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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1099** Session of  
1987

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INTRODUCED BY ARGALL AND FOSTER, APRIL 22, 1987

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 22, 1987

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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 a decrease in the number of councilmen; and  
5 making an editorial change.

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

8 Section 1. Section 818 of the 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] three thousand, reduce the total number  
16 of councilmen for such borough from seven to five or to three.  
17 The sufficiency of the number of signers to any such petition  
18 shall be ascertained as of the date when the petition is  
19 presented to 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] three thousand, according  
11 to the latest official census, the number of councilmen shall  
12 automatically be increased from three or five to seven,  
13 following the reverse of the procedure set forth in the third or  
14 fourth paragraph of this section, as the case may be.

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