

## No. 54

## AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

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

The Third Class City Code.

Section 1. The last paragraph of section 1809, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), is amended to read:

Last paragraph of section 1809, act of June 23, 1931, P. L. 932, reenacted and amended June 28, 1951, P. L. 662, further amended.

Section 1809. Annual Budget; Presentation to Council; Notice; Revision; Adoption.—

\* \* \* \* \*

Within [fifteen] *thirty* days after the adoption of the budget ordinance, the directors of accounts and finance shall file a copy of the same in the office of the Department of Internal Affairs.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

## No. 55

## AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for a vice-president of council, and specifying certain duties of the president and vice-president of council.

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

The Borough Code.

Section 1. Section 1001, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), amended March 26, 1957 (P. L. 24) and June 20, 1957 (P. L. 351), is amended to read:

Section 1001, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, amended March 26, 1957, P. L. 24 and June 20, 1957, P. L. 351, further amended.

Section 1001. Organization of Council; Quorum; Compensation; Eligibility.—The borough council shall organize at eight o'clock post meridian on the first Monday of January of each even-numbered year, by electing [a] *one of their number* as president [which shall

constitute the \*organization of council] *and one of their number as vice-president, who, as long as they continue to be councilmen, shall hold office until their successors are elected and qualified.* If the first Monday is a legal holiday, the meeting and organization shall take place the first day following at the hour herein prescribed. The council may at the organization meeting elect such other officers as may be provided for by law or ordinance, or as may be deemed necessary for the conduct of affairs of the borough. The president, *and during his absence or incapacity the vice-president,* shall preside over the meetings of council and [when absent, his place shall be filled by a president pro tempore] *perform such other duties as are prescribed by this act or by ordinance.* A majority of the entire membership of council shall constitute a quorum. The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows: In boroughs whose population is seven hundred fifty (750) or less, a maximum of five dollars (\$5) a month; in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500), a maximum of ten dollars (\$10) a month; in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500), a maximum of fifteen dollars (\$15) a month; in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000), a maximum of twenty dollars (\$20) a month; in boroughs whose population is more than five thousand (5000) and not more than ten thousand (10,000), a maximum of fifty dollars (\$50) a month; and in boroughs whose population is more than ten thousand (10,000), a maximum of one hundred dollars (\$100) a month.

The population shall be determined by the latest United States decennial census or by two and one-half (2½) times the number of registered voters in the borough. No compensation shall be paid in any month to a councilman who has failed to attend at least one regular meeting of council during the month. A school director shall not be eligible to the office of member of council.

Section 1030 of the act, amended July 19, 1951, P. L. 1026, further amended.

Section 2. Section 1030 of the act, amended July 19, 1951 (P. L. 1026), is amended to read:

Section 1030. When President or Vice-President of Council to Act as Burgess.—Whenever the burgess is absent or incapacitated, the duties of his office shall be discharged by the president of council, *or in the absence or incapacity of the president of council, by the vice-*

\* "organizaiton" in original.

*president of council.* While discharging the duties of the burgess, the president or vice-president of council shall be entitled to the same salary or fees as the burgess would receive, and, during the time such salary is paid to the president or vice-president of council as acting burgess, the burgess shall not be paid compensation. The president or vice-president of council, when acting as burgess, shall have no power to veto any proposed ordinance or to break a tie, but shall have power to vote as councilman.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

No. 56

AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," permitting council to appeal from findings of the Civil Service Commission.

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

The Borough Code.

Section 1. The third paragraph of section 1185, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), is amended to read:

Third paragraph, section 1185, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, further amended.

Section 1185. Hearings on Dismissals and Reduction.—

\* \* \* \* \*

[In the event the commission shall sustain the charges and order the suspension, removal or reduction in rank, the person suspended, removed or reduced in rank] *All parties concerned* shall have immediate right of appeal to the court of common pleas of the county, and the case shall there be determined as the court deems proper. No order of suspension made by the commission shall be for a longer period than one year. Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition. Upon such appeal being taken and docketed, the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and such additional proof or testimony as the parties concerned may desire to offer in evidence. The decision of the court affirming or revising the decision of the commission shall be final, and the employe shall be sus-