

ALBURTIS CODIFIED ORDINANCES

Chapter 7

Departments

Chapter 7 — Departments

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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 Alburtis. 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 Twvety-five Dollars (\$25.00).

Article II — Fire Services

§ 7-201 Recognition of Lower Macungie Fire Department.

The Borough officially recognizes the Lower Macungie Fire Department, a volunteer fire company, as the organization providing fire services within the Borough of Alburtis, and recognizes and accepts those services.

§ 7-202 Fire Chief and Fire Marshal.

The Chief of the Lower Macungie Fire Department shall be the Fire Chief of the Borough, and the Fire Marshal of the Lower Macungie Fire Department shall be the Fire Marshal of the Borough.

§ 7-203 Agreement for Fire Protection Services.

The Borough of Alburtis shall enter into an Agreement for Fire Protection Services with the Lower Macungie Fire Department in the form attached to Ordinance 599 as **Exhibit A**, which is incorporated into this Article by reference. The President (or Vice President) of Borough Council is hereby authorized and directed to execute the Agreement on behalf on the Borough.

Article III — [RESERVED]

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 Thirty Dollars (\$30.00).

(g) **Certified Letters.** The fee for a certified letter shall be one hundred ten percent (110%) of the fee charged by the U.S. Postal Service.

(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 Two Thousand Dollars (\$2,000.00) (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 either (1) a public auction conducted by a private auctioneer at a location within twenty (20) miles of the Borough, or (2) at a public auction conducted by means of an online or electronic auction, and the net proceeds shall be deposited into the Borough Treasury. The Borough Manager 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 Manager 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 8 PA. CONS. STAT. § 1201.2(b), and is derived from Resolution 2024-4, 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
Ordinance 436	08-31-2005
Ordinance 442	12-28-2005
Ordinance 468	12-26-2007
Ordinance 526	01-28-2015
Ordinance 583	12-27-2023
Ordinance 593	01-29-2025
Ordinance 599	09-10-2025

¶ 7-F Prior Ordinances Concerning Related Subject Matter.

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