or to three. The sufficiency of the number of signers to any
18 such petition shall be ascertained as of the date when the

1 petition is presented to court.

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

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

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

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

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

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