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Article I — Police Department

§ 7-101 Department Established; Chief of Police.

A Police Department is hereby established in the Borough of Alburdis. The Chief of Police shall be the chief executive of the Police Department. He shall, under the direction of the Mayor, be in charge of the police force and have supervision over its members in the exercise of their powers, duties, and authority.

§ 7-102 Classifications of Police.

Subordinate to the Chief of Police in the Police Department, the following classifications are hereby established: Lieutenant, Sergeant, patrolman, special deputy police officers, and such other classifications as the Council and the Mayor may from time to time deem necessary or expedient for the operation of the Department. The priority of authority among such subordinate classifications shall be in the order above listed.

§ 7-103 Determination of Department Complement; Compensation.

Borough Council shall from time to time, by resolution, determine the classifications to be filled, the number of persons to serve in classifications subordinate to the Chief of Police, whether on a full-time or a part-time basis, and the compensation to be paid for each office.

§ 7-104 Authority of Mayor During Emergencies.

Nothing contained in this Article shall deny the Mayor the continued authority to appoint special deputy police officers during emergencies.

§ 7-105 Control of Department.

The Mayor shall have full charge and control of the Chief of Police and the police force, and he shall direct the time during which, the place where, and the manner in which the Chief and the police force shall perform their duties, except that Council shall fix and determine the total weekly hours of employment that shall apply to policemen.

§ 7-106 Accident Report Fee.

The fee for a copy of an accident report shall be Five Dollars (\$5.00).

Article II — Fire Services

§ 7-201 Recognition of Alburdis Fire Company.

The Borough officially recognizes the Alburdis Fire Company, a volunteer fire company, as the organization providing fire services within the Borough of Alburdis, and recognizes and accepts those services.

Article III — Special Fire Police

§ 7-301 Creation of Office.

The office of “Special Fire Police” is hereby created within the Borough of Alburdis, to be staffed by appointment by Borough Council yearly for a one-year term of office beginning the first day of January of each and every year.

§ 7-302 Procedure for Annual Appointments.

The office of “Special Fire Police” is hereby created within the Borough of Alburdis, to be staffed by appointment by Borough Council yearly for a one-year term of office beginning the first day of January of each and every year. On or before the 15th day of October of each and every year, the officers representing the Alburdis Volunteer Fire Company No. 1 shall present to the Mayor of the Borough of Alburdis a list of nominees to be considered for appointment as special fire police for the next succeeding year. Within twenty (20) days from the date of the receipt

of such list of nominees the Mayor shall review the list of nominees and transmit to Borough Council the said list with his own confirmation or denial of qualification noted thereon.

§ 7-303 Action by Borough Council.

On or before the completion of the final session of Borough Council for the then-current fiscal year, the Borough Council shall act upon the Mayor's confirmation or denial of qualification of proposed nominees for special fire police for the succeeding fiscal year. Failure of the Council to act upon the Mayor's recommendation shall be considered the equivalent of approval.

§ 7-304 Oath of Office.

Special fire police shall be sworn into office by the Mayor at the first meeting of Borough Council in each fiscal year.

§ 7-305 Badge; Duties of Office.

Special fire police, upon confirmation by Council and acceptance of the oath of office, shall be provided with a badge of office and instructed immediately in the duties and limitation of duties of office, which are:

(a) That special fire police, under the direction of the Chief of Police, shall have full power and authority to regulate traffic and keep crowds under control at or in the vicinity of any fire at which their companies are in attendance.

(b) That special fire police, under the direction of the Chief of Police, shall have full power and authority to act as police officers in order to facilitate and prevent interference with the work of firemen in extinguishing fires.

(c) That special fire police, under the direction of the Chief of Police, shall have the same power and authority to act in all other emergencies, parades, functions, or events sponsored or officially sanctioned by the Borough of Alburty to which they have been specially mustered for control purposes.

§ 7-306 Statutory Rights and Obligations.

Special fire police shall have such further duties, responsibilities, rights, and obligations as may be further set forth in 35 PA. STAT. ANN. § 1201 *et seq.*, as amended from time to time, and the resolutions and ordinances of the Borough of Alburty from time to time appertaining.

Article IV — Administration

§ 7-401 Miscellaneous Fees.

(a) **Septic Systems.** The fee for the inspection of on-site septic systems shall be One Hundred Fifty Dollars (\$150.00).

(b) **Zoning Ordinance Book.** The fee for a copy of the Zoning Ordinance Book shall be Fifteen Dollars (\$15.00).

(c) **Subdivision and Land Development Ordinance Book.** The fee for a copy of the Subdivision and Land Development Ordinance Book shall be Fifteen Dollars (\$15.00).

(d) **Comprehensive Plan.** The fee for a copy of the Comprehensive Plan shall be Fifteen Dollars (\$15.00).

(e) **Borough Map.** The fee for a copy of the official Borough Map shall be Two Dollars and Fifty Cents (\$2.50). The fee for a small copy shall be One Dollar (\$1.00).

(f) **Returned Checks.** The fee for a returned check shall be Forty-five Dollars (\$45.00).

(g) **Certified Letters.** The fee for a certified letter shall be Five Dollars (\$5.00).

(h) **Photocopies.** The fee for each copied side of a photocopied page shall be twenty-five cents (\$0.25).

§ 7-402 Sale of Surplus Property Having a Small Value.

(a) **In General.** In any case in which the Borough desires to sell or otherwise dispose of Borough personal property of an estimated sale value of less than One Thousand Dollars (\$1,000.00) (after totaling all items of property to be sold or otherwise disposed of at a given time), it shall be sufficient authorization for such sale for Borough Council to approve the same by motion duly adopted.

(b) **Bicycles.** From time to time, and at least once each calendar year, the Borough shall sell all bicycles held by the Borough for the owner which are so held and unclaimed for a period of more than ninety (90) days.

(c) **Auction.** Except as provided in subsection (d), all Borough property authorized for sale under subsection (a) or (b) shall be sold at a public auction conducted by a private auctioneer at a location within twenty (20) miles of the Borough, and the net proceeds shall be deposited into the Borough Treasury. The Borough Secretary is hereby authorized and directed to make arrangements for such an auction on such terms and for such costs and/or commissions as to the Borough Secretary shall seem reasonable and in the best interests of the Borough.

(d) **Private Offer.** If the Borough receives an offer to purchase any item of property to be sold under subsection (a) from a Borough employee or any other person who may become aware of such sale (notice of which need not be advertised or publicized in any manner), and Borough Council shall be of the opinion that the offer received is not less than the estimated net

proceeds which would be received by the Borough in the event of a sale under subsection (c), then Borough Council may authorize the sale of such property to the person who has made the best offer, by motion duly adopted.

(e) **Limitation.** Except as provided in subsection (b), nothing in this Section shall be deemed to authorize the sale of any property held by the Borough for the owner, or any property held by or subject to the control of the Borough which is without a rightful or lawful owner. All such property shall be handled and disposed of as provided by the Disposition of Abandoned and Unclaimed Property Law, 72 PA. STAT. ANN. § 1301.1 *et seq.*, and other applicable laws, regulations, and court orders.

(f) **Resolution.** This Section shall be considered a resolution of Council within the meaning of 53 PA. STAT. ANN. § 46201, and is derived from Resolution 1997-3, as amended.

Appendix

¶ 7-A Disposition of Ordinance 190.

<u>Ordinance 190</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ I (repealer)		
§ II	§ 15-1	§ 7-101
§ III	§ 15-2	§ 7-102
§ IV	§ 15-3	§ 7-103
§ V	§ 15-4	§ 7-104
§ VI	§ 15-5	§ 7-105

¶ 7-B Disposition of Ordinance 208.

<u>Ordinance 208</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ I	§ 15-6	§ 7-201
§ II	§ 15-7	§ 7-202
§ III	§ 15-8	§ 7-203
§ IV	§ 15-9	§ 7-204
§ V	§ 15-10	§ 7-205
§ VI	§ 15-11	§ 7-206

¶ 7-C Disposition of 1981 Code, Chapter 15.

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 15-1	§ 7-101
§ 15-2	§ 7-102
§ 15-3	§ 7-103
§ 15-4	§ 7-104
§ 15-5	§ 7-105
§ 15-6	§ 7-201
§ 15-7	§ 7-202
§ 15-8	§ 7-203
§ 15-9	§ 7-204
§ 15-10	§ 7-205
§ 15-11	§ 7-206

¶ 7-D Disposition of Ordinance 342, §§ 1 and 12.

<u>Ordinance 342</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 1	never codified to 1981 Code	§ 7-401
§ 12	“	§§ 7-106, 7-401

¶ 7-E Source Ordinances.

Ordinance 190	12-30-1977
Ordinance 208	12-30-1980
Ordinance 215	11-11-1981
Ordinance 342	12-30-1996
Ordinance 397	05-29-2002
Ordinance 415	10-29-2003

¶ 7-F Prior Ordinances Concerning Related Subject Matter.

Ordinance 17	06-03-1918
Ordinance 18	06-03-1918
Ordinance 94	03-05-1962