
LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. 926 Session of 1919.

INTRODUCED BY MR. RAMSEY, MARCH 12, 1919.

REFERRED TO COMMITTEE ON COUNTIES AND TOWNSHIPS,
MARCH 17, 1919.

AN ACT

To amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

1 Section 1. *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 *article one of chapter seven of an act approved the four-*
5 *teenth day of May one thousand nine hundred and fifteen*
6 *(Pamphlet Laws three hundred and twelve) entitled "An*
7 *act providing a system of government for boroughs and*
8 *revising amending and consolidating the law relating to*
9 *boroughs" is hereby amended by adding the following sec-*
10 *tions thereto*

11 Section 19 The council and burgess shall each year
12 within sixty days after the organization of the council

1 by ordinance estimate the several amounts of money which
2 will be required for the several specific purposes of bor-
3 ough government and expenses during the current fiscal
4 year and appropriate out of the revenues available for
5 the said year the specific sum so estimated to be re-
6 quired The tax levied by the borough authorities shall be
7 fixed at such figure within the limit fixed by law as
8 will with all other sources of revenue meet said estimate
9 and appropriation except such thereof as may be provided
10 for out of moneys to be borrowed for purposes of per-
11 manent improvement The total appropriation shall not ex-
12 ceed the revenues available for the fiscal year Provided
13 That in case of unforeseen catastrophe such as flood or
14 fire causing damage to the borough's public works or high-
15 ways the cost of repair of which would exceed the funds
16 appropriated as aforesaid or in case of an epidemic of
17 sickness where the cost of measures undertaken to control
18 the same at the instance of the Board of Health un-
19 der the powers conferred upon it by law would exceed
20 the funds appropriated for health purposes money may be
21 specially borrowed subject to compliances with provisions of
22 the law relating to the creation of indebtedness for the
23 purpose of meeting such cost of repair or control of
24 epidemic sickness

25 Section 20 No construction or improvement of highways
26 sewers or other public works shall be undertaken by the
27 borough authorities during any fiscal year unless it shall
28 have been determined upon and appropriation for the bor-
29 ough's share of the expenses thereof shall have been made

1 by ordinance at the time provided by law for the an-
2 nual estimate and appropriation for borough government and
3 expenses as provided in the preceding section nor unless
4 provision shall at the time last mentioned have been made
5 by ordinance for obtaining the fund necessary for such
6 improvements by borrowing money through the issue of
7 securities described specifically and in detail if the same
8 is not to be provided out of ordinary current revenues
9 appropriated for that purpose

10 Section 21 No money shall be transferred from one
11 appropriated fund to another during any fiscal year except
12 by ordinance nor unless at the time of such transfer
13 the amount of moneys theretofore appropriated to and paid
14 into the fund from which such transfer shall be made
15 shall be in excess of the requirements of the purpose
16 for which such fund was appropriated and such transfer
17 shall be made only of such excess

18 Section 22 The council shall not create any charge or
19 obligation upon any fund where the amount of such order
20 warrant charge or obligation together with the charges al-
21 ready standing against such fund shall be in excess of
22 such fund or at a time when there shall not be suffi-
23 cient money in the treasury belonging to such fund to pay
24 such warrant or order

25 Section 25 No securities issued or contracts hirings
26 or purchases made or orders or warrants issued on be-
27 half of any borough in violation of the provisions of
28 this act shall be valid or have any binding effect upon
29 the borough nor shall any action be taken by any

1 borough council or borough officer to pay any sum of
2 money to any person or corporation whose claim would
3 not be collectible in an adverse action at law

4 Section 2 That article four of chapter seven of said
5 act is hereby amended by adding the following section
6 thereto

7 Section 22 The accounts of the secretary shall be
8 annually audited and report thereof filed by the borough
9 auditors in the same manner as the accounts of other
10 officers are audited and filed and subject to all rights
11 of appeal conferred by law in the case of reports of
12 auditors upon the accounts of such officers The secretary
13 and his sureties shall be liable in the amount of any
14 loss to or any illegal payment by the borough consequent
15 upon any neglect or violation of his duties

16 Section 3 That article five of chapter seven of said
17 act is hereby amended by adding the following sections
18 thereto

19 Section 19 The accounts of the secretary shall be
20 annually audited and a report thereof filed by the con-
21 troller in the same manner as the accounts of other
22 officers are audited and filed and subject to all rights
23 of appeal conferred by law in the case of reports of
24 controllers upon the accounts of such officers The secre-
25 tary and his sureties shall be liable in the amount of
26 any loss to or any illegal payment by the borough con-
27 sequent upon any neglect or violation of his duties

28 Section 20 The controller shall keep books of account
29 of all appropriations and charges whether by ordinance

1 resolution contracts warrants or orders against the same
2 and shall not sign attest or countersign any warrant or
3 order nor direct the issue of any warrant or order upon
4 any fund where the amount of such order warrant
5 charge or obligation together with the charges already
6 standing against such fund shall be in excess of such
7 fund or at a time when there shall not be sufficient
8 money in the treasury belonging to such fund to pay
9 such warrant or order

10 Section 4 That section four of article six of chapter
11 seven of said act which reads as as follows

12 "Section 4 The borough treasurer shall before entering
13 upon the duties of his office give bond with surety as
14 required by the borough he shall perform the duties of
15 the township treasurer within the borough shall keep a
16 just account of all receipts and disbursements and shall
17 annually submit his account to the borough auditors and
18 publish the same in a manner directed by the borough
19 he shall pay over all moneys remaining in his hands
20 and deliver all books papers accounts and other things
21 belonging to the borough to his successor All moneys
22 received by any officer for the use of the borough shall
23 be forthwith paid to the borough treasurer" is hereby
24 amended to read as follows

25 Section 4 The borough treasurer shall before entering
26 upon the duties of his office give bond in not less
27 than the probable amount of money which shall come into
28 his hands with sufficient surety conditioned for the faithful

1 performance of the duties of his office He shall perform
2 the duties of the township treasurer within the borough
3 shall keep a just account of all receipts and disburse-
4 ments and shall annually submit his account to the
5 borough auditors and publish the same in a manner di-
6 rected by the borough he shall pay over all moneys re-
7 maining in his hands and deliver all books papers ac-
8 counts and other things belonging to the borough to his
9 successor All moneys received by any officer for the use
10 of the borough shall be forthwith paid to the borough
11 treasurer The treasurer may be required to justify his
12 bond both as to amount and as to the financial re-
13 sponsibility of the sureties before the court of common
14 pleas by any taxpayer upon rule upon his to that effect
15 The treasurer shall pay out the moneys coming into
16 his hands for the fiscal year only upon warrants or
17 orders numbered in the order of their issue signed by
18 the president and attested by the secretary of the
19 borough and countersigned by the controller where such
20 office exists and designating the appropriated fund out of
21 which said orders shall be paid No treasurer shall pay
22 any order from any fund other than the one designated
23 for such purposes nor may he pay out moneys in his
24 hands in excess of any appropriation nor contrary to any
25 provision prescribed by law for the regulation of such
26 funds

27 Section 5 That section six of article six of chapter
28 seven of said act which reads as follows

1 "Section 6 The secretary shall attend all meetings of
2 the borough council and shall keep full minutes of their
3 proceedings he shall transcribe the by-laws rules regulations
4 and ordinances adopted into a book kept for that pur-
5 pose and when signed by the presiding officer shall at-
6 test the same he shall preserve the records and docu-
7 ments of the borough and shall have custody of the
8 corporate seal He shall certify copies of any book paper
9 record by-law rule regulation ordinance or proceeding of
10 the borough under the seal thereof which copies so
11 certified shall be admitted in evidence in any court of
12 the Commonwealth He shall attest the execution of all
13 instruments record the publication of all enactments and
14 attest the same by his signature He shall file or
15 record the proof of service of all notices required by
16 law and the certificate thereof shall be good evidence of
17 such notice He shall deliver to his successor the seal
18 and all books papers and other things belonging to the
19 borough" is hereby amended to read as follows

20 Section 6 The secretary shall attend all meetings of
21 the borough council and shall keep full minutes of their
22 proceedings he shall transcribe the by-laws rules regulations
23 and ordinances adopted into a book kept for that pur-
24 pose and when signed by the presiding officer shall at-
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6 law and the certificate thereof shall be good evidence of
7 such notice He shall deliver to his successor the seal
8 and all books papers and other things belonging to the
9 borough

10 The secretary of the council shall in every borough
11 not having a controller keep books of account of all
12 appropriations and charges whether by ordinance resolution
13 contracts warrants or orders against the same and shall
14 not sign attest or countersign any warrant or order nor
15 direct the issue of any warrant or order upon any fund
16 where the amount of such order warrant charge or obli-
17 gation together with the charges already standing against
18 such fund shall be in excess of such or at a time
19 when there shall not be sufficient money in the treasury
20 belonging to such fund to pay such warrant or order

21 No secretary of any borough council shall proceed with
22 the duties of his office until he shall have given bond
23 to the borough to be held by the burgess with sufficient
24 surety or sureties in double the amount of his annual
25 salary or compensation conditioned for the turning over to
26 his successor at the end of his term of any books
27 papers and property belonging to or relating to borough
28 affairs and for the faithful performance of the duties of
29 his office The secretary may be compelled to justify his

1 bond both as to the amount and responsibility of the
2 sureties thereof before the court of common pleas by any
3 taxpayer upon rule upon him to that effect

4 The minute book and all other records papers and
5 documents of every borough and officer thereof shall be
6 open to the inspection of any taxpayer thereof his her
7 or its agent upon demand therefor

3—H P 926