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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 768**      Session of  
2001

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INTRODUCED BY CONTI, THOMPSON, ROBBINS, STOUT AND WOZNIAK,  
APRIL 3, 2001

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REFERRED TO LOCAL GOVERNMENT, APRIL 3, 2001

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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 borough councils' and mayors' salaries.

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

7 Section 1. Sections 1001 and 1025 of the act of February 1,  
8 1966 (1965 P.L.1656, No.581), known as The Borough Code, amended  
9 October 31, 1995 (P.L.346, No.58), are amended to read:

10 Section 1001. Organization of Council; Quorum; Compensation;  
11 Eligibility.--The borough council shall organize on the first  
12 Monday of January of each even-numbered year, by electing one of  
13 their number as president and one of their number as vice-  
14 president, who shall hold such offices at the pleasure of the  
15 council. If the first Monday is a legal holiday, the meeting and  
16 organization shall take place the first day following. Any  
17 action taken by any borough council at any time between 12:01  
18 o'clock ante meridian on January 1 of an even-numbered year and

1 the organization of council in that year shall be subject to  
2 reconsideration by the new council at any time within ten days  
3 after such organization. The council may at the organization  
4 meeting elect such other officers as may be provided for by law  
5 or ordinance, or as may be deemed necessary for the conduct of  
6 affairs of the borough and may transact such other business as  
7 may come before the meeting. The president, and during his  
8 absence or incapacity the vice-president, shall preside over the  
9 meetings of council and perform such other duties as are  
10 prescribed by this act or by ordinance. A majority of the  
11 membership of council then in office shall constitute a quorum.  
12 Councilmen may receive compensation to be fixed by ordinance at  
13 any time and from time to time as follows: In boroughs with a  
14 population of less than five thousand, a maximum of eighteen  
15 hundred seventy-five dollars (\$1875) a year; in boroughs with a  
16 population of five thousand or more but less than ten thousand,  
17 a maximum of two thousand five hundred dollars (\$2500) a year;  
18 in boroughs with a population of ten thousand or more but less  
19 than fifteen thousand, a maximum of three thousand two hundred  
20 fifty dollars (\$3250) a year; in boroughs with a population of  
21 fifteen thousand or more but less than twenty-five thousand, a  
22 maximum of four thousand one hundred twenty-five dollars (\$4125)  
23 a year; in boroughs with a population of twenty-five thousand or  
24 more but less than thirty-five thousand, a maximum of four  
25 thousand three hundred seventy-five dollars (\$4375) a year; and  
26 in boroughs with a population of thirty-five thousand or more, a  
27 maximum of five thousand dollars (\$5000) a year. Such salaries  
28 shall be payable monthly or quarterly for the duties imposed by  
29 the provisions of this act. Benefits provided to members of  
30 council under section 1202(37) shall not be considered pay,

1 salary or compensation; but payment for all or a part of the  
2 premiums or charges for the benefits shall be in accordance with  
3 section 1202(37).

4 The population shall be determined by the latest available  
5 official census figures. In no case shall the compensation for  
6 any councilman exceed that of the mayor in any given borough:  
7 Provided, however, That wherever the mayor's compensation  
8 exceeds that authorized by this section for councilmen, the  
9 president of council may receive compensation not to exceed that  
10 of the office of mayor.

11 Section 1025. Salary of Mayor Limited.--The salary of the  
12 mayor shall be established by ordinance and shall not exceed, in  
13 boroughs with a population of less than five thousand, a maximum  
14 of two thousand five hundred dollars (\$2500) a year; in boroughs  
15 with a population of five thousand or more but less than ten  
16 thousand, a maximum of five thousand dollars (\$5000) a year; in  
17 boroughs with a population of ten thousand or more but less than  
18 fifteen thousand, a maximum of seven thousand five hundred  
19 dollars (\$7500) a year. In any borough with a population in  
20 excess of fifteen thousand, the salary of the mayor shall not  
21 exceed five hundred dollars (\$500) per annum per thousand  
22 population or fraction thereof, the population to be determined  
23 by the latest official census figures. Such salaries shall be  
24 payable monthly or quarterly for the duties imposed by the  
25 provisions of this act. Benefits provided to the mayor under  
26 section 1202(37) shall not be considered pay, salary or  
27 compensation; but payment for all or a part of the premiums or  
28 charges for the benefits shall be in accordance with section  
29 1202(37).

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