
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 503 Session of
1989

INTRODUCED BY CORRIGAN, DALEY, CAWLEY, PISTELLA AND COLAIZZO,
FEBRUARY 15, 1989

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 15, 1989

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," prohibiting
4 an elected official of a borough from serving as an employee
5 of that borough in certain instances.

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

8 Section 1. Section 1104 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 1104. Appointments; Incompatible Offices.--Unless
12 there is incompatibility in fact, any elective or appointive
13 officer of the borough shall be eligible to serve on any board,
14 commission, bureau or other agency created by or for the
15 borough, or any borough office created or authorized by statute
16 and may accept appointments thereunder, but no mayor or
17 councilman shall receive compensation therefor. No elected
18 borough official may serve as an employe of that borough where
19 the population of that borough exceeds three thousand (3,000).

1 Where there is no incompatibility in fact, and subject to the
2 foregoing provisions as to compensation, appointees of council
3 may hold two or more appointive borough offices, but no mayor or
4 member of council may serve as borough manager or as secretary
5 or treasurer. No person holding the office of justice of the
6 peace may at the same time hold the office of borough treasurer.
7 The offices of secretary and treasurer may be held by the same
8 person when so authorized by ordinance. Nothing herein contained
9 shall affect the eligibility of any borough official to hold any
10 other public office or receive compensation therefor. All
11 appointments to be made by the council or the corporate
12 authorities shall be made by a majority of the members of
13 council attending the meeting at which the appointment is made,
14 unless a different vote is required by statute.

15 Section 2. The provisions of section 1104 of the act
16 relating to elected borough officials not serving as employees
17 of boroughs with a population in excess of 3,000 shall not apply
18 to any elected borough official in office or to any person
19 employed by a borough on January 10, 1990.

20 Section 3. This act shall take effect immediately.