

## No. 68

## AN ACT

To further amend section 1104 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

"The Borough Code."

Section 1104, act of May 4, 1927, P. L. 519, as reenacted and amended by act of July 10, 1947, P. L. 1621, further amended.

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

Section 1. Section 1104 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as reenacted and amended by the act, approved the tenth day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1621), is hereby further amended to read as follows:

Section 1104. Appointments; Incompatible Offices.— Unless there is incompatibility in fact, any elective or appointive officer of the borough shall be eligible to serve on any board, commission, bureau or other agency created by or for the borough, or any borough office created or authorized by statute and may accept appointments thereunder, but no burgess or councilman shall receive compensation therefor. Where there is no incompatibility in fact, and subject to the foregoing provisions as to compensation, appointees of council, or appointments made by the burgess with the approval of council, or by the corporate authorities, may hold two or more appointive borough offices, but no burgess or member of council may serve as borough manager or as secretary or treasurer. [and the] *The* offices of secretary and treasurer shall not be held by the same person, *except in boroughs having less than two thousand five hundred inhabitants, when so authorized by ordinance.* Nothing herein contained shall affect the eligibility of any borough official to hold any other public office or receive compensation therefor. In all cases in which it is provided that an appointment is to be made by the burgess and council, such appointment shall hereafter be made by the burgess with the approval of a majority of members of council attending the meeting at which the appointment is made, unless a different vote is required by statute. All appointments to be made by the council or the corporate authorities shall be made by a majority of the members of council attending the meeting at which the appointment is made, unless a different vote is required by statute.

APPROVED—The 2nd day of July, A. D. 1953.

JOHN S. FINE