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PART 1

AUTHORITIES

A. Hulmeville Municipal Authority.

§1-101. Intention and Desire to Organize.

The Council of the Borough of Hulmeville, being the municipal authorities of said Borough, hereby signify its intention and desire to organize an authority under the provisions of the Municipality Authorities Act of 1945, as amended.

(Ord. 91, 5/15/1961, §1)

§1-102. Articles of Incorporation.

The President of Council, Mayor and Borough Secretary are hereby authorized and directed to execute on behalf of the Borough of Hulmeville Articles of Incorporation for said Authority in the form required by said Act, setting forth, among other things: that the Authority is formed under the Act of May 2, 1945, P.L. 382, as amended, known as the Municipality Authorities Act of 1945; that no other authority has been organized under said Act or under the Act of June 28, 1935, P.L. 462, and is in existence in and for the incorporating municipality, excepting Lower Bucks County School Authority in which the School Districts of the Boroughs of Penndel, Langhorne, Langhorne Manor and Hulmeville and the School Districts of the Townships of Middletown and Lower Southampton are joined; that the name of the incorporating municipality is the Borough of Hulmeville; and that there shall be five members of the Board of the Authority. Said Articles of Incorporation shall also set forth the names and addresses of the Mayor, Borough Secretary, President of Council and other Councilmen constituting the municipal authorities of the Borough, and the names and addresses and terms of office of the first members of the Board of Authority appointed pursuant to §1-103 of this Part 1A.

(Ord. 91, 5/15/1961, §2)

§1-103. Members of the Board of the Authority.

The following persons, all of whom are citizens of the Borough of Hulmeville, are hereby appointed as the first members of the Board of the Authority for terms of office expiring as indicated opposite their respective names.

[Here followed the names, addresses and terms of office of the first members of the Board of said authority.]

(Ord. 91, 5/15/1961, §3)

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§1-104. Notice.

PART I

The proper officers of the Borough are hereby directed as required by the Municipality Authorities Act of 1945, to publish notice of this Part 1A and of the day upon which said Articles of Incorporation will be filed with the Secretary of the Commonwealth of Pennsylvania; to file said Articles of Incorporation, together with a certified copy of this Part 1A and proofs of publication, with the Secretary of the Commonwealth; and to do all other things necessary or appropriate to effect the incorporation of Hulmeville Municipal Authority.

(Ord. 91, 5/15/1961, §4)

(Ord. 91, 5/15/1961, §1)

§1-103. Articles of Incorporation.

The President of Council, Mayor and Borough Secretary are hereby authorized and directed to execute on behalf of the Borough of Hulmeville Articles of Incorporation for said Authority in the form required by said Act, setting forth, among other things, that the Authority is formed under the Act of May 2, 1945, P.L. 382, as amended, known as the Municipality Authorities Act of 1945; that no other authority has been organized under said Act or under the Act of June 28, 1935, P.L. 402, and is in existence in and for the incorporating municipality, excepting Lower Bucks County School Authority in which the School Districts of the Boroughs of Pottsville, Langhorne Manor and Hulmeville and the School Districts of the Townships of Middletown and Lower Southampton are joined; that the name of the incorporating municipality is the Borough of Hulmeville; and that there shall be five members of the Board of the Authority. Said Articles of Incorporation shall also set forth the names and addresses of the Mayor, Borough Secretary, President of Council and other Councilmen constituting the municipal authorities of the Borough, and the names and addresses and terms of office of the first members of the Board of Authority appointed pursuant to §1-103 of this Part 1A.

(Ord. 91, 5/15/1961, §2)

§1-102. Members of the Board of the Authority.

The following persons, all of whom are citizens of the Borough of Hulmeville, are hereby appointed as the first members of the Board of the Authority for terms of office expiring as indicated opposite their respective names.

[Here followed the names, address and terms of office of the first members of the Board of said authority.]

(Ord. 91, 5/15/1961, §3)

PART 2

POLICE DEPARTMENT

A. Establishment of the Police Department.

§1-201. Establishment of the Police Department.

A Police Department is hereby established in and for the Borough of Hulmeville under the full charge and control of the Mayor who shall direct the time during which, the place where and the manner in which the Chief of Police and other members of the Police Force shall perform their duties.

(*Ord. 95, 5/4/1964, §1*)

§1-202. Assignments and Duties.

The Borough Council may designate the individuals assigned to the Police Department as officers and patrolmen and whether full time or part time, but the Mayor shall direct the manner in which the members of the Department shall perform their duties and may appoint special policemen during an emergency in which the safety and welfare of the Borough and the public are in danger.

(*Ord. 95, 5/4/1964, §2*)

§1-203. Training.

The Borough Council may assign the Chief of Police or any member of the police force to undergo a course of training at any training school for Policemen established and made available by the State or Federal Government, and may provide for the payment by the Borough of his expenses while in attendance in such school.

(*Ord. 95, 5/4/1964, §3*)

PART 2

POLICE DEPARTMENT

A. Establishment of the Police Department.

§1-201. Establishment of the Police Department.

A Police Department is hereby established in and for the Borough of Hightstown under the full charge and control of the Mayor who shall direct the time during which, the place where and the manner in which the Chief of Police and other members of the Police Force shall perform their duties.

(Ord. 85, 54V1984, §1)

§1-202. Assignments and Duties.

The Borough Council may designate the individuals assigned to the Police Department as officers and patrolmen and whether full time or part time, but the Mayor shall direct the manner in which the members of the Department shall perform their duties and may appoint special policemen during an emergency in which the safety and welfare of the Borough and the public are in danger.

(Ord. 85, 54V1984, §2)

§1-203. Training.

The Borough Council may assign the Chief of Police or any member of the police force to undergo a course of training at any training school for policemen established and made available by the State or Federal Government, and may provide for the payment by the Borough of his expenses while in attendance in such school.

(Ord. 85, 54V1984, §3)

PART 3

BOARDS AND COMMISSIONS

A. Recreation Board.

§1-301. Establishment of the Recreation Board.

There shall be a Recreation Board in the Borough of Hulmeville, Bucks County, Pennsylvania, consisting of a maximum of five persons, appointed by the Borough Council to serve for terms of 5 years, or until their successors are appointed, except that the members of such Board, first appointed, shall be appointed for such terms that the term of at least one member shall expire each year following establishment of the Board. Vacancies in such Board, occurring otherwise than by expiration of term, shall be filled for the unexpired term in the same manner as original appointments.

(Ord. 101, 3/7/1966, §1; as amended by Ord. 223, 1/7/2002)

§1-302. Compensation and Appointment.

Members of said Board shall serve without pay, and women shall be eligible for appointment.

(Ord. 101, 3/7/1966, §2)

§1-303. Powers and Responsibilities.

The power to equip, operate and maintain recreation places shall be exercised by said Board which shall possess all the powers and be subject to all the responsibilities of the respective authorities under the applicable provisions of the Borough Code including, but without being limited to the powers to recommend the employment of play leaders, recreation directors, supervisors, superintendents, or any other officers or employees, as they deem proper; to provide, improve, maintain and regulate public parks, parkways and playgrounds, play fields, swimming pools, public baths, bathing places, indoor recreation centers and gymnasiums within the Borough limits or in adjacent Townships; to recommend the appropriation of, and the acquisition by gift, devise, purchase, lease, or otherwise, private property within the limits of the Borough or in adjacent Townships; to recommend the designation and setting apart of any lands or buildings, owned by the Borough and not dedicated or devoted to other public uses; for the purpose of making, enlarging and maintaining recreation places; to develop a general plan of Borough parks and playgrounds to be laid out and confirmed by the Borough Council.

(Ord. 101, 3/7/1966, §3; as amended by Ord. 223, 1/7/2002)

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§1-304. Validity.

PART 3

If any part of this Part 3A shall be held to be invalid for any reason, such decision shall not invalidate the other portions thereof.

(Ord. 101, 3/7/1966, §4)

A. Recreation Board.

§1-301. Establishment of the Recreation Board.

There shall be a Recreation Board in the Borough of Hometown, Bucks County, Pennsylvania, consisting of a maximum of five persons, appointed by the Borough Council to serve for terms of 5 years, or until their successors are appointed, except that the members of such Board first appointed shall be appointed for such terms that the term of at least one member shall expire each year following establishment of the Board. Vacancies in such Board occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as original appointments.

(Ord. 101, 3/7/1966, §1; as amended by Ord. 223, 1/23/2002)

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(Ord. 101, 3/7/1966, §3; as amended by Ord. 223, 1/23/2002)

B. Planning Commission.

§1-311. Organization and Establishment of the Planning Commission.

The Council of the Borough of Hulmeville, being the governing body of the said Borough, hereby organizes and establishes a Planning Commission under Article II of the Pennsylvania Municipalities Planning Code.

(Ord. 152, 8/6/1979, §1)

§1-312. Membership and Compensation.

The said Planning Commission shall have five members who may select their own officers. All members of the Commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses. However, elected or appointed officers or employees of the Borough shall not, by reason of membership thereon, forfeit the right to exercise the powers, perform the duties, or receive compensations of the Borough office held by them during such membership.

(Ord. 152, 8/6/1979, §2)

§1-313. Appointment and Term of Office.

All members of the Commission shall be appointed by the Council of the Borough of Hulmeville. With the exception of the members of the Commission first to be appointed, the term of each of the members of the Commission shall be for 4 years, and so arranged that no more than two members shall be reappointed or replaced during any future calendar year. The Chairman of the Planning Commission shall promptly notify the Borough Council of any vacancy among Commission members, and such vacancy shall be filled for the unexpired term by the Borough Council.

(Ord. 152, 8/6/1979, §3)

§1-314. Terms of Office of the First Members.

The first members of the Commission shall be appointed to terms of office as follows: two members with the term of office expiring in 4 years; one member whose term of office will expire in 3 years; one member whose term will expire in 1 year. The respective terms of office shall be designated when the Commission is appointed.

(Ord. 152, 8/6/1979, §4)

§1-315. Members of Commission to be Residents of the Borough.

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All members of the Commission shall be residents of the Borough of Hulmeville. At least three members of the Commission shall not be officers or employees of the Borough.

(Ord. 152, 8/6/1979, §5)

The Council of the Borough of Hulmeville, being the governing body of the said Borough, hereby organizes and establishes a Planning Commission under Article II of the Pennsylvania Municipalities Planning Code.

(Ord. 152, 8/6/1979, §1)

§1-312. Membership and Compensation.

The said Planning Commission shall have five members who may select their own officers. All members of the Commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses. However, elected or appointed officers or employees of the Borough shall not, by reason of membership therein, forfeit the right to exercise the powers, perform the duties, or receive compensations of the Borough office held by them during such membership.

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(Ord. 152, 8/6/1979, §3)

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The first members of the Commission shall be appointed to terms of office as follows: two members with the term of office expiring in 4 years; one member whose term of office will expire in 3 years; one member whose term will expire in 1 year. The respective terms of office shall be designated when the Commission is appointed.

(Ord. 152, 8/6/1979, §4)

§1-315. Members of Commission to be Residents of the Borough.

PART 4

FIRE INSURANCE PROCEEDS

§1-401. Use of Fire Insurance Proceeds.

1. No insurance company, association or exchange (hereinafter "insurer") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the Borough of Hulmeville where the amount recoverable for the fire loss to the structure under all policies exceeds \$7,500, unless the insurer is furnished by the Borough Treasurer with a certificate pursuant to 508(b) of the Insurance Company Law of 1921, as amended by Act 98 of 1992 and Act 93 of 1994 (collectively, the "Act") and unless there is compliance with the procedures set forth in 508(c) and (d) of the Act.
2. Where there are delinquent taxes, assessments, penalties or user charges against the property ("municipal claims"), or there are expenses which the Borough of Hulmeville has incurred as a cost for the removal, repair or securing of a building or other structure on the property (collectively "municipal expenses"), the Borough Secretary of the Borough of Hulmeville shall immediately render a bill for such work, if he has not already done so. Upon written request of the named insured specifying the tax description of the property, the name and address of the insurer and the date of receipt by the insurer of a loss report of the claim, the Treasurer shall furnish a certificate within 14 working days after the request, to the insurer, a certificate (or at his discretion an oral notice confirmed in writing) either:
 - A. Stating that there are no unpaid municipal claims or municipal expenses against the property.
 - B. Specifying the nature and amount of such claims or expenses, accompanied by a bill for such amounts.
 - C. Taxes, assessments, penalties and user charges shall be deemed delinquent for this purpose if a lien could have been filed for such claims under applicable law. Upon receipt of a certificate and bill pursuant to subsection (A) of this Section, the insurer shall transfer to the Treasurer an amount from the insurance proceeds sufficient to pay such sums prior to making payment to the named insured, subject to the provisions of subsection (3) hereof.
3. When all municipal claims and municipal expenses have been paid pursuant to subsection (2) of this Section, or where the Treasurer has issued a certificate described in subsection (2)(A) indicating that there are no municipal claims or municipal expenses against the property, the insurer shall pay the claim of the named insured; provided, however, that if the loss agreed upon by the named insured and the insurer equals or exceeds 60% of the aggregate limits of liability on all fire policies covering the building or structure, the following procedures must be followed:

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- A. The insurer shall transfer from the insurance proceeds to the Treasurer, in the aggregate, \$2,000 for each \$15,000 of such claim or fraction thereof.
- B. If at the time a loss report is submitted by the insured, such insured has submitted to the insurer, with a copy to the Borough of Hulmeville, a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insurer shall transfer to the Treasurer from the insurance proceeds the amount specified in the estimate. If there is more than one insurer, the transfer of proceeds shall be on a pro rata basis by all insurers insuring the building or other structure.
- C. Upon receipt of the above described portion of the insurance proceeds, the Treasurer shall do the following:
 - (1) Place the proceeds in a separate fund to be used solely as security against the total municipal expenses anticipated by the Borough to be required in removing, repairing or securing the building or structure as required by this Part. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the Borough of Hulmeville in connection with such removal, repair or securing or any proceedings related thereto; and,
 - (2) Mail to the named insured, at the address received from the insurer, a notice the proceeds have been received by the Borough of Hulmeville and that the procedures under this subsection shall be followed.
 - (3) After the transfer, the named insured may submit to the Borough of Hulmeville a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure, in which event the Treasurer shall, if such estimate is deemed by the Treasurer to be reasonable, return to the insured the amount of the funds transferred to the Borough of Hulmeville in excess of that required to pay the municipal expenses; provided, the Borough of Hulmeville has not commenced to remove, repair or secure the building or other structure, in which case the Borough of Hulmeville will complete the work.
 - (4) Pay to the Borough Secretary, for reimbursement to the Borough of Hulmeville general fund, the amount of the municipal expenses paid by the Borough of Hulmeville.
 - (5) Pay the remaining balance in the fund (without interest) to the named insured upon receipt of a certificate issued by the Borough Secretary that the repair, removal or securing of the building or other structure has been completed in accordance with all applicable codes and regulations of the Borough of Hulmeville.

- (6) Nothing in this Section shall be construed to limit the ability of the Borough of Hulmeville to recover any deficiency in the amount of municipal claims or municipal expenses recovered pursuant to this Ordinance, or to insurance proceeds, by an action at law or in equity to enforce the codes of the Borough of Hulmeville or to enter into an agreement with the named insured with regard to such other disposition of the proceeds as the Borough of Hulmeville may deem responsible.

(Ord. 223, 1/7/2002)

§1-402. Limits of Liability.

Nothing in this Ordinance shall be construed to make an insurance company, association or exchange liable for any amount in excess of proceeds payable under its insurance policy or for any other act performed pursuant to this Ordinance or to make this Borough of Hulmeville, any Borough official, a municipality or public official an insured under a policy of insurance or to create an obligation to pay delinquent property taxes or unpaid removal liens or expenses other than as provided in this Ordinance.

(Ord. 223, 1/7/2002)

§1-403. Insurance Company Rights Reserved.

An insurance company, association or exchange making payment of policy proceeds under this Ordinance for delinquent taxes or structure removal liens or removal expenses incurred by the Borough of Hulmeville shall have a full benefit of such payment including all rights of subrogation and of assignment.

(Ord. 223, 1/7/2002)

§1-404. Construction.

This Ordinance shall be liberally construed to accomplish its purpose to deter the commission of arson and related crimes, to discourage the abandonment of property and to prevent urban blight and deterioration.

(Ord. 223, 1/7/2002)

§1-405. Notification of Pennsylvania Department of Community and Economic Development.

The Secretary of the Borough of Hulmeville shall transmit a certified copy of this Ordinance promptly to the Pennsylvania Department of Community and Economic Development.

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(Ord. 223, 1/7/2002)

§1-406. Penalty.

Any owner of property, any named insured or insurer who violates the provisions of this Part or who shall fail to comply with any of the requirements hereof shall be sentenced, upon conviction thereof, to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day on which an offense shall continue shall be deemed a separate offense.

(Ord. 223, 1/7/2002)