

No. 1991-47

AN ACT

HB 520

Amending the act of June 24, 1931 (P.L.1206, No.331), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for the time for holding organizational meetings and for compensation of township commissioners.

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

Section 1. Section 701 of the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, reenacted and amended May 27, 1949 (P.L.1955, No.569) and amended May 29, 1968 (P.L.131, No.69), is amended to read:

Section 701. Organization; Failure to Organize.—The township commissioners shall organize on the first Monday of January of each even-numbered year. If the first Monday is a legal holiday the meeting shall be held the first day following. They shall assemble for such purpose at their place of meeting at **[seven-thirty o'clock post meridian] a time convenient to the governing body**. Until otherwise designated by ordinance, the place of meeting shall be the oldest polling place in the township.

The board shall organize by the election of one of their number as president and one as a vice-president, who, as long as they continue to be commissioners, shall hold office until their successors are elected and qualified. The president, or, in his absence, the vice-president, shall preside at all meetings of the board, and perform such other duties as are specified in this act or which may be prescribed by ordinance.

If a majority of the commissioners shall not attend at the organization meeting, those present may adjourn the meeting from day to day until a majority attend.

If the township commissioners of any township shall fail to organize within ten days from the time prescribed by this section, the court of quarter sessions, upon the petition of ten registered electors, verified by the affidavit of one of the petitioners, shall issue a rule upon the delinquent commissioners to show cause why their seats should not be declared vacant. The rule shall be returnable not less than five days from the time of its issue, and after hearing, the court may declare the seats of any delinquent vacant, and appoint others in their stead to hold office for the respective unexpired terms.

The meeting under this section may be considered as a regular monthly meeting for the transaction of such business as comes before it. The first order of business at this meeting shall be organization of the board. Any action taken or business transacted other than organization of the commissioners as a board at any organization meeting held prior to the effective date

of this amending act, which is invalid for the reason that the action was taken or business transacted at an organization meeting, is hereby validated and confirmed.

Section 2. Section 703 of the act, amended October 31, 1985 (P.L.296, No.69), is amended to read:

Section 703. Compensation.—Each township commissioner may receive a salary, established by ordinance, of not more than fifteen hundred dollars per year in townships having a population of less than five thousand, not more than two thousand dollars per year in townships having a population of five thousand or more but less than ten thousand, not more than twenty-six hundred dollars per year in townships having a population of ten thousand or more but less than fifteen thousand, not more than thirty-three hundred dollars per year in townships having a population of fifteen thousand or more but less than twenty-five thousand, not more than thirty-five hundred dollars per year in townships having a population of twenty-five thousand or more but less than thirty-five thousand, and not more than four thousand dollars per year in townships having a population of thirty-five thousand or more. Such salaries shall be payable monthly or quarterly for the duties imposed by the provisions of this act. The population shall be determined by the latest available official census figures, *except that no township shall be required to reduce the salary of a commissioner as a result of a decrease in population.*

Section 3. This act shall take effect immediately.

APPROVED—The 20th day of December, A. D. 1991.

ROBERT P. CASEY