

ORDINANCE NO. 2

An Ordinance defining the duties of the Chief Burgess, authorizing him to grant licenses and permits, and fixing his salary in lieu of all fees.

Be it ordained and enacted by the Town Council of the Borough of Clymer, in the County of Indiana and State of Pennsylvania, and it is hereby ordained and enacted by the authority of the same.

Section 1. The Chief Burgess, in addition to the powers conferred on him by law, shall, in conjunction with the Town Council, have control of the High Constables, Chief of Police and all other police officers appointed by the Council, when on duty; he may suspend any policeman from duty; and prefer charges against him before the Council, to be convened by the President at once.

Section 2. The Chief Burgess shall hear and determine summarily all causes arising under the ordinances, laws or regulations of the Borough, affecting the public peace of the Borough and may, on complaint, issue a warrant, in the name of the Commonwealth for the arrest of offenders, directed to the High Constable or Chief of Police, and in case any person or persons brought before him are adjudged guilty of the offense of violating any peace ordinance, he shall impose a fine in accordance with the provisions of the ordinances, laws or regulations, together with the fees and costs, and in case any person or persons so convicted shall neglect to pay the fine imposed, fees and costs, he shall have power, and is hereby authorized and directed to commit the party or parties so convicted to the jail of the county for a period not exceeding thirty days; Provided: That in case payment shall be made of the fine and costs, he may order the discharge of the prisoner before the expiration of the term of imprisonment imposed.

Section 3. The Chief Burgess shall enforce obedience to all ordinances, laws and regulations of the Borough, other than those affecting the public peace, and on information under oath of any person charging a violation of any of said ordinances, laws and regulations, it shall be lawful for him to issue a warrant in the name of the Commonwealth, directed to the Chief of Police or High Constable of the Borough, for the arrest of the offender, and in case he is apprehended and brought before the Chief Burgess, he shall hear and determine the case and should the charge be sustained and the defendant convicted, he shall impose the fine or penalty provided the said ordinances, laws or regulations, together with the fees and costs, and, in case they are not paid forthwith he shall have power and is hereby directed to commit the party or parties so convicted to the jail of the county for a period not exceeding thirty days; Providing: That in case payment of the fine and costs shall be made prior to the expiration of the term of imprisonment imposed, he may order their discharge from imprisonment.

Section 4. He shall have power and is hereby authorized to grant licenses and building permits in accordance with the ordinances of the Borough, to persons who may apply for the same.

Section 5. The Chief Burgess shall receive for his services such fees as are allowed by ordinance, or by law to a Justice of the Peace for similar services.

Section 6. The Chief Burgess of said Borough is hereby authorized and empowered to demand and receive all and singular his own legal costs, fees and charges, for the use of the Borough, and the fees of the Constable for arresting, and bringing before him, offenders against any of the ordinances, rules or regulations of said Borough, which may lawfully accrue on conviction before said Burgess.

Section 7. The Chief Burgess shall keep correct account of all fees, licenses, fines and costs received by him, in a book provided by Council, and shall render a report to the Council at each regular meeting, setting forth an itemized statement of all fees, licenses, fines and costs received by him by virtue of his office, since the last regular meeting of Council, with the date at which and the name of the person from whom the same was received, and shall, prior to or on the date aforesaid, pay all such moneys to the Borough Treasurer.

Section 8. The fees of the Chief Burgess of said Borough, when acting as a Magistrate, shall be the same as those allowed by law to a Justice of the Peace in said Borough. The fees of witnesses shall be the same as those allowed by law in hearings before a Justice of the Peace.

Section 9. It is hereby made the duty of said Chief Burgess, to pay to any Constable of said Borough, all the legal fees, costs and charges to which the said Constable may be, or is entitled, on all convictions had before the Chief Burgess, after the same shall be received by him, on demand made therefor by said Constable.

Section 10. Any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed, so far as the same affects this ordinance.

Ordained and enacted by the Town Council lawfully assembled in said Borough.

President of Council,
H. Ney Prothero

Chief Burgess,
J. A. Dearolph