
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 702

Session of
1995

INTRODUCED BY D. W. SNYDER, LESCOVITZ, MERRY, PISTELLA,
BATTISTO, BARD AND MCGILL, FEBRUARY 13, 1995

SENATOR ROBBINS, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
SEPTEMBER 19, 1995

AN ACT

1 Reenacting and amending the act of May 1, 1933 (P.L.103, No.69),
2 entitled "An act concerning townships of the second class;
3 and amending, revising, consolidating, and changing the law
4 relating thereto," adding, revising and deleting provisions
5 relating to townships of the second class.

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26 Section 3701. Repeals.
27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:
29 Section 1. The title and act of May 1, 1933 (P.L.103,
30 No.69), known as The Second Class Township Code, reenacted and
19950H0702B2442

1 amended July 10, 1947 (P.L.1481, No.567) and amended or repealed
2 in part May 20, 1949 (P.L.1562, No.474), May 24, 1951 (P.L.370,
3 No.85), May 29, 1951 (P.L.435, No.102), July 19, 1951 (P.L.1097,
4 No.243), January 14, 1952 (1951 P.L.1989, No.555), July 2, 1953
5 (P.L.328, No.72), July 2, 1953 (P.L.354, No.83), August 21, 1953
6 (P.L.1333, No.376), June 28, 1955 (P.L.214, No.67), May 29, 1956
7 (1955 P.L.1804, No.600), May 31, 1956 (1955 P.L.1898, No.627),
8 June 1, 1956 (1955 P.L.2021, No.677), April 9, 1957 (P.L.54,
9 No.29), May 20, 1957 (P.L.174, No.85), May 20, 1957 (P.L.179,
10 No.87), June 16, 1959 (P.L.466, No.95), June 30, 1959 (P.L.495,
11 No.120), July 9, 1959 (P.L.508, No.134), July 9, 1959 (P.L.510,
12 No.136), July 21, 1959 (P.L.559, No.173), July 30, 1959
13 (P.L.585, No.193), August 11, 1959 (P.L.664, No.216), August 25,
14 1959 (P.L.763, No.269), August 28, 1959 (P.L.788, No.287),
15 September 8, 1959 (P.L.809, No.305), April 28, 1961 (P.L.153,
16 No.75), May 9, 1961 (P.L.181, No.89), May 9, 1961 (P.L.194,
17 No.97), July 13, 1961 (P.L.596, No.294), July 13, 1961 (P.L.600,
18 No.299), May 15, 1963 (P.L.39, No.35), June 21, 1963 (P.L.153,
19 No.98), July 26, 1963 (P.L.323, No.176), July 31, 1963 (P.L.381,
20 No.203), August 2, 1963 (P.L.491, No.255), August 6, 1963
21 (P.L.535, No.285), August 24, 1963 (P.L.1197, No.503), May 3,
22 1965 (P.L.35, No.29), May 5, 1965 (P.L.42, No.36), May 7, 1965
23 (P.L.51, No.39), May 12, 1965 (P.L.57, No.43), June 8, 1965
24 (P.L.99, No.68), June 8, 1965 (P.L.121, No.83), September 1,
25 1965 (P.L.455, No.232), September 2, 1965 (P.L.477, No.241),
26 November 10, 1965 (P.L.709, No.339), February 2, 1966 (1965
27 P.L.1887, No.601), March 21, 1967 (P.L.17, No.6), June 1, 1967
28 (P.L.29, No.19), June 16, 1967 (P.L.108, No.25), October 9, 1967
29 (P.L.416, No.184), October 19, 1967 (P.L.455, No.212), November
30 24, 1967 (P.L.620, No.282), December 14, 1967 (P.L.816, No.350),

1 December 14, 1967 (P.L.833, No.358), December 20, 1967 (P.L.869,
2 No.385), January 18, 1968 (1967 P.L.958, No.426), March 21, 1968
3 (P.L.66, No.22), April 3, 1968 (P.L.78, No.33), June 24, 1968
4 (P.L.240, No.112), July 31, 1968 (P.L.805, No.247), June 30,
5 1969 (P.L.110, No.42), July 1, 1969 (P.L.117, No.48), April 22,
6 1970 (P.L.303, No.97), July 22, 1970 (P.L.533, No.179), July 22,
7 1970 (P.L.553, No.190), November 25, 1970 (P.L.734, No.237),
8 June 3, 1971 (P.L.118, No.6), June 27, 1973 (P.L.74, No.33),
9 July 27, 1973 (P.L.242, No.67), October 12, 1973 (P.L.291,
10 No.86), January 23, 1974 (P.L.12, No.5), March 1, 1974 (P.L.88,
11 No.23), March 13, 1974 (P.L.192, No.36), April 11, 1974
12 (P.L.248, No.60), June 27, 1974 (P.L.411, No.144), June 27, 1974
13 (P.L.420, No.148), December 13, 1974 (P.L.960, No.315), July 16,
14 1975 (P.L.69, No.40), July 30, 1975 (P.L.134, No.67), July 30,
15 1975 (P.L.137, No.69), October 2, 1975 (P.L.344, No.98),
16 December 19, 1975 (P.L.562, No.159), May 21, 1976 (P.L.146,
17 No.70), June 11, 1976 (P.L.159, No.78), July 9, 1976 (P.L.851,
18 No.149), December 1, 1977 (P.L.246, No.81), April 28, 1978
19 (P.L.202, No.53), September 28, 1978 (P.L.808, No.158), October
20 4, 1978 (P.L.948, No.187), October 4, 1978 (P.L.1026, No.228),
21 October 5, 1979 (P.L.199, No.67), November 1, 1979 (P.L.450,
22 No.87), May 9, 1980 (P.L.118, No.45), July 10, 1980 (P.L.475,
23 No.102), October 5, 1980 (P.L.780, No.143), December 19, 1980
24 (P.L.1318, No.238), May 22, 1981 (P.L.79, No.26), October 1,
25 1981 (P.L.286, No.97), October 16, 1981 (P.L.291, No.100),
26 November 20, 1981 (P.L.337, No.122), March 3, 1982 (P.L.124,
27 No.40), April 8, 1982 (P.L.256, No.77), November 26, 1982
28 (P.L.765, No.218), December 13, 1982 (P.L.1147, No.262), May 1,
29 1984 (P.L.222, No.46), October 31, 1985 (P.L.294, No.68), July
30 3, 1986 (P.L.385, No.82), December 11, 1986 (P.L.1500, No.159),

1 December 17, 1986 (P.L.1687, No.199), July 13, 1987 (P.L.330,
2 No.60), January 28, 1988 (P.L.19, No.9), March 2, 1988 (P.L.105,
3 No.20), March 25, 1988 (P.L.261, No.30), March 30, 1988
4 (P.L.312, No.41), June 15, 1988 (P.L.453, No.75), December 14,
5 1989 (P.L.629, No.74), July 10, 1990 (P.L.386, No.91), November
6 29, 1990 (P.L.606, No.153), November 29, 1990 (P.L.610, No.155),
7 July 11, 1991 (P.L.83, No.17), December 20, 1991 (P.L.408,
8 No.49), December 16, 1992 (P.L.1213, No.157) ~~and~~, October 13, <—
9 1994 (P.L.596, No.90) AND JUNE 26, 1995 (P.L.70, NO.14), are <—
10 reenacted and amended to read:

11 AN ACT
12 Concerning townships of the second class; and amending,
13 revising, consolidating[,] and changing the law relating
14 thereto.

15 ARTICLE I

16 PRELIMINARY PROVISIONS

17 [Section 101. Short Title.--Effective Date. This act shall
18 be known, and may be cited, as "The Second Class Township Code."
19 This act shall take effect on the first day of July, one
20 thousand nine hundred and thirty-three. This reenactment,
21 revision, amendment and consolidation of the laws relating to
22 townships of the second class shall become effective the first
23 day of July, one thousand nine hundred and forty-seven.]

24 Section 101. Short Title.--This act shall be known and may
25 be cited as "The Second Class Township Code."

26 [Section 102. Definitions.--The following words, terms and
27 phrases, as used in this act, shall have the meanings herein
28 assigned to them, unless the context clearly indicates
29 otherwise:

30 (a) "Township," a township of the second class.

(b) "Road" or "Public road," a road of a township of the second class and shall include a street, lane, alley, court or public square of such township.

(c) "Highway" or "State highway," a road or highway of the State highway system.]

Section 102. Definitions.--The following words, terms and phrases, as used in this act, shall have the following meanings, unless the context clearly indicates otherwise:

"Census" or "official census," the latest United States Census Bureau population count resulting from a decennial or special census conducted by the United States Census Bureau.

"Highway" or "State highway," any highway, road or street which qualifies as a State highway or a portion of the rural State highway system as provided in section 102 of the act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law."

"Municipal corporation," any city, borough, incorporated town, township of the second class, township of the first class or home rule municipality, except home rule counties.

"Road" or "public road," the entire width between the boundary lines of every way, street, lane, alley, court or public square maintained by the township which is open to the use of the public for purposes of vehicular travel.

"Township," a township of the second class.

[Section 103. Excluded Provisions.--This act does not include any provisions, and shall not be construed to repeal any acts, relating to--

(a) The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal claims by liens;

- 1 (b) The method of incurring or increasing bonded
2 indebtedness;
- 3 (c) Election officers and conduct of elections;
- 4 (d) Public schools and school districts;
- 5 (e) Constables;
- 6 (f) Justices of the peace;
- 7 (g) State roads, and private roads;
- 8 (h) Validations of elections, bonds, ordinances, and acts of
9 corporate officers;
- 10 (i) Free non-sectarian libraries.]

11 Section 103. Excluded Provisions.--(a) This act does not
12 repeal any acts relating to:

13 (1) The assessment and valuation of property and persons for
14 the purposes of taxation and collection of taxes and the
15 collection of municipal claims by liens.

16 (2) The method of incurring or increasing indebtedness.

17 (3) Election officers and conduct of elections.

18 (4) Public schools and school districts.

19 (5) Constables.

20 (6) District justices.

21 (7) State highways and private roads.

22 (8) Validations of elections, bonds, ordinances and acts of
23 corporate officers.

24 (9) Free nonsectarian libraries.

25 (10) Intergovernmental cooperation.

26 (11) Planning and land use.

27 (12) Public meetings.

28 (13) Inspection of records.

29 (14) Ethics of elected officers and employees.

30 (15) The levy or collection of taxes under general law.

1 (b) It is the intention that this act shall furnish a
2 complete and exclusive system for the government and regulation
3 of townships except as to the several matters enumerated in
4 subsection (a).

5 [Section 104. Construction of Act Generally.--The provisions
6 of this act, so far as they are the same as those of existing
7 laws, are intended as a continuation of such laws and not as new
8 enactments. The repeal by this act of any act of Assembly, or
9 part thereof, shall not revive any act or part thereof
10 heretofore repealed or superseded, nor affect the existence or
11 class of any township heretofore created. The provisions of this
12 act shall not affect any act done, liability incurred, or right
13 accrued or vested, or affect any suit or prosecution, pending or
14 to be instituted, to enforce any right or penalty or punish any
15 offense under the authority of such repealed laws. All
16 resolutions, regulations, and rules, made pursuant to any act of
17 Assembly repealed by this act, shall continue with the same
18 force and effect as if such act had not been repealed. Any
19 person holding office under any act of Assembly repealed by this
20 act shall continue to hold such office until the expiration of
21 the term thereof, subject to the conditions attached to such
22 office prior to the passage of this act.]

23 Section 104. Construction of Act Generally.--The provisions
24 of this act, insofar as they are the same as those of existing
25 laws, are intended as a continuation of those laws and not as
26 new enactments. The repeal by this act of any State law or part
27 thereof does not revive any act or part thereof previously
28 repealed or superseded. The provisions of this act do not affect
29 any act done, liability incurred or right accrued or vested, or
30 affect any suit or prosecution, pending or to be instituted, to

1 enforce any right or penalty or punish any offense under the
2 authority of any repealed laws.

3 [Section 105. Constitutional Construction.--The provisions
4 of this act shall be severable, and if any of the provisions
5 shall be held to be unconstitutional, such decision shall not
6 affect the validity of any of the remaining provisions of this
7 act. It is hereby declared as the legislative intent that this
8 act would have been adopted had such unconstitutional provision
9 not been included therein.]

10 Section 105. Constitutional Construction.--The provisions of
11 this act are severable, and if any of the provisions are held to
12 be unconstitutional, that decision shall not affect the validity
13 of any of the remaining provisions of this act. It is the
14 legislative intent that this act would have been adopted had the
15 unconstitutional provision not been included.

16 [Section 106. Construction of References.--Whenever, in this
17 act, reference is made to any act by title, such reference shall
18 also apply to and include any codification wherein the
19 provisions of the act referred to are substantially re-enacted.]

20 Section 106. Construction of References.--When, in this act,
21 reference is made to any act by title, it includes any
22 codification in which the provisions of the act referred to are
23 substantially re-enacted.

24 [Section 107. How Act Applies.--This act shall apply to all
25 townships of the second class within the Commonwealth as now
26 existing or hereafter created, established or re-established.]

27 Section 107. How Act Applies.--This act shall apply to all
28 townships of the second class as now exist and those created,
29 established or re-established after this act takes effect.

30 [Section 108. Saving Clauses Where Class of Township

1 Changed.--Whenever any township of the second class is
2 designated a township of the first class, or whenever any
3 township of the first class is re-established as a township of
4 the second class, all liabilities incurred, rights accrued or
5 vested, obligations issued or contracted, and all suits and
6 prosecutions pending or to be instituted to enforce any right or
7 penalty accrued or punish any offense committed prior to such
8 change of class, and all resolutions, rules and regulations,
9 shall continue with the same force and effect as if no such
10 change had been made.]

11 Section 108. Saving Clauses When Class of Township

12 Changed.--When any township of the second class is re-
13 established as a township of the first class, or when any
14 township of the first class is re-established as a township of
15 the second class, all liabilities incurred, rights accrued or
16 vested, obligations issued or contracted, and all suits and
17 prosecutions pending or to be instituted to enforce any right or
18 penalty accrued or punish any offense committed before the
19 change of class, and all resolutions, rules and regulations,
20 shall continue with the same force and effect as if no change
21 had been made.

22 [Section 109. Exception as to Taxation.--This act does not
23 provide for the assessment and valuation of property and persons
24 for the purposes of taxation and the collection of township
25 taxes.

26 Section 110. Legal Advertising.--Whenever, under the
27 provisions of this act, notice is required to be published in
28 one newspaper, such publication shall be made in a newspaper of
29 general circulation, as defined by the Newspaper Advertising
30 Act, approved May sixteenth, one thousand nine hundred and

1 twenty-nine (Pamphlet Laws one thousand seven hundred and
2 eighty-four), printed in the township, if there is such a
3 newspaper, and, if not, then in a newspaper circulating
4 generally in such township. If such notice is required to be
5 published in more than one newspaper, it shall be published in
6 at least one newspaper of general circulation, defined as
7 aforesaid, printed, if there be such a newspaper, or circulating
8 generally, as above provided, in the township. When such notice
9 relates to any proceeding or matter in any court, or the holding
10 of an election for the increase of indebtedness, or the issue
11 and sale of bonds to be paid by taxation, such notice shall,
12 also, in counties of the second, third, fourth and fifth
13 classes, be published in the legal newspaper, if any, designated
14 by the rules of court of the proper county for the publication
15 of legal notices and advertisements, unless such publication be
16 dispensed with by special order of court: Provided, however,
17 That auditors' statements, summaries of auditors' statements, or
18 advertisements inviting proposals for public contracts and for
19 bids for materials and supplies, shall be published only in
20 newspapers of general circulation, defined as aforesaid.]

21 Section 109. Legal Advertising.--When notice is required to
22 be published by a township in one or more newspapers, unless
23 otherwise specified, publication shall be made in the legal
24 notice section in a newspaper of general circulation in the
25 township, as defined by 45 Pa.C.S. (relating to legal notices).
26 When the notice relates to any proceeding or matter in any
27 court, or the holding of an election for the increase of
28 indebtedness, or the issue and sale of bonds to be paid by
29 taxation, the notice shall also be published in the legal
30 newspaper of the county, if any, so designated by the rules of

1 court. Auditors' statements, summaries of auditors' statements,
2 notices of public meetings and hearings, notices of budget
3 proposals, ordinances, lists of delinquent taxpayers and
4 advertisements inviting proposals for public contracts and for
5 bids for materials and supplies shall be published only in
6 newspapers of general circulation.

7 ARTICLE II

8 CLASSIFICATION, CREATION, [CONSOLIDATION AND]

9 RE-ESTABLISHMENT AND CHANGE OF NAME

10 OF TOWNSHIPS [OF THE SECOND CLASS

11 (a) Classification of Townships

12 Section 201. Classification of Townships.--The townships now
13 in existence and those to be hereafter created are divided into
14 two classes. Townships of the first class shall be those having
15 a population of at least three hundred inhabitants to the square
16 mile, which have heretofore fully organized and elected their
17 officers and are now functioning as townships of the first
18 class, or which may hereafter be created townships of the first
19 class in the manner provided by the laws relating to townships
20 of the first class. All townships not townships of the first
21 class shall be townships of the second class. A change from one
22 class to the other shall hereafter be made only as provided by
23 this act, or the laws relating to townships of the first class.]

24 Section 201. Classification of Townships.--The townships now
25 in existence and those to be created after this act takes effect
26 are divided into two classes, townships of the first class and
27 townships of the second class. Townships of the first class are
28 those having a population of at least three hundred inhabitants
29 to the square mile, which are now established as townships of
30 the first class, or which may be created townships of the first

1 class under laws relating to townships of the first class. All
2 townships that are not townships of the first class or home rule
3 townships are townships of the second class. A change from one
4 class to the other shall be made only under this act or the laws
5 relating to townships of the first class.

6 [(b) Consolidation of Townships]

7 [(c) Re-establishment of Townships of the Second Class

8 Section 225. Because of Loss of Population.--Townships of
9 the first class no longer having a population of three hundred
10 to the square mile may be re-established as townships of the
11 second class, in the manner provided by laws governing townships
12 of the first class.

13 Section 226. By Vote of Registered Electors.--A township of
14 the first class may, irrespective of population, be re-
15 established a township of the second class in the manner
16 hereinafter provided.

17 The board of commissioners of such township on its own
18 initiative may, or within fifteen days after the receipt of a
19 petition signed by at least five per centum of the registered
20 electors of such township shall, pass a resolution and record it
21 on its minutes, submitting the question, of whether such
22 township of the first class shall be re-established a township
23 of the second class, to the registered electors of such
24 township.

25 At the primary, general or municipal election occurring at
26 least ninety days after the passage of such resolution, the
27 question, whether such township of the first class shall be re-
28 established a township of the second class, shall be submitted
29 to the voters of the township; and the county board of elections
30 shall cause to be printed, on separate ballots, or in case

1 voting is by machine on ballot labels, to be used in such
2 township at such election, a proper question framed in
3 accordance with the election laws of the Commonwealth.

4 The election officers shall compute the votes cast at the
5 election and make return thereof to the county board of
6 elections, wherein such township is situate, which shall compute
7 the same and certify the result thereof to the county
8 commissioners and the board of township commissioners of such
9 township and to the clerk of the court of quarter sessions. If a
10 majority of the votes cast at any such election shall be in
11 favor of the re-establishment of such township as a township of
12 the second class, the government of the township of the second
13 class shall be organized and become effective on the first
14 Monday of January next succeeding such election, at which time
15 the terms of the officers of the township of the first class
16 shall cease and terminate, and the officers appointed by the
17 court for such township, as hereinafter provided, shall take
18 office. If a majority of the votes cast at any such election
19 shall be in favor of remaining a township of the first class, no
20 further proceedings shall be had for a period of two years after
21 which proceedings de novo may be had.]

22 Section 202. Re-establishment of Townships.--A township of
23 the first class may, irrespective of population, be re-
24 established a township of the second class in the following
25 manner:

26 (1) The board of commissioners of the township of the first
27 class on its own initiative may, or within fifteen days after
28 the receipt of a petition signed by at least five percent of the
29 electors of the township of the first class shall, pass a
30 resolution and record it on its minutes, submitting the

question, of whether the township of the first class shall be re-established as a township of the second class, to the electors of the township of the first class.

(2) At the next primary, general or municipal election occurring at least ninety days after the passage of the resolution, the question, whether the township of the first class shall be re-established as a township of the second class, shall be submitted to the voters of the township; and the county board of elections shall place the question of re-establishment as a township of the second class on the ballot under the election laws of this Commonwealth.

(3) The election officers shall compute the votes cast at the election and certify them to the county board of elections, which shall compute them and certify the result to the county commissioners and the board of commissioners of the township of the first class and to the clerk of the court of common pleas. If a majority of the votes cast at the election are in favor of the re-establishment of the township of the first class as a township of the second class, the government of the township of the second class shall be organized and become effective on the first Monday of January after the election, when the terms of the officers of the township of the first class shall cease, and the officers appointed by the court for the township under section 205 shall take office. If a majority of the votes cast at the election are in favor of remaining a township of the first class, no further proceedings may be initiated for a period of two years from the date of the election.

[(d) Creation of Townships of the Second Class by

Annulment of Borough Charters

Section 230. Because of Annulment of Charter of Borough.--

1 Townships of the second class may be created by the annulment of
2 a charter of a borough in the manner provided by laws governing
3 boroughs.]

4 Section 203. Creation of Townships by Annulment of Charter
5 of Borough.--Townships of the second class may be created by the
6 annulment of a charter of a borough under laws governing
7 boroughs.

8 Section 204. Classification of New Townships.--When a new
9 township is created either by consolidation of two or more
10 townships, or re-establishment of a township of the first class
11 as a township or by annulment of a charter of a borough, the new
12 township shall be classified as a township of the second class.

13 [(e) Officers for New Townships

14 Section 235. Appointment and Election of Officers of New
15 Townships.--Whenever a new township results from the
16 consolidation of townships, or is created as a result of the
17 annulment of the charter of a borough, or when a township is re-
18 established, the court of quarter sessions shall appoint the
19 elective officers for the new township, and fix the polling
20 place or places in such new township. The officers so appointed
21 shall hold their offices until the first Monday of January
22 following the next municipal election occurring at least ninety
23 days after such appointments. At such municipal election, an
24 assessor and a tax collector shall be elected for regular four-
25 year terms, if such election occurs in the year when such
26 officers are elected for regular terms, and if not, then such
27 officers shall be elected for terms of two years each and their
28 successors shall be elected for four-year terms. At said first
29 municipal election, one supervisor and one auditor shall be
30 elected for terms of six years each, one supervisor and one

1 auditor for terms of four years each, and one supervisor and one
2 auditor for terms of two years each. All such officers shall
3 take office on the first Monday of January next following their
4 election.]

5 Section 205. Appointment and Election of Officers of New
6 Townships.--When a new township results from the consolidation
7 of townships, or is created as a result of the annulment of a
8 charter of a borough, or when a township of the first class is
9 re-established as a township of the second class, the court of
10 common pleas shall appoint the elective officers for the new
11 township and determine the polling place or places in the new
12 township. The appointed officers shall hold their offices until
13 the first Monday of January after the next municipal election
14 which occurs at least ninety days after the appointments. At the
15 municipal election, an assessor in those counties where
16 assessors are elected and a tax collector shall be elected for
17 regular four-year terms, if the election occurs in the year when
18 those officers are elected for regular terms, and, if not, they
19 shall be elected for terms of two years each and their
20 successors shall be elected for four-year terms. At the first
21 municipal election, one supervisor and one auditor shall be
22 elected for terms of six years each, one supervisor and one
23 auditor for terms of four years each, and one supervisor and one
24 auditor for terms of two years each. All officers shall take
25 office on the first Monday of January after their election.

26 [(f) Certificates to be Furnished to State Departments

27 Section 240. Certificates of Clerk of Court; Fee; Penalty.--
28 When a township of the second class results from the
29 consolidation of two or more townships or is created or re-
30 established, the clerk of the court of quarter sessions of the

1 county, within thirty days, shall certify a copy of the record
2 hereof in said court to the Secretary of Community Affairs and
3 the Department of Highways of the Commonwealth. For such
4 services the clerk shall be allowed a fee of three dollars and
5 fifty cents, to be paid as part of the costs of the proceedings.

6 Any clerk who shall fail or neglect or refuse to furnish such
7 certifications, or either of them, as herein required, shall
8 upon conviction thereof, in a summary proceeding, be sentenced
9 to pay a fine of not more than fifty dollars, and in default of
10 the payment of such fine and costs, undergo imprisonment of not
11 more than ten days.]

12 Section 206. Certificates of Clerk of Court; Fee; Penalty.--

13 (a) When a township of the second class results from the
14 consolidation of two or more townships or is created or re-
15 established, the clerk of the court of common pleas, within
16 thirty days, shall certify the action to the Department of
17 Community Affairs and the Department of Transportation. The
18 clerk may charge a fee of three dollars and fifty cents (\$3.50),
19 to be paid as part of the costs of the proceedings.

20 (b) A clerk who fails to furnish the certifications, or
21 either of them, shall, upon conviction thereof, in a summary
22 proceeding, be sentenced to pay a fine of not more than fifty
23 dollars (\$50) and, in default of the payment of the fine and
24 costs, undergo imprisonment of not more than ten days.

25 [ARTICLE IIA

26 CHANGE OF NAME OF TOWNSHIP OF SECOND CLASS

27 Section 201A. Petition of Electors.--Upon petition to the
28 court of quarter sessions of at least ten per centum of the
29 registered electors of any township of the second class setting
30 forth that the inhabitants of the township desire to change the

1 name of the township, the court shall order an election to be
2 held on the next day appointed for the holding of a general,
3 municipal or primary election occurring at least ninety days
4 after the presentation of the petition, at which election the
5 question whether the name of the township shall be changed shall
6 be submitted to the voters of the township.

7 Section 202A. Filing and Advertisement of Petition.--Upon
8 determination by the court that the petition for change of name
9 of the township is in proper form and properly executed, and the
10 entry of the court order thereon, the original petition shall be
11 filed with the clerk of the court and a copy of the petition and
12 order of the court shall be filed with the county board of
13 elections which shall frame the proper question to be submitted
14 to the electors at the election ordered by the court. Notice of
15 the election shall be given in at least one newspaper of general
16 circulation of the proper county once a week for four
17 consecutive weeks, which shall set forth the time of the
18 election and the purpose thereof. The publication of the notice
19 shall be made on behalf of the petitioners in such form as the
20 court shall approve.

21 Section 203A. Returns and Effect of Election.--The election
22 officers shall compute the votes cast on the question and make
23 return thereof to the clerk of the court of quarter sessions who
24 shall tabulate the same and certify the result thereof. If a
25 majority of the votes cast at any such election shall be in
26 favor of the change of township name, the court shall so order
27 and shall order the record of the proceedings to be permanently
28 recorded. If a majority of the votes were against the change,
29 there shall be no further proceedings on the petition.]

30 Section 207. Change of Name of Township.--(a) Upon petition

1 to the court of common pleas of at least ten percent of the
2 electors of a township, or upon passage of a resolution by the
3 board of supervisors, seeking a change of the name of the
4 township, the court shall order a referendum on the question.

5 (b) If the court determines that the petition or resolution
6 for change of name of the township is in proper form and
7 properly executed, the original petition or resolution shall be
8 filed with the clerk of the court. A copy of the petition or
9 resolution and order of the court shall be filed with the county
10 board of elections, which shall frame the question to be
11 submitted to the electors at the next general or municipal
12 election which occurs at least sixty days after the court order.

13 (c) The election officers shall compute the votes cast on
14 the question and certify them to the clerk of the court of
15 common pleas, who shall tabulate them and certify the result. If
16 a majority of the votes cast at the election are in favor of the
17 change of township name, the court shall so order and shall
18 order the record of the proceedings to be permanently recorded.
19 If a majority of the votes are against the change, there shall
20 be no further proceedings on the petition or resolution.

21 ARTICLE III

22 TOWNSHIP LINES AND BOUNDARIES

23 [Section 301. Stream Boundaries.--Whenever any township is
24 bounded by the nearest margin of any navigable stream, and the
25 opposite township, borough or city, as the case may be, is also
26 bounded by the nearest margin of the same stream, the middle of
27 such stream shall be the boundary between such township and the
28 opposite township, borough or city. Nothing contained in this
29 section shall be construed to repeal any local or special law
30 providing to the contrary.]

1 Section 301. Stream Boundaries.--When any township is
2 bounded by the nearest margin of any navigable stream and the
3 opposite municipal corporation is also bounded by the nearest
4 margin of the same stream, the middle of the stream is the
5 boundary between the township and the opposite municipal
6 corporation. This section does not repeal any local or special
7 law.

8 [Section 302. Establishment of Boundaries.--The courts of
9 quarter sessions may, upon the presentation of a petition, (a)
10 alter the lines of a township and any adjoining township,
11 borough, or city so as to suit the convenience of the
12 inhabitants thereof; (b) cause the lines or boundaries of
13 townships to be ascertained and established; and (c) ascertain
14 and establish disputed lines and boundaries between two or more
15 townships or between townships and cities or boroughs. When any
16 such petition is presented, the court may require the
17 petitioners to file a bond in a sufficient sum to secure the
18 payment of all costs of the proceeding.]

19 Section 302. Ascertainment of Boundaries.--(a) The courts
20 of common pleas may, upon the presentation of a petition:

21 (1) require the lines or boundaries of townships to be
22 ascertained; and

23 (2) ascertain disputed lines and boundaries between two or
24 more townships or between townships and any municipal
25 corporation.

26 (b) When any petition is presented, the court may require
27 the petitioners to file a bond in a sufficient sum to secure the
28 payment of all costs of the proceeding.

29 [Section 303. Petition to Court; Commissioners Report.--Upon
30 application by petition, the court shall appoint three impartial

1 citizens as commissioners, one of whom shall be a registered
2 surveyor or engineer, to inquire into the prayer of the
3 petition. After having given notice to parties interested as
4 directed by the court, the commissioners shall hold a hearing
5 and view the lines or boundaries; and they, or any two of them,
6 shall make a plot or draft of the lines and boundaries proposed
7 to be altered or ascertained and established if the same cannot
8 be fully designated by natural lines or boundaries. The
9 commissioners, or any two of them, shall make report to the
10 court, together with their opinion of the same. Upon the filing
11 of any such report, the same shall be confirmed nisi, and the
12 court may, by its order, require such notice to be given by the
13 petitioners to the parties interested, as it deems proper.]

14 Section 303. Petition to Court; Commissioners' Report.--Upon
15 application by petition, the court shall appoint three impartial
16 citizens as commissioners, one of whom shall be a registered
17 surveyor or engineer, to inquire into the request of the
18 petition. After giving notice to parties interested as directed
19 by the court, the commissioners shall hold a hearing and view
20 the lines or boundaries; and they shall make a plot or draft of
21 the lines and boundaries proposed to be ascertained and
22 established if they cannot be fully designated by natural lines
23 or boundaries. The commissioners shall make a report to the
24 court, together with their recommendations. Upon the filing of
25 the report, it shall be confirmed nisi, and the court may
26 require notice to be given by the petitioners to the parties
27 interested.

28 [Section 304. Exceptions and Procedure.--Exceptions to any
29 such report may be filed by any person or political subdivision
30 interested within thirty days after the filing of the report,

1 and the court may thereupon fix a day for the hearing of such
2 exceptions, of which such notice shall be given as the court may
3 direct. After hearing, the court shall have power to sustain
4 such exceptions or to dismiss them and confirm the report, or to
5 refer the report back to the same or new commissioners with like
6 authority to make another report, on which like legal
7 proceedings may be had. Where no exceptions are filed within
8 thirty days after the filing of the report, the court shall
9 confirm the same absolutely. When any report is confirmed
10 absolutely, the court shall enter a decree altering or
11 ascertaining and establishing the lines and boundaries as shown
12 in said report.]

13 Section 304. Exceptions and Procedure.--Exceptions to the
14 report may be filed by any interested person or municipal
15 corporation or school district within thirty days after the
16 filing of the report, and the court shall set a day for the
17 hearing of the exception. Notice of the hearing shall be given
18 as the court may direct. After hearing, the court may sustain
19 the exceptions or dismiss them and confirm the report, or refer
20 the report back to the same or new commissioners with authority
21 to make another report. If no exceptions are filed within thirty
22 days after the filing of the report, the court shall confirm the
23 report absolutely. When any report is confirmed absolutely, the
24 court shall enter a decree establishing the lines and boundaries
25 as shown in the report.

26 [Section 305. Monuments.--Whenever any such township line or
27 boundary is altered or ascertained and established the court
28 shall cause the same to be appropriately marked with stone
29 monuments placed at intervals not exceeding fifteen hundred
30 feet.

1 Section 306. Compensation and Expenses of Commissioners,
2 Engineer, and Chaincarriers; Costs.--The compensation and
3 expenses of commissioners appointed to alter or ascertain and
4 establish township lines shall be in the amount approved by the
5 court. The court shall by its order provide how the costs and
6 expenses of any such proceeding, including the furnishing and
7 placing of monuments, shall be paid, and may assess them against
8 the petitioners, any township or municipalities interested, or
9 any of them.]

10 Section 305. Costs.--The compensation and expenses of
11 commissioners appointed to ascertain and establish township
12 lines shall be in the amount approved by the court. The court
13 shall ascertain how the costs of the proceeding, including the
14 furnishing and placing of markers, shall be paid and may assess
15 them against the petitioners, any affected township or municipal
16 corporations and school districts affected.

17 [Section 307. Adjustment of Indebtedness.--Whenever the
18 boundaries of any township have been altered or ascertained and
19 established, the court of quarter sessions may adjust the taxes,
20 debts and expenses for township, municipal, and school purposes
21 between the townships, municipalities, and school districts
22 affected.]

23 Section 306. Adjustment of Indebtedness.--When the
24 boundaries of any township are ascertained and established, the
25 court of common pleas may adjust the taxes, debts and expenses
26 for township, municipal and school purposes between the
27 townships, municipal corporations and school districts affected.

28 [Section 308. Adjustment for Costs or Values of
29 Improvements.--(a) Except as hereinafter provided, whenever the
30 boundaries of any townships have been altered and a portion

1 thereof has been annexed by a borough or city, the township
2 shall be paid by such borough or city the following costs or
3 value of improvements located within the portion of the township
4 so annexed: (1) the value of all roads improved by the township
5 within five years; (2) the cost of sewer systems constructed by
6 the township within fifteen years; (3) the value of public
7 buildings and improvements other than roads and sewers. All such
8 costs or values shall be paid within one year after the final
9 act of annexation. The provisions of this section shall not
10 apply to the cost of any road, sewer or facilities which have
11 been assessed against the real property within the annexed
12 territory.

13 (b) The township shall not be reimbursed for any
14 improvements the cost of which has been assessed against
15 abutting property owners.

16 (c) If any present indebtedness of the township exists by
17 reason of any improvements located in annexed area and a city of
18 the third class assumes a portion of said indebtedness, as
19 provided in section 540 of the act known as "The Third Class
20 City Code" as reenacted and amended by the act approved the
21 twenty-eighth day of June one thousand nine hundred fifty-one
22 Pamphlet Laws 662), or a borough assumes a portion of said
23 indebtedness, as provided in section 702 of the act known as
24 "The Borough Code" as reenacted and amended by the act approved
25 the tenth day of July one thousand nine hundred forty-seven
26 (Pamphlet Laws 1621), such payment on account of indebtedness
27 shall be considered to be a credit to such city of the third
28 class or borough on account of the cost of said improvement.

29 (d) Whenever an amicable settlement cannot be made on the
30 amount to be paid as provided in subsection (a) of this section,

1 the court of quarter sessions upon application of the governing
2 body of the city, borough or township, shall determine the
3 amount to be paid.]

4 Section 307. Adjustment for Costs or Values of
5 Improvements.--(a) When the boundaries of any townships have
6 been ascertained and established, or when an annexation
7 procedure is consummated with the result that a portion of a
8 township is determined to be within the boundaries of another
9 municipal corporation, the township shall be paid by the
10 municipal corporation the following costs or value of
11 improvements located within the portion of the township
12 affected:

13 (1) The value of all improvements to roads by the township
14 within five years.

15 (2) The cost of sanitary sewer systems constructed by the
16 township within fifteen years.

17 (3) The value of public buildings and all improvements other
18 than roads and sewers.

19 (b) All costs or values shall be paid within one year after
20 the final confirmation by the court or before the completion of
21 the annexation process. This section does not apply to the cost
22 of any road, sanitary sewer systems or facilities which have
23 been assessed against the real property within the affected
24 territory.

25 (c) If any present indebtedness of the township losing the
26 affected area exists by reason of any improvements located in
27 the affected area and the municipal corporation gaining the
28 affected area assumes a portion of the indebtedness, any payment
29 on account of the indebtedness shall be a credit to the
30 municipal corporation gaining the affected area on account of

1 the cost of the improvement.

2 (d) When an amicable settlement cannot be made on the amount
3 to be paid under this section, the court of common pleas, upon
4 application by any one of the municipal corporations involved,
5 shall determine the amount to be paid.

6 ARTICLE IV

7 ELECTION OF OFFICERS; VACANCIES IN OFFICE

8 [(a) General Provisions

9 Section 401. Township Officers to Be Electors.--No person
10 shall be eligible to the office of supervisor, assessor, auditor
11 or tax collector in any township unless he is a registered
12 elector of the township for which he is chosen.]

13 Section 401. Township Officers to be Electors.--No person is
14 eligible for the office of supervisor, assessor, auditor or tax
15 collector in any township unless that person is an elector of
16 the township.

17 [Section 402. Officers to Be Elected.--(A) The electors of
18 each township shall elect (a) except as otherwise provided,
19 three supervisors, (b) one assessor, (c) three auditors, and (d)
20 one tax collector. No person shall at the same time hold more
21 than one elective township office: Provided, That the office of
22 justice of the peace shall not be considered an elective
23 township office for the purposes of this section.

24 (B) Upon petition of at least five per centum of the
25 registered electors of the township or pursuant to a resolution
26 of the board of supervisors, and upon an approval by a majority
27 of those electors voting at the next municipal or general
28 election, there shall be elected two additional supervisors. The
29 referendum petition or resolution of the board of supervisors
30 certified by the township secretary shall be filed with the

1 county board of elections not later than the thirteenth Tuesday
2 prior to the next municipal or general election. The county
3 board of elections shall place the question before the electors
4 in the same manner as other questions are presented under the
5 provisions of the Pennsylvania Election Code.

6 The form of the question shall be as follows:

7 Should two additional supervisors be	Yes
8 elected to serve in this township?	No

9 The county board of elections shall tabulate and publish the
10 results of the referendum within thirty days of the election.
11 The total number of supervisors shall not exceed five. In no
12 event shall the question of additional supervisors be voted on
13 more than once in any three-year period.

14 (C) At the first municipal election following the approval
15 at the prior general election by the voters of the question
16 providing for the election of two additional supervisors, one of
17 such additional supervisors shall be elected for a term of four
18 years and one shall be elected for a term of six years, each to
19 serve from the first Monday of January next following his
20 election. At the first general election following the approval
21 at the prior municipal election by the voters of the question
22 providing for the election of two additional supervisors, one of
23 such additional supervisors shall be elected for a term of three
24 years and one shall be elected for a term of five years, each to
25 serve from the first Monday of January next following his
26 election. Thereafter, such additional supervisors shall be
27 elected for terms of six years each to serve from the first
28 Monday of January next following his election.]

29 Section 402. Officers to be Elected.--(a) Except as
30 provided in subsection (b), the electors of each township shall

1 elect three supervisors, one assessor in those counties in which
2 assessors are elected, three auditors and one tax collector. No
3 person shall at the same time hold more than one elective
4 township office.

5 (b) Upon petition of at least five percent of the electors
6 of the township or under a resolution of the board of
7 supervisors, and upon approval by a majority of those electors
8 voting at the next municipal or general election, there shall be
9 elected two additional supervisors. The referendum petition or
10 resolution of the board of supervisors certified by the township
11 secretary shall be filed with the county board of elections not
12 later than the thirteenth Tuesday before the next municipal or
13 general election. The county board of elections shall place the
14 question before the electors as provided under the act of June
15 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election
16 Code." The form of the question shall be as follows:

17 Should two additional supervisors be Yes
18 elected to serve in this township? No

19 The county board of elections shall tabulate and publish the
20 results of the referendum within thirty days of the election.
21 The total number of supervisors shall not exceed five. In no
22 event shall the question of additional supervisors be voted on
23 more than once in any three-year period.

24 (c) At the first municipal election following approval at a
25 general election of the question providing for the election of
26 two additional supervisors, one of the additional supervisors
27 shall be elected for a term of four years and one for a term of
28 six years, each to serve from the first Monday of January after
29 the election. At the first general election following approval
30 at a municipal election of the question providing for the

election of two additional supervisors, one of the additional supervisors shall be elected for a term of three years and one for a term of five years, each to serve from the first Monday of January after the election. After that time, the additional supervisors shall be elected for terms of six years each to serve from the first Monday of January after the election.

(d) In townships in which the electorate has opted for a five-member board, the township shall return to a three-member board of supervisors upon petition of at least five percent of the electors of the township, or under a resolution of the board of supervisors, and upon approval by a majority of electors voting at the next municipal or general election. The referendum petition shall be filed with the county board of elections not later than the thirteenth Tuesday before the next municipal or general election. The county board of elections shall place the question before the electors as provided under the "Pennsylvania Election Code." The form of the question shall be as follows:

<u>Should this township return to a</u>	<u>Yes</u>
<u>three-member board of supervisors?</u>	<u>No</u>

The county board of elections shall tabulate and publish the results of the referendum within thirty days of the election. In no event shall the question of reducing the five-member board of supervisors be voted on more than once in any five-year period.

(e) At the first municipal election following approval of the question providing for a return to a three-member board, three supervisors shall be elected to serve from the first Monday of January after the election, when the terms of the officers of the five-member board of supervisors shall cease. The three candidates receiving the highest number of votes for the office of supervisor shall be elected. The candidate

1 receiving the highest number of votes shall serve for a term of
2 six years. The candidate receiving the second highest number of
3 votes shall serve for a term of four years. The candidate
4 receiving the third highest number of votes shall serve for a
5 term of two years. After that, supervisors shall be elected
6 under section 403.

7 [(b) Election of Officers

8 Section 410. Supervisors.--(a) Except as is otherwise
9 provided for the election of additional supervisors, at each
10 municipal election, the electors of each township shall elect
11 one supervisor to serve for a term of six years from the first
12 Monday of January next following his election.

13 (b) Except as provided in section 514, no supervisor shall
14 at the same time hold any other elective or appointive township
15 office or position other than township roadmaster or secretary-
16 treasurer. Nothing in this subsection shall prohibit a
17 supervisor from being a member of a township planning commission
18 created pursuant to the act of July 31, 1968 (P.L.805, No.247),
19 known as the "Pennsylvania Municipalities Planning Code."

20 (c) Supervisors shall reside in the township from which
21 elected and shall have resided in that township continuously for
22 at least one year before their election.]

23 Section 403. Supervisors.--(a) Except as provided under
24 section 402(b) for the election of additional supervisors or
25 under section 402(e) for a return to a three-member board, or
26 when vacancies create shorter terms, at each municipal election,
27 the electors of each township shall elect one supervisor to
28 serve for a term of six years from the first Monday of January
29 after the election.

30 (b) Except as otherwise provided in this act, no supervisor

1 shall at the same time hold any other elective or appointive
2 township office or position. Nothing in this subsection shall
3 prohibit a supervisor from being a member of a township planning
4 commission created under the act of July 31, 1968 (P.L.805,
5 No.247), known as the "Pennsylvania Municipalities Planning
6 Code."

7 (c) Supervisors shall reside in the township from which
8 elected and shall have resided in that township continuously for
9 at least one year before their election.

10 [Section 411. Auditors.--(a) At each municipal election,
11 the electors of each township shall elect one auditor to serve
12 for a term of six years from the first Monday of January next
13 following his election. Auditors shall reside in the township
14 from which elected and shall have resided in that township
15 continuously for at least one year immediately preceding their
16 election.]

17 (b) No auditor shall at the same time hold any other
18 elective or appointive township office in the township in which
19 he is employed as an auditor, and no auditor shall at the same
20 time hold any other elective or appointive school district
21 office or employment in any school district of the second, third
22 or fourth class if he audits any finances or any funds belonging
23 to or controlled by the school district.]

24 Section 404. Auditors.--(a) Except when vacancies create
25 shorter terms, at each municipal election, the electors of each
26 township shall elect one auditor to serve for a term of six
27 years from the first Monday of January after the election.
28 Auditors shall reside in the township from which elected and
29 shall have resided in that township continuously for at least
30 one year immediately preceding their election.

1 (b) No auditor shall at the same time hold any other
2 elective or appointive township office or position.

3 (c) In the event that there concurrently exists two or more
4 vacancies for the position of township auditor, a person shall
5 be ineligible to seek nomination or election to fill more than
6 one such vacancy.

7 [Section 412. Assessor.--At the municipal election in the
8 year one thousand nine hundred and forty-nine, and at the
9 municipal election every four years thereafter, the electors of
10 each township shall elect one assessor to serve for a term of
11 four years from the first Monday of January next following his
12 election. Assessors shall reside in the township from which
13 elected and shall have resided in that township continuously for
14 at least one year immediately preceding their election.

15 Section 413. Assessors not Elected in Certain Counties.--The
16 provisions of the preceding section, relating to the election of
17 assessors, shall not authorize the election of assessors for
18 taxation purposes in counties where boards for the assessment
19 and revision of taxes are authorized by law to appoint
20 assessors.]

21 Section 405. Assessor.--(a) At the municipal election in
22 the year 1993, and at the municipal election every four years
23 after that, the electors of each township shall elect one
24 assessor to serve for a term of four years, except when
25 vacancies create shorter terms, from the first Monday of January
26 after the election. Assessors shall reside in the township from
27 which elected and shall have resided in that township
28 continuously for at least one year immediately preceding their
29 election.

30 (b) This section does not authorize the election of

1 assessors for taxation purposes in counties where boards for the
2 assessment and revision of taxes are authorized by law to
3 appoint assessors.

4 [Section 414. Tax Collector.--(a) At the municipal election
5 in the year one thousand nine hundred and forty-nine, and at the
6 municipal election every four years thereafter, the electors of
7 each township shall elect one tax collector to serve for a term
8 of four years from the first Monday of January next succeeding
9 such election. Tax collectors shall reside in the township from
10 which elected and shall have resided in that township
11 continuously for at least one year immediately preceding their
12 election.

13 (b) If the electors of any township shall fail to choose a
14 tax collector or if any person elected to such office shall fail
15 to give the required bond or to take the required oath, such
16 vacancy shall be filled as prescribed by section 420.]

17 Section 406. Tax Collector.--(a) At the municipal election
18 in the year 1993, and at the municipal election every four years
19 after that, the electors of each township shall elect one tax
20 collector to serve for a term of four years, except when
21 vacancies create shorter terms, from the first Monday of January
22 after the election. Tax collectors shall reside in the township
23 from which elected and shall have resided in that township
24 continuously for at least one year immediately preceding their
25 election.

26 (b) If the electors of any township fail to choose a tax
27 collector or if any person elected to the office fails to give
28 the required bond or to take the required oath, the vacancy
29 shall be filled under section 407.

30 [(c) Vacancies in Office

1 Section 420. Vacancies in General.--If the electors of any
2 township shall fail to choose a supervisor, tax collector,
3 auditor or assessor, or if any person elected to such office
4 shall neglect or refuse to serve therein, or if a vacancy shall
5 occur in the office by death, resignation, removal from the
6 township, or otherwise, a majority of the remaining supervisors
7 may appoint a successor who is a registered voter and has
8 resided in that township continuously for at least one year
9 prior to their appointment, and upon their failure to make such
10 appointment within thirty days after the vacancy occurs, the
11 vacancy shall be filled within fifteen additional days by the
12 vacancy board. Such board shall consist of the board of
13 supervisors and one registered elector of the township, who
14 shall be appointed by the board of supervisors at the board's
15 first meeting each calendar year or as soon thereafter as
16 practical and who shall act as chairman of the vacancy board. If
17 the vacancy board fails to fill the position within the time
18 prescribed, the chairman shall, or in the case of a vacancy in
19 the chairmanship the remaining members of the vacancy board
20 shall, petition the court of common pleas to fill the vacancy.
21 In the case where two or more vacancies in the office of
22 supervisor occur on a three member board, or three or more
23 vacancies on a five member board, the court of common pleas
24 shall fill such vacancies upon presentation of petition signed
25 by not less than fifteen registered electors of the township. In
26 all cases, the successor so appointed shall hold the office
27 until the first Monday in January after the first municipal
28 election occurring more than sixty days after the vacancy
29 occurs, at which election an eligible person shall be elected
30 for the unexpired term.]

1 Section 407. Vacancies in General.--If the electors of any
2 township fail to choose a supervisor, tax collector, auditor or
3 assessor, or if any person elected to any office fails to serve
4 in the office, or if a vacancy occurs in the office by death,
5 resignation, removal from the township or otherwise, the board
6 of supervisors may appoint a successor who is an elector of the
7 township and has resided in that township continuously for at
8 least one year prior to their appointment, and, upon their
9 failure to make the appointment within thirty days after the
10 vacancy occurs, the vacancy shall be filled within fifteen
11 additional days by the vacancy board. The vacancy board shall
12 consist of the board of supervisors and one elector of the
13 township, who shall be appointed by the board of supervisors at
14 the board's first meeting each calendar year or as soon after
15 that as practical and who shall act as chairman of the vacancy
16 board. If the vacancy board fails to fill the position within
17 fifteen days, the chairman shall, or if there is a vacancy in
18 the chairmanship the remaining members of the vacancy board
19 shall, petition the court of common pleas to fill the vacancy.
20 If two or more vacancies in the office of supervisor occur on a
21 three-member board, or three or more vacancies on a five-member
22 board, the court of common pleas shall fill the vacancies upon
23 presentation of petition signed by not less than fifteen
24 electors of the township. The successor so appointed shall hold
25 the office until the first Monday in January after the first
26 municipal ~~or general~~ election which occurs more than sixty days <—
27 after the vacancy occurs, at which election an eligible person
28 shall be elected for the unexpired term.

29 ARTICLE V

30 TOWNSHIP OFFICERS GENERALLY

1 [(a) General Provisions

2 Section 501. Oath of Office.--Every person elected or
3 appointed to any township office in any township shall, before
4 entering upon the duties of his office, take and subscribe an
5 oath or affirmation before some person having authority to
6 administer oaths, to support the Constitutions of the United
7 States and of this Commonwealth, and to perform the duties of
8 his office with fidelity. A copy of such oath or affirmation
9 shall, within ten days thereafter, be filed with the township
10 secretary.]

11 Section 501. Oath of Office.--Every person elected or
12 appointed to any township office shall, before assuming the
13 duties of the office, take and subscribe an oath or affirmation
14 before a notary public, district justice or judge to support the
15 Constitutions of the United States and of the Commonwealth and
16 to perform the duties of the office with fidelity. A copy of the
17 oath or affirmation shall be filed with the township secretary
18 before assuming the duties of the office.

19 [Section 502. Bonds.--When any officer or employe of any
20 township is required to give bond for the faithful performance
21 of his duties, such bond shall be with a surety company or other
22 company authorized by law to act as surety, and the township may
23 pay the premium on such bond.]

24 Section 502. Bonds.--When any officer or employe of any
25 township is required to give bond for the faithful performance
26 of the duties of the office, the bond shall be with a surety
27 company or other company authorized by law to act as surety, and
28 the township may pay the premium on the bond.

29 [Section 503. Penalty for Failure to Perform Duties.--If any
30 township officer refuses or neglects to perform his duties, the

1 court of quarter sessions, upon complaint in writing by five
2 percentum of the registered electors of the township, may issue
3 a rule upon such officer to show cause why his office should not
4 be declared vacant and another appointed in his stead. Such rule
5 shall be made returnable not less than two weeks from its date
6 of issue. Upon hearing, and proof that the facts alleged in the
7 complaint are true, the court may declare the office vacant and
8 appoint another in his stead, to hold office during the term of
9 the officer deposed, or to make such other order as to the court
10 may seem just and proper.]

11 Section 503. Removal for Failure to Perform Duties.--If any
12 township officer fails to perform the duties of the office, the
13 court of common pleas, upon complaint in writing by five percent
14 of the electors of the township, may issue a rule upon the
15 officer to show cause why the office should not be declared
16 vacant. The officer shall respond to the rule within thirty days
17 from its date of issue. Upon hearing, the court may declare the
18 office vacant and require the vacancy to be filled under section
19 407.

20 [Section 504. Road Complaints.--If any complaint shall
21 allege that the public roads and highways of any township are
22 not maintained in accordance with law, the court may appoint
23 three persons, who shall examine said highways and report to the
24 court their findings. In all such cases the complainants shall
25 first enter security, in such sum as the court may fix, to pay
26 all costs.]

27 ARTICLE VI

28 TOWNSHIP SUPERVISORS

29 [(b) Township Supervisors, Township Superintendent,
30 and Roadmasters

1 Section 510. Supervision of Affairs.--The general
2 supervision of the affairs of the township shall be in the hands
3 of three registered electors of the township, who shall be
4 styled township supervisors, except that when upon referendum
5 the election of two additional supervisors is provided for, the
6 general supervision of the affairs of the township shall be in
7 the hands of five registered electors of the township, who shall
8 be styled township supervisors.]

9 Section 601. Supervisors and Government of Townships.--
10 Townships shall be governed and supervised by boards of
11 supervisors. Boards of supervisors shall consist of three
12 members or, if approved by the electors under section 402(b),
13 five members.

14 [Section 511. Organization Meeting; Appointment of Secretary
15 and Treasurer.--The supervisors of each township shall meet, at
16 a convenient time and place, on the first Monday in January of
17 each year. If the first Monday is a legal holiday, the meeting
18 shall be held the first day following. At such time the township
19 supervisors shall organize as a board by electing one of their
20 number as chairman and another member as vice-chairman. The
21 board shall appoint a treasurer and a secretary. The secretary
22 shall be an individual, however the board may select either a
23 trust company, banking institution or an individual to serve as
24 treasurer, or the board may appoint one individual to serve as
25 both secretary and treasurer. The secretary-treasurer, secretary
26 or treasurer, may or may not be a member of the board. With
27 regard to boards of supervisors which are designated as three-
28 member boards, any supervisor who is to be considered by such a
29 board for secretary-treasurer, secretary or treasurer, shall not
30 be excluded from voting on the issue of such appointment; such

1 action by a supervisor shall be deemed to be within the scope of
2 authority as a supervisor and shall not be deemed to constitute
3 an illegal or an improper conflict of interest.

4 The meeting under this section may be considered as a regular
5 monthly meeting for the transaction of such business as comes
6 before it. The first order of business at this meeting shall be
7 organization of the board. Any action taken or business
8 transacted other than organization of the supervisors as a board
9 at any organization meeting held prior to the effective date of
10 this amending act, which is invalid for the reason that the
11 action was taken or business transacted at an organization
12 meeting, is hereby validated and confirmed.]

13 Section 602. Organization Meeting; Appointment of Secretary
14 and Treasurer.--(a) The board of supervisors shall meet, at a
15 convenient time and place, on the first Monday in January of
16 each year. If the first Monday is a legal holiday, the meeting
17 shall be held the following day. The board of supervisors shall
18 elect one member as chairman and another as vice-chairman, and
19 it shall appoint a treasurer and a secretary. The secretary
20 shall be an individual; however, the board of supervisors may
21 select either a trust company, a banking institution or an
22 individual to serve as treasurer, or the board of supervisors
23 may appoint one individual to serve as both secretary and
24 treasurer. Members of the board of supervisors may be appointed
25 as secretary-treasurer, secretary or treasurer.

26 (b) The meeting under this section may be considered a
27 regular monthly meeting of the board of supervisors. The first
28 order of business at this meeting shall be organization of the
29 board of supervisors.

30 (C) THE BOARD OF SUPERVISORS MAY APPOINT A SUPERVISOR TO BE

<—

1 EMPLOYED AS ROADMASTER, LABORER, SECRETARY, TREASURER, ASSISTANT
2 SECRETARY, ASSISTANT TREASURER OR IN ANY EMPLOYE CAPACITY NOT
3 OTHERWISE PROHIBITED BY THIS OR ANY OTHER ACT.

4 [Section 512. Monthly Meetings; Quorum, Rent and Expenses.--
5 The township supervisors shall meet for the transaction of
6 business at least once each month, at a time and place to be
7 fixed by the board. Two members of any board of supervisors
8 consisting of three members shall constitute a quorum and three
9 members of any board of supervisors consisting of five members
10 shall constitute a quorum. Except as otherwise provided in this
11 act, an affirmative vote of a majority of the entire board of
12 supervisors shall be necessary in order to transact any
13 business. Necessary expenses incurred in such meetings,
14 including office rent, stationery, light and fuel, shall be paid
15 out of the general township fund.]

16 Section 603. Monthly Meetings; Quorum.--The board of
17 supervisors shall meet for the transaction of business at least
18 once each month, at a time and place determined by the board of
19 supervisors. A quorum is two members of a three-member board of
20 supervisors or three members of a five-member board of
21 supervisors. An affirmative vote of a majority of the entire
22 board of supervisors at a public meeting is necessary in order
23 to transact any business.

24 Section 604. Special Meetings.--Upon call of the chairman or
25 by agreement of a majority of its members, the board of
26 supervisors may schedule special meetings of the board of
27 supervisors after notice required under the act of July 3, 1986
28 (P.L.388, No.84), known as the "Sunshine Act." Notice of a
29 special meeting shall state the nature of the business to be
30 conducted at the meeting.

1 [Section 513. Minutes and Records.--The board of township
2 supervisors shall keep minutes of its proceedings, and such
3 other books as they may find necessary in the performance of
4 their duties. All such books shall be open for the inspection of
5 any elector, or taxpayer, or his, her or its representative, or
6 any representative of the Department of Community Affairs and
7 the Department of Highways at all reasonable times, and shall be
8 submitted to the township auditors when they meet to audit the
9 accounts of the treasurer and other township officers. The
10 township supervisors shall deliver such books, papers, and
11 accounts to their successors.

12 Section 513.1. Typewritten, Printed, Photostated and
13 Microfilmed Records, Valid Recording or Transcribing Records.--
14 All township records required to be recorded or transcribed
15 shall be deemed valid if typewritten, printed, photostated or
16 microfilmed, and where recording in a specified book of record
17 is required including minutes of the proceedings of the board of
18 supervisors such records may be recorded or transcribed in a
19 mechanical post binder book capable of being permanently sealed
20 with consecutively numbered pages with a security code printed
21 thereon and a permanent locking device with the township seal
22 being impressed upon each page, or bound book with pages being
23 consecutively numbered by transcribing directly upon the pages
24 of such book of record, or may be attached to such book of
25 record by stapling or by glue, or any other adhesive substance
26 or material, and all records heretofore recorded or transcribed
27 in any manner authorized by this section are validated. When any
28 record shall be recorded or transcribed after the effective date
29 of this amendment by attaching such record or a copy thereof to
30 the book of record as hereinabove provided, the township seal

1 shall be impressed upon each page to which such record is
2 attached, each impression thereof covering both a portion of the
3 attached record and a portion of the page of the book of record
4 to which such record is attached.]

5 Section 605. Minutes and Records.--(a) The board of
6 supervisors shall provide for the recording of minutes of its
7 proceedings and other books it may find necessary in the
8 performance of its duties. The records shall be made available
9 to the board of auditors during the annual audit. Unless the
10 custodian of the records agrees otherwise, the records shall be
11 audited or inspected at the place where they are normally
12 maintained. Supervisors who leave office shall deliver all
13 township records in their possession to their successors or to
14 the township secretary.

15 (b) All township records required to be recorded or
16 transcribed are valid if typewritten, printed, photostated or
17 microfilmed, and, where recording in a specified book of record
18 is required, including minutes of the proceedings of the board
19 of supervisors, the records may be recorded or transcribed in a
20 mechanical post binder book capable of being permanently sealed,
21 with consecutively numbered pages with a security code printed
22 thereon and a permanent locking device with the township seal
23 being impressed upon each page, or bound book with pages being
24 consecutively numbered by transcribing directly upon the pages
25 of the book of record, or may be attached to the book of record
26 by stapling or by glue or any other adhesive substance or
27 material, and all records previously recorded or transcribed in
28 any manner authorized by this section are validated. When any
29 record is recorded or transcribed by attaching the record or a
30 copy of it to the book of record, the township seal shall be

1 impressed upon each page to which the record is attached, each
2 impression covering both a portion of the attached record and a
3 portion of the page of the book of record to which the record is
4 attached.

5 (c) Original or certified copies of ordinances may also be
6 stored in a locking or mechanical post binder book, capable of
7 being permanently sealed, without being fastened onto pages in
8 the binder.

9 [Section 514. Road Districts; Superintendents and
10 Roadmasters.--The board of township supervisors, immediately
11 after their organization, shall divide the township into one or
12 more road districts. They shall employ a superintendent for the
13 entire township or a roadmaster for each district. Every
14 superintendent and roadmaster, so employed, must be a person
15 physically able to work on and maintain the roads. Township
16 supervisors may require such superintendents or roadmasters to
17 give bond, with a surety company or other company authorized by
18 law to act as surety, for the faithful performance of their
19 duties. The superintendent or roadmasters shall be subject to
20 removal by the board of supervisors. The supervisors shall fix
21 the wages to be paid, either per hour, per day, per week, semi-
22 monthly or monthly, to the superintendent or roadmasters and
23 laborers for work on the roads and bridges, which wages shall
24 not exceed wages paid in the locality for similar services.

25 This section shall not prohibit the township supervisors from
26 being employed as superintendents or roadmasters, or as
27 laborers, if physically able to work on and maintain the roads.
28 With regard to boards of supervisors which are designated as
29 three-member boards, any supervisor who is to be considered by
30 such a board for a position as a compensated employe of the

1 township, as authorized by this section, shall not be excluded
2 from voting on the issue of such appointment; such action by a
3 supervisor shall be deemed to be within the scope of authority
4 as a supervisor and shall not be deemed to constitute an illegal
5 or an improper conflict of interest. In such cases they shall
6 not employ a superintendent or roadmasters and their
7 compensation shall be fixed as hereinafter provided.

8 Two or more townships may appoint the same person as
9 superintendent.

10 Section 515. Compensation of Supervisors.--(a) Supervisors
11 may receive from the general township fund, as compensation, an
12 amount fixed by ordinance, not in excess of the following:

13	Township Population	Annual Maximum Compensation
14	Not more than 4,999	Fifteen hundred dollars
15	5,000 to 9,999	Two thousand dollars
16	10,000 to 14,999	Twenty-six hundred dollars
17	15,000 to 24,999	Thirty-three hundred dollars
18	25,000 to 34,999	Thirty-five hundred dollars
19	35,000 or more	Four thousand dollars

20 Such salaries shall be payable monthly or quarterly for the
21 duties imposed by the provisions of this act. The population
22 shall be determined by the latest available official census
23 figures, except that no township shall be required to reduce the
24 salary of a supervisor as a result of a decrease in population.
25 The compensation of supervisors, when acting as superintendents,
26 roadmasters or laborers, shall be fixed by the township auditors
27 either per hour, per day, per week, semi-monthly or monthly,
28 which compensation shall not exceed compensation paid in the
29 locality for similar services, and such other reasonable
30 compensation for the use of a passenger car, or a two-axled

1 four-wheeled motor truck having a chassis weight of less than
2 two thousand pounds and a maximum gross weight of five thousand
3 pounds, or a class 2 truck, having a maximum gross weight of
4 seven thousand pounds when required and actually used for the
5 transportation of road and bridge laborers and their hand tools
6 and for the distribution of cinders and patching material from a
7 stock pile, as the auditors shall determine and approve; but no
8 supervisor shall receive compensation as a superintendent or
9 roadmaster for any time he spends attending a meeting of
10 supervisors.

11 (b) Any benefit provided to or for the benefit of a
12 supervisor employed by the township as a superintendent,
13 roadmaster, laborer, secretary, treasurer or secretary/treasurer
14 in the form of inclusion in a pension plan paid for in whole or
15 in part by the township shall be deemed to be compensation
16 within the meaning of this act to the extent such benefit is
17 paid for by the township and shall be fixed by the township
18 auditors; however:

19 (1) Supervisors shall be eligible for inclusion in such
20 township pension plans only if they are employed by the township
21 in the capacity of superintendent, roadmaster, laborer,
22 secretary, treasurer or secretary/treasurer. In order to be
23 eligible for inclusion in such plans, supervisor-employees must
24 meet the same requirements as other employees of the township who
25 are eligible to participate in a pension plan. Such plans shall
26 not improperly discriminate in favor of a supervisor-employee.

27 (2) Once given, auditor approval for inclusion of
28 supervisor-employees shall not be rescinded in any subsequent
29 years so long as the pension plan remains in effect and said
30 supervisors remain employed by the township and continue to meet

1 the same requirements as other employees of the township who are
2 eligible to participate in a pension plan; nor shall the
3 auditors be empowered to act in any way that would cause the
4 disqualification of all or any portion of the pension plan under
5 the applicable Federal law.

6 (3) No change in the nature or rate of the contributions in
7 the case of a defined contribution plan and no change in the
8 benefit formula in the case of a defined benefit plan shall be
9 initiated by the board of supervisors with respect to a
10 supervisor-employee without auditor approval.

11 (4) A pension or annuity contract entered into by a township
12 between January 1, 1959, and March 31, 1985, that includes or
13 provides for benefits for supervisor-employees or retired
14 supervisor-employees at township expense shall not be void or
15 unlawful solely because such inclusion of supervisor-employees or
16 retired supervisor-employees was not previously approved by the
17 township auditors. No penalty, assessment, surcharge, forfeiture
18 or disciplinary action of any kind may occur as a result of such
19 participation by supervisor-employees.

20 (5) All premium, contribution or similar payments made by a
21 township on pension or annuity contracts on behalf of
22 supervisor-employees between January 1, 1959, and March 31, 1985,
23 which would have been proper but for the absence of auditor
24 approval, are hereby deemed ratified and approved. Any benefits
25 payable to any such supervisor-employee or his beneficiaries on
26 account of such premium, contribution or similar payments made
27 by a township during the aforementioned period shall continue.
28 Any such premium, contribution or similar payments made by a
29 township subsequent to March 31, 1985, shall require auditor
30 approval as provided in this subsection.

1 (6) If a supervisor-employee personally contributed toward a
2 township-sponsored pension plan or annuity that is not approved
3 by the township auditors or not deemed approved hereunder, he
4 shall receive a refund of his total contributions thereto, plus
5 any interest accumulated thereon. In lieu of a refund of
6 contributions plus accumulated interest, a supervisor-employee
7 who personally contributed toward a pension or annuity plan in
8 which he participated may elect to purchase that portion of his
9 pension or annuity funded by the township. The appropriate
10 compensation to be paid to the township by the supervisor-
11 employee shall be determined by a qualified actuary who shall
12 report his determination in accordance with the act of December
13 18, 1984 (P.L.1005, No.205), known as the "Municipal Pension
14 Plan Funding Standard and Recovery Act."

15 (7) Township supervisors who are not employees of the
16 township shall not be eligible for participation in any pension
17 or annuity contract paid in whole or in part by the township. No
18 township supervisor who was not an employee of the township but
19 was included in a township-paid pension or annuity plan entered
20 into by a township between January 1, 1959, and March 31, 1985,
21 shall be subject to any penalty, assessment, surcharge,
22 forfeiture or disciplinary action of any kind as a result of
23 said participation. Any residual interest, value, refund of
24 premium or benefits payable on or after March 31, 1985, arising
25 out of the township-paid interest of a non-employee supervisor
26 shall become the exclusive property of the township.

27 (c) In addition to the compensation authorized under this
28 section, supervisors while in office or while in the employ of
29 the township may be eligible for inclusion in township-paid
30 insurance plans, as follows:

1 (1) Supervisors and their dependents shall be eligible for
2 inclusion in group life, health, hospitalization, medical
3 service and accident insurance plans paid in whole or in part by
4 the township. No policy of group life insurance shall contain
5 any provision for the accrual or deferral of a cash surrender
6 value, loan value or any other nonforfeitable benefit, in
7 addition to or beyond the face amount of insurance, that shall
8 inure to the benefit of the supervisor, any beneficiary or any
9 other individual having an insurable interest in the life of a
10 supervisor. Such insurance, however, may contain a provision
11 that when the insurance, or any portion of it, on a person
12 covered under the policy ceases because of termination of
13 employment or the termination of the insured's term of office,
14 such person shall be entitled to have issued to him by the
15 insurer, without evidence of insurability, an individual policy
16 of insurance on any form customarily issued by the insurer at
17 the age and for the amount applied for if: (i) such amount is
18 not in excess of the amount of life insurance which ceases
19 because of such termination; and (ii) the application for the
20 individual policy is made and first premium is paid to the
21 insurer within thirty-one days after such termination.

22 Participation by supervisors shall not require auditor approval.
23 Such insurance shall be uniformly applicable to those covered
24 and shall not improperly discriminate in favor of supervisors.

25 (2) Any life, health, hospitalization, medical service or
26 accident insurance coverage contract entered into by a township
27 between January 1, 1959, and March 31, 1985, that includes or
28 provides coverage for non-employee supervisors shall not be void
29 or unlawful solely because such inclusion of non-employee
30 supervisors was subsequently found to be without lawful

1 authority. No penalty, assessment, surcharge, forfeiture or
2 disciplinary action of any kind may occur as a result of
3 participation by non-employee supervisors. Insurance benefits
4 payable to insureds or their beneficiaries arising out of or on
5 account of deaths, injuries, accidents or illnesses occurring
6 prior to the effective date of this amendatory act shall remain
7 the property of the insureds or their beneficiaries.

8 (3) All payments made by a township on any group life,
9 health, hospitalization, medical service or accident insurance
10 coverage contracts on behalf of non-employee supervisors between
11 January 1, 1959, and March 31, 1985, which would have been
12 proper but for the absence of auditor approval, are hereby
13 deemed ratified and approved. Any benefits payable to any such
14 non-employee supervisor or his beneficiaries on account of such
15 payments made by a township during the aforementioned period
16 shall continue.

17 (4) Supervisors and their dependents, whether or not they
18 are employed by the township, shall also be eligible for
19 inclusion in township group life, health, hospitalization,
20 medical service and accident insurance plans if they pay their
21 pro rata share of the premium. Their inclusion in such plans
22 shall not require auditor approval, but shall require the
23 submission of a letter requesting such participation at a
24 regularly scheduled meeting of the board of township supervisors
25 prior to commencing such participation. Such insurance shall be
26 uniformly applicable to those covered and shall not give
27 eligibility preference to, or improperly discriminate in favor
28 of, supervisors.]

29 Section 606. Compensation of Supervisors.--(a) Supervisors
30 may receive as compensation an amount established by ordinance

1 not in excess of the following:

2 Township Annual Maximum

3 Population Compensation

4 not more than 4,999 \$1,500 <—

5 5,000 to 9,999 \$2,000

6 10,000 to 14,999 \$2,600

7 15,000 to 24,999 \$3,300

8 25,000 to 34,999 \$3,500

9 35,000 or more \$4,000

10 NOT MORE THAN 4,999 \$1,875 <—

11 5,000 TO 9,999 \$2,500

12 10,000 TO 14,999 \$3,250

13 15,000 TO 24,999 \$4,125

14 25,000 TO 34,999 \$4,375

15 35,000 OR MORE \$5,000

16 Salaries are payable monthly or quarterly for the duties imposed
17 by this act. The population is determined by the latest official
18 census figures, except that no township shall be required to
19 reduce the salary of a supervisor as a result of a decrease in
20 population. The compensation of supervisors, when employed as
21 roadmasters, laborers, secretary, treasurer, assistant
22 secretary, assistant treasurer or in any employe capacity not
23 otherwise prohibited by this or any other act, shall be
24 determined by the board of auditors, at an hourly, daily,
25 weekly, semi-monthly or monthly basis, which shall be comparable
26 to compensation paid in the locality for similar services. The
27 board of supervisors may establish a mileage allowance, under
28 the act of July 20, 1979 (P.L.156, No.51), referred to as the
29 Uniform Mileage Fee Law, to be paid to officers and employes for
30 the use of a personal vehicle when required and actually used

1 for authorized township business. No supervisor may receive
2 compensation as an employee for attending a meeting of the board
3 of supervisors. Supervisors may continue to be compensated under
4 prior law until such time as an ordinance is enacted under this
5 act. Any change in salary, compensation or emoluments of the
6 elected office becomes effective at the beginning of the next
7 term of the supervisor. A decision by the township to pay, in
8 whole or in part, to include supervisors not employed by the
9 township in insurance plans, as authorized in subsection (c),
10 shall not be implemented with regard to any nonemployee
11 supervisor until the beginning of the next term of that
12 supervisor.

13 (b) Any benefit provided to or for the benefit of a
14 supervisor employed by the township in any employee capacity
15 under this act in the form of inclusion in a pension plan paid
16 for in whole or in part by the township is compensation within
17 the meaning of this act to the extent that benefit is paid for
18 by the township and is determined by the board of auditors;
19 however:

20 (1) Supervisors are eligible for inclusion in township
21 pension plans only if they are employed by the township in any
22 employee capacity under this act. In order to be eligible for
23 inclusion in the plans, supervisor-employees must meet the same
24 requirements as other employees of the township who are eligible
25 to participate in a pension plan. Pension plans shall not
26 improperly discriminate in favor of a supervisor-employee.

27 (2) Once given, auditor approval for inclusion of
28 supervisor-employees shall not be rescinded in any subsequent
29 years as long as the pension plan remains in effect and the
30 supervisors remain employed by the township and continue to meet

1 the same requirements as other employes of the township who are
2 eligible to participate in a pension plan; nor shall the
3 auditors act in any way that disqualifies the pension plan under
4 Federal law.

5 (3) No change in the nature or rate of the contributions of
6 a defined contribution plan and no change in the benefit formula
7 of a defined benefit plan shall be initiated by the board of
8 supervisors with respect to a supervisor-employe without auditor
9 approval.

10 (4) A pension or annuity contract made by a township between
11 January 1, 1959, and March 31, 1985, that includes or provides
12 for benefits for supervisor-employes or retired supervisor-
13 employes at township expense is not void or unlawful solely
14 because the inclusion of supervisor-employes or retired
15 supervisor-employes was not previously approved by the township
16 auditors. No penalty, assessment, surcharge, forfeiture or
17 disciplinary action of any kind may occur as a result of that
18 participation by supervisor-employes.

19 (5) All premium, contribution or similar payments made by a
20 township on pension or annuity contracts on behalf of
21 supervisor-employes between January 1, 1959, and March 31, 1985,
22 which would have been proper but for the absence of auditor
23 approval are hereby approved. Any benefits payable to any
24 supervisor-employe or his beneficiaries on account of any
25 premium, contribution or similar payments made by a township
26 during that period shall continue. Any premium, contribution or
27 similar payments made by a township after March 31, 1985,
28 requires auditor approval under this subsection.

29 (6) If a supervisor-employe personally contributed toward a
30 township-sponsored pension plan or annuity that is not approved

1 by the township auditors or not approved by this act, he shall
2 receive a refund of his total contributions thereto plus any
3 interest accumulated thereon. In lieu of a refund of
4 contributions plus accumulated interest, a supervisor-employee
5 who personally contributed toward a pension or annuity plan in
6 which he participated may elect to purchase that portion of his
7 pension or annuity funded by the township. A qualified actuary,
8 who shall report his determination under the act of December 18,
9 1984 (P.L.1005, No.205), known as the "Municipal Pension Plan
10 Funding Standard and Recovery Act," shall determine the amount
11 the supervisor-employee shall pay to purchase the township-funded
12 portion of the annuity or pension.

13 (7) Supervisors who are not employes of the township are not
14 eligible for participation in any pension or annuity contract
15 paid in whole or in part by the township. No supervisor who was
16 not an employe of the township but was included in a township-
17 paid pension or annuity plan made by a township between January
18 1, 1959, and March 31, 1985, is subject to any penalty,
19 assessment, surcharge, forfeiture or disciplinary action. Any
20 residual interest, value, refund of premium or benefits payable
21 on or after March 31, 1985, arising out of the township-paid
22 interest of a supervisor who was not an employe is the exclusive
23 property of the township.

24 (c) In addition to the compensation authorized under this
25 section, supervisors while in office or while in the employ of
26 the township may be eligible for inclusion in township-paid
27 insurance plans, as follows:

28 (1) Supervisors, WHETHER OR NOT THEY ARE EMPLOYED BY THE
29 TOWNSHIP, and their dependents are eligible for inclusion in
30 group life, health, hospitalization, medical service and

<—

1 accident insurance plans paid in whole or in part by the
2 township. THEIR INCLUSION IN THOSE PLANS DOES NOT REQUIRE <—
3 AUDITOR APPROVAL, BUT DOES REQUIRE SUBMISSION OF A LETTER
4 REQUESTING PARTICIPATION AT A REGULARLY SCHEDULED MEETING OF THE
5 BOARD OF SUPERVISORS BEFORE COMMENCING PARTICIPATION. THE
6 INSURANCE SHALL BE UNIFORMLY APPLICABLE TO THOSE COVERED AND
7 SHALL NOT GIVE ELIGIBILITY PREFERENCE TO OR IMPROPERLY
8 DISCRIMINATE IN FAVOR OF SUPERVISORS. No policy of group life
9 insurance shall contain any provision for a cash surrender
10 value, loan value or any other benefit beyond the face amount of
11 insurance. The policy may contain a provision that when the
12 insurance ceases because of termination of employment or term of
13 office, the person is entitled to have issued to him by the
14 insurer, without evidence of insurability, an individual policy
15 of insurance on any form customarily issued by the insurer at
16 the age and for the amount applied for if the amount is not in
17 excess of the amount of life insurance which ceases because of
18 the termination and the application for the individual policy is
19 made and first premium is paid to the insurer within thirty-one
20 days after termination. Participation by supervisors does not <—
21 require auditor approval. Such insurance shall be uniformly
22 applicable to those covered and shall not improperly
23 discriminate in favor of supervisors.

24 (2) Any life, health, hospitalization, medical service or
25 accident insurance coverage contract made by a township between
26 January 1, 1959, and March 31, 1985, that includes or provides
27 coverage for supervisors not employed by the township is not
28 void or unlawful because inclusion of those supervisors was
29 subsequently found to be without lawful authority. No penalty,
30 assessment, surcharge, forfeiture or disciplinary action may

1 occur as a result of participation by those supervisors.
2 Insurance benefits paid or payable to insureds or their
3 beneficiaries arising out of or on account of deaths, injuries,
4 accidents or illnesses occurring before March 30, 1988, are the
5 property of the insureds or their beneficiaries.

6 (3) All payments made by a township on any group life,
7 health, hospitalization, medical service or accident insurance
8 coverage contracts on behalf of supervisors who were not
9 employees between January 1, 1959, and March 31, 1985, which
10 would have been proper but for the absence of auditor approval
11 are hereby approved. Any benefits payable to any supervisor or
12 his beneficiaries on account of those payments during that time
13 shall continue.

14 ~~(4) Supervisors and their dependents, whether or not they~~ <—
15 ~~are employed by the township, are eligible for inclusion in~~
16 ~~township group life, health, hospitalization, medical service~~
17 ~~and accident insurance plans if they pay their share of the~~
18 ~~premium. Their inclusion in those plans does not require auditor~~
19 ~~approval, but does require the submission of a letter requesting~~
20 ~~participation at a regularly scheduled meeting of the board of~~
21 ~~supervisors before commencing participation. The insurance shall~~
22 ~~be uniformly applicable to those covered and shall not give~~
23 ~~eligibility preference to or improperly discriminate in favor of~~
24 ~~supervisors.~~

25 ~~(5)~~ (4) The township may deduct from any compensation
26 payable to a supervisor such part of any insurance premium or
27 charge which is payable by the supervisor within the terms of
28 the particular township's insurance plan.

29 [Section 516. Duties of Supervisors, Township
30 Superintendents, and Roadmasters.--The township supervisors, or

1 the supervisors employed as superintendents or roadmasters,
2 shall--

3 (a) Have the general care and superintendence of the
4 improvement of the roads and bridges in the township, except as
5 otherwise specially provided.

6 (b) Cause such roads and bridges to be kept in repair and
7 reasonably free from all obstructions, and give the necessary
8 directions therefor.

9 (c) Inspect all roads and bridges during the months of April
10 and October of each year.

11 (d) Divide the township into as many districts as may be
12 deemed necessary for the maintenance and repair of the roads and
13 the opening of roads obstructed by snow.

14 (e) Employ or hire such persons, as may be necessary for the
15 general conduct of the business of the township, and provide for
16 the organization and supervision of the persons so employed, and
17 work on the roads themselves when directed to do so by the board
18 of supervisors. Records shall be kept, and reports made and
19 filed, giving the names of all persons employed, including
20 supervisors, superintendent or roadmasters, dates on which work
21 was done, and the number of hours worked with compensation paid
22 to each person and the capacity in which he is employed.

23 (f) Construct and keep in repair all sluices and culverts,
24 and keep the waterways, bridges and culverts open.

25 (g) Cause loose stones lying in the beaten track of every
26 road to be removed. Stones so removed shall be conveyed to some
27 place from which they will not work back or be brought back into
28 the track by other implements used in repairing or maintaining
29 such highways.

30 (h) Attend meetings and conventions if directed to do so by

1 the board of supervisors. Any supervisor, elected or appointed
2 officer or township employe shall, if directed by the board of
3 supervisors, attend any conference, institute or school dealing
4 with the duties and functions of such elected or appointed
5 officers or employes. The expenses for attending the
6 conferences, institutes and schools may be paid by the township
7 and shall be limited to the registration fee, mileage for use of
8 a personal vehicle or reimbursement of actual transportation
9 expense going to and returning from such meeting plus all other
10 actual expenses that the township board of supervisors may have
11 agreed to pay. Every delegate attending the meeting shall submit
12 to the township board of supervisors an itemized account of
13 expenses incurred thereat. The township board of supervisors may
14 authorize township employes to be compensated at their regular
15 employe rate during their attendance at the meeting.

16 (i) Perform such other duties and have such other powers
17 with respect thereto as may be imposed or conferred by law or
18 the rules and regulations of the Department of Highways.

19 The roadmasters or superintendents or supervisors, acting in
20 either capacity, shall--

21 (j) Report monthly to the board of supervisors, such
22 information as may be required by the Department of Highways, in
23 the form prescribed by the department.

24 (k) Inspect all roads and bridges at such times as the
25 township supervisors shall direct, except during the months of
26 April and October.

27 (l) Have power to relocate, widen, deepen, and straighten
28 the channels of streams, and rip, rap, and otherwise protect the
29 banks of streams in order to protect roads, prevent erosion, and
30 prevent floods in the township: Provided, That the consent of

1 the Water and Power Resources Board to any such project has
2 first been secured.

3 (m) When authorized to do so by general or special order of
4 the township supervisors, to do or cause to be done all work
5 necessary to carry out the responsibilities imposed upon the
6 township supervisors by subsections (a), (b), (e), (f), (g), and
7 (i) of this section.]

8 Section 607. Duties of Supervisors.--The board of
9 supervisors shall:

10 (1) Be charged with the general governance of the township
11 and the execution of legislative, executive and administrative
12 powers in order to ensure sound fiscal management and to secure
13 the health, safety and welfare of the citizens of the township.

14 (2) Have the responsibility for maintenance of township-
15 owned equipment and facilities.

16 (3) Employ persons as may be necessary for the general
17 conduct of the business of the township and provide for the
18 compensation, organization and supervision of the persons so
19 employed. Records shall be kept and reports made and filed
20 giving the names of all persons employed, dates on which work
21 was done and the number of hours worked with compensation paid
22 to each person and the capacity in which employed.

23 (4) Authorize attendance at conferences, institutes, schools
24 and conventions. Any supervisor, elected or appointed officer or
25 township employe may, if directed by the board of supervisors,
26 attend any conference, institute, school or convention dealing
27 with the duties and functions of elected or appointed officers
28 or employes. The expenses for attending the meetings may be paid
29 by the township and are limited to the registration fee, mileage
30 for the use of a personal vehicle or reimbursement of actual

transportation expense going to and returning from the meeting plus all other actual expenses that the board of supervisors agrees to pay. Every attendee shall submit to the board of supervisors an itemized account of expenses incurred at the meeting. The board of supervisors may authorize employees to be compensated at their regular employee rate during their attendance at the meeting.

(5) Annually, on or before the first day of February, furnish to the board of auditors information on the construction or maintenance of roads, or other matters that may be required by any department of the Commonwealth to be included in the annual township report.

(6) Provide for the annual tax duplicate to be prepared and presented to the tax collector.

(7) Perform duties and exercise powers as may be imposed or conferred by law or the rules and regulations of any agency of the Commonwealth.

[Section 517. Road Contracts.--The board of township supervisors may make a contract for the improvement and keeping in repair of not more than ten miles of road. No such contract shall extend over a period of more than four years, nor shall it be given unless approved of and signed by at least two members of the board of township supervisors. Every contractor for road work shall give bond for the amount of such contract, and sign specifications furnished by the township supervisors for the building and care of such contract roads.

Section 518. Annual Township Report; Duties of Supervisors.--The board of supervisors annually, on or before the first day of February in each year, shall furnish to the township auditors such accurate information concerning the

1 construction, reconstruction, maintenance and repair of the
2 roads, the repair and purchase of equipment and machinery, and
3 road mileage, as may be required, in order to enable the
4 auditors to make the annual township report hereinafter
5 prescribed.

6 Section 519. Applications for County Road Aid.--Whenever the
7 owners of the majority of the assessed valuation of real
8 property within any township desire any principal road within
9 the township to be improved and maintained at the joint expense
10 of the county and township, they may petition the supervisors of
11 the township for said improvement, and require them to make
12 application to the county commissioners for such improvement and
13 maintenance in accordance with the provisions of existing law.

14 In all cases where the township supervisors refuse to act
15 upon, or unduly delay action on, any petition for the
16 improvement and maintenance of any road, as herein provided, any
17 registered elector or taxpayer of the township or county may, by
18 petition, present the facts of the matter to the court of
19 quarter sessions, requesting the court to order such action
20 thereon as the case may require. If after due hearing had before
21 said court it shall appear that the truth of the matters alleged
22 in the petition are sustained, the court shall make an order
23 directing the township supervisors to forthwith act upon said
24 application or applications, and that the said application or
25 petition for the improvement be forthwith forwarded to the
26 county commissioners.

27 Section 520. Interest in Contracts and Purchases; Penalty.--
28 Except as otherwise provided in section 802 of this act any
29 township supervisor, superintendent, or roadmaster who is
30 knowingly interested directly or indirectly, in any purchase

1 made or contract relating to roads and bridges, or for a
2 compensation furnishes any materials therefor is guilty of a
3 misdemeanor, and upon conviction thereof, shall be sentenced to
4 pay a fine not exceeding five hundred dollars or undergo
5 imprisonment not exceeding six months, or both, and shall
6 forfeit his office.

7 Section 521. Violation of Act Generally; Penalty.--Any
8 township supervisor, township superintendent, roadmaster, or
9 contractor, employed to work on the roads and bridges of any
10 township, or any other person including any corporation officer
11 or employe, who violates any of the provisions of this act,
12 other than those for the violation of which specific penalties
13 are provided, or who fails, or neglects, or refuses to carry out
14 the provisions of this act, shall, upon conviction thereof in a
15 summary proceeding, be sentenced to pay a fine of not less than
16 ten dollars and not more than fifty dollars, and in default of
17 the payment of such fine and costs, shall be sentenced to
18 imprisonment of not more than twenty-five days. All such fines
19 shall be paid to the township treasurer and credited to the
20 general township fund.]

21 ARTICLE VII

22 TOWNSHIP TREASURER

23 [(c) Township Treasurer]

24 Section 701. Township Treasurer.--The board of supervisors
25 shall appoint a township treasurer to serve at the pleasure of
26 the board of supervisors.

27 [Section 530. Bond.--The treasurer appointed by the board of
28 township supervisors, if an individual, shall give bond, with a
29 surety company or other company authorized by law to act as
30 surety to be approved as to the amount thereof by and filed with

1 the auditors of the township, conditioned that the treasurer
2 shall well and truly account for and pay over all moneys
3 collected or received for the township, and all moneys paid by
4 the State to the township and received by him, only upon a
5 written order signed by two members of the board of supervisors;
6 for the delivery to his successor in office of all books,
7 papers, and documents; for the payment to such successor of any
8 balance of money belonging to the township that may remain in
9 his hands; and for the faithful performance of the duties of his
10 office.]

11 Section 702. Treasurer's Bond.--The township treasurer, if
12 an individual, shall give bond with a surety company in an
13 amount established by the board of ~~auditors~~ SUPERVISORS for the <—
14 faithful performance of the duties of the office. The amount of
15 the bond shall equal the highest amount of township funds
16 estimated by the board of ~~auditors~~ SUPERVISORS to be available <—
17 to the township treasurer at any time during the current year.
18 The bond shall be filed with the board of auditors of the
19 township.

20 [Section 531. Compensation.--The township treasurer shall
21 receive, as compensation for his services, salary, wages or a
22 certain percentage on all moneys received and paid by him, which
23 compensation shall be determined by the supervisors of the
24 townships.

25 Except as otherwise provided in section 540 hereof, the
26 amount paid to the treasurer as treasurer and secretary, shall
27 be determined by the board of supervisors, except that where a
28 supervisor is serving as secretary and/or treasurer the auditors
29 shall fix the compensation.]

30 Section 703. Treasurer's Compensation.--The board of

1 supervisors shall determine the compensation of the township
2 treasurer. When a supervisor is appointed as township treasurer,
3 the board of auditors shall determine the compensation. A person
4 may not receive hourly compensation for work as a
5 superintendent, roadmaster or laborer for time spent in the
6 performance of the duties of township treasurer.

7 [Section 532. Duties.--The township treasurer shall receive
8 all moneys due the township and deposit the same promptly upon
9 receipt thereof in a bank, banking institution, or trust company
10 in the name of the township. He shall keep distinct and accurate
11 accounts of all sums received from taxes and other sources,
12 which accounts shall be open to the inspection of the
13 supervisors and taxpayers of the township. He shall pay out all
14 moneys received by him only on orders drawn by the supervisors
15 of the township. He shall annually state his accounts, and lay
16 the same, together with the vouchers, before the township
17 auditors for settlement.]

18 Section 704. Treasurer's Duties.--The township treasurer
19 shall:

20 (1) Receive all moneys due the township and deposit them
21 promptly in a designated depository in the name of the township.

22 (2) Keep distinct and accurate accounts of all sums received
23 from taxes and other sources, which accounts shall be open to
24 the inspection of the board of supervisors and any citizen of
25 this Commonwealth.

26 (3) Pay out all moneys of the township only on direction by
27 and upon a written order signed by a majority of the members of <—
28 the board of supervisors.

29 (4) Annually state the accounts and make them available to
30 the board of auditors for settlement.

1 (5) Preserve the account books, papers, documents and other
2 records of the office and turn them over to the successor in
3 office.

4 Section 705. Assistant Treasurer.--The board of supervisors
5 may appoint an assistant treasurer who shall assist the township
6 treasurer or, in the absence or disability of the township
7 treasurer, perform the duties of the township treasurer. The
8 assistant treasurer may be appointed from the membership of the
9 board of supervisors. The assistant treasurer shall be bonded
10 for the same amount as the township treasurer when acting in the
11 capacity of township treasurer. The board of supervisors shall
12 determine the compensation of the assistant treasurer. When a
13 supervisor is appointed assistant treasurer, the board of
14 auditors shall determine the compensation.

15 [Section 533. Use of Special Funds; Penalty.--Whenever any
16 moneys are collected in or received by any township for any
17 special purpose, and are paid into the hands of the treasurer of
18 such township, it shall be unlawful for such treasurer to apply
19 such moneys, or any part thereof, to any purpose other than that
20 for which such moneys were collected or received. Every such
21 misapplication shall be a misdemeanor, and upon conviction
22 thereof, the treasurer shall be sentenced to pay a fine of not
23 less than the amount so misapplied, or undergo imprisonment for
24 not more than one year, or both.]

25 Section 706. Use of Special Funds; Penalty.--When any moneys
26 are collected for any special purpose, no township treasurer or
27 board of supervisors may apply those moneys to any purpose other
28 than that for which they were collected. Every misapplication
29 shall be a misdemeanor of the third degree and, in addition to
30 the fine or penalty which may be imposed upon conviction, the

1 defendant shall be required to pay restitution in the amount of
2 moneys improperly spent.

3 [Section 534. Penalty for Failure to Perform Duties.--Any
4 township treasurer who fails or neglects or refuses to perform
5 any of the duties of his office, other than those for which
6 specific penalties are provided, upon conviction thereof in a
7 summary proceeding, shall be sentenced to pay a fine of not more
8 than one hundred dollars, and in default of the payment of such
9 fine and costs, shall be sentenced to imprisonment of not more
10 than thirty days, and shall be disqualified from holding the
11 office.]

12 Section 707. Penalty for Failure to Perform Duties.--A
13 township treasurer or assistant treasurer who fails to perform
14 any duties of the office other than those for which specific
15 penalties are provided commits a summary offense and, in
16 addition to the fine or penalty which may be imposed upon
17 conviction, is required to pay to the township an amount equal
18 to the amount of the financial loss that occurred, if any, for
19 not performing the duties of the office. That person is
20 disqualified from holding the office of township treasurer or
21 assistant treasurer.

22 [Section 535. Depositories of Township Funds.--The township
23 supervisors may, at their annual organization meeting, or as
24 soon thereafter as is practicable, designate, by resolution, a
25 depository or depositories for township funds, and fix and
26 approve the security to be furnished by any such depository:
27 Provided, That any such funds deposited with any banking
28 institution of this Commonwealth may be insured with the Federal
29 Deposit Insurance Corporation, or any other corporation
30 hereafter organized by the United States for the purpose of

1 insuring deposits, up to the amount to which such corporation
2 is, or may hereafter be, authorized to insure deposits, in any
3 one name, and where so insured the supervisors shall not require
4 such banking institution to furnish additional bond, insurance
5 or security to cover the amount of such deposits so insured.
6 Such designation shall be valid for a period of one year or
7 until such time as another depository or other depositories
8 shall be designated by similar action of the township
9 supervisors.

10 Such depository, or depositories shall be banks, banking
11 institutions, or trust companies located in the Commonwealth.

12 The township treasurer shall, upon the designation of such
13 depository or depositories, immediately transfer thereto the
14 township funds, and shall thereafter keep such deposits solely
15 in such depository or depositories in the name of the township.

16 No township treasurer, complying with the provisions of this
17 section, nor his surety or sureties, shall be chargeable with
18 losses of township funds caused by the failure or negligence of
19 such depository or depositories.]

20 Section 708. Depositories of Township Funds.--(a) The board
21 of supervisors shall designate, by resolution, a depository or
22 depositories for township funds. Any funds deposited with any
23 banking institution of this Commonwealth shall be insured with
24 the Federal Deposit Insurance Corporation or the National Credit
25 Union Share Insurance Fund or their successor agencies, to the
26 extent that accounts are so insured. The board of supervisors
27 shall require each banking institution to furnish additional
28 bond, insurance or security to cover the amount of any deposits
29 in excess of the insured limits. The designation is valid for a
30 period of one year or until another depository or other

1 depositories are designated by similar action of the board of
2 supervisors.

3 (b) The depository or depositories shall be banks, banking
4 institutions or trust companies located in this Commonwealth.

5 (c) The township treasurer or assistant treasurer shall,
6 upon the designation of the depository or depositories by the
7 board of supervisors, immediately transfer thereto the township
8 funds and after that make deposits solely in the depository or
9 depositories in the name of the township.

10 (d) No township treasurer or assistant treasurer complying
11 with the provisions of this section, nor his surety or sureties,
12 shall be chargeable with losses of township funds caused solely
13 by the failure or negligence of the depository or depositories.

14 ARTICLE VIII

15 TOWNSHIP SECRETARY

16 [(d) Township Secretary]

17 Section 801. Township Secretary.--The board of supervisors
18 shall appoint a township secretary to serve at the pleasure of
19 the board of supervisors.

20 [Section 540. Duties and Compensation.--The secretary in
21 each township shall be clerk to the board of supervisors. He
22 shall keep a record of the proceedings of said officers in a
23 minute book in which he shall also record all court orders
24 relative to the laying out, opening and vacating of roads. The
25 minute book, account book and other financial records shall be
26 carefully preserved by the secretary and shall be turned over to
27 his successor in office. Miscellaneous records and papers of the
28 township other than the minute book and account book may be
29 destroyed with the consent of the supervisors after the lapse of
30 six years from the date of such records.

1 The secretary shall prepare and write the annual tax
2 duplicate of the township, and shall receive such salary, wages
3 or other compensation therefor as shall be fixed by the township
4 supervisors. The amount paid to the secretary and treasurer as
5 salary, wages or other compensation for services, shall be
6 determined by the board of supervisors, except that where a
7 supervisor is serving as secretary and/or treasurer the auditors
8 shall fix the compensation.

9 The secretary shall inform all members of the board of
10 supervisors of all functions and meetings, including special
11 meetings of the board.]

12 Section 802. Secretary's Duties.--The township secretary is
13 a clerk to the board of supervisors. The township secretary
14 shall:

15 (1) Record the proceedings of the board of supervisors and
16 all court orders relative to the laying out, opening and
17 vacating of roads in a minute book.

18 (2) Preserve the minute book and other records and turn them
19 over to the successor in office.

20 (3) With the consent of the board of supervisors and in
21 conformity with other laws governing the retention and
22 disposition of municipal records, have the authority to destroy
23 records and papers of the township other than the minute book
24 and account book after the lapse of six years from the date of
25 the records.

26 (4) Inform supervisors of all township meetings, including
27 special meetings of the board of supervisors.

28 Section 803. Secretary's Compensation.--The board of
29 supervisors shall determine the compensation of the township
30 secretary. When a supervisor is appointed township secretary,

1 the board of auditors shall determine the compensation. A person
2 may not receive hourly compensation for work as a
3 superintendent, roadmaster or laborer for time spent in the
4 performance of the duties of township secretary.

5 [Section 543. Assistant Secretary.--Every board of township
6 supervisors may, by resolution, appoint an assistant secretary
7 who shall, in the absence or disability of the secretary,
8 perform the duties and exercise the powers of the secretary. The
9 assistant secretary may be appointed from the membership of the
10 board of township supervisors but shall not be any other officer
11 thereof, shall receive compensation for such services not
12 exceeding the compensation of the secretary, and shall be
13 bonded. The assistant secretary shall not be compensated for any
14 period of time for which the secretary is compensated.]

15 Section 804. Assistant Secretary.--The board of supervisors
16 may appoint an assistant secretary who shall assist the township
17 secretary or, in the absence or disability of the township
18 secretary, perform the duties of the township secretary. The
19 assistant secretary may be appointed from the membership of the
20 board of supervisors. The board of supervisors shall determine
21 the compensation of the assistant secretary. When a supervisor
22 is appointed assistant secretary, the board of auditors shall
23 determine the compensation.

24 ARTICLE IX

25 AUDITORS; ACCOUNTANTS

26 [(e) Township Auditors

27 Section 545. Meetings; Duties; Quorum; Surcharges;
28 Compensation.--The auditors of townships shall meet annually, at
29 the place of meeting of the supervisors, on the day following
30 the day which is fixed by this act for organization of the

1 township supervisors; and shall organize by the election of a
2 chairman and secretary, and shall audit, settle, and adjust the
3 accounts of the supervisors, superintendents, roadmasters,
4 treasurer, and tax collector of the township, and fix the
5 compensations for the current year authorized in section 515
6 hereof. Two auditors shall constitute a quorum. The auditors
7 shall also make an audit of the dockets, transcripts, and other
8 official records of the justices of the peace to determine the
9 amounts of fines and costs paid over or due the township, and
10 the dockets and records of the justices of the peace shall be
11 open to inspection by the auditors for such purpose. Unless
12 otherwise agreed to by the auditors and the officer being
13 audited, the audit shall be conducted at the place the records
14 of the officer are normally kept.

15 Upon the death or resignation of any of the above officers
16 the auditor, upon call of the chairman, shall meet and audit the
17 accounts of the former incumbent, and at that time fix the
18 compensation of his successor if authorized by this act to fix
19 the compensation for such office.

20 Any elected or appointed officer, whose act, error or
21 omission has contributed to the financial loss of any township,
22 shall be surcharged by the auditors with the amount of such
23 loss, and the surcharge of any such officer shall take into
24 consideration as its basis, the results of such act, error or
25 omission and the results had the procedure been strictly
26 according to law. The provisions hereof limiting the amount of
27 any surcharge shall not apply to cases involving fraud or
28 collusion on the part of such officers, nor to any penalty
29 ensuing to the benefit of or payable to the Commonwealth.

30 Each auditor shall receive thirty dollars per diem for each

1 day necessarily employed in the duties of his office, to be paid
2 out of the funds of the township. In no event shall any auditor
3 in a township having a population of ten thousand (10,000) or
4 less be entitled to receive more than six hundred dollars (\$600)
5 for any calendar year. In no event shall any auditor in a
6 township having a population in excess of ten thousand (10,000)
7 be entitled to receive more than twelve hundred dollars (\$1,200)
8 for any calendar year. A day shall consist of not less than five
9 hours in the aggregate.]

10 Section 901. Township Auditors; Meetings; Duties; Quorum.--

11 (a) The board of auditors shall meet annually, at the place of
12 meeting of the board of supervisors, on the day following the
13 day designated by this act for organization of the board of
14 supervisors; and they shall organize by the election of a
15 chairman and secretary. The board of auditors shall audit,
16 settle and adjust the accounts of all elected or appointed
17 officials of the township and its boards or agencies that
18 received or disbursed funds of or owing to the township during
19 the immediately preceding calendar year. The board of auditors
20 shall determine the compensations for the current year
21 authorized in section 606 for supervisors employed by the
22 township. Two auditors shall constitute a quorum. The auditors
23 may also make an audit of the dockets, transcripts and other
24 official records of the district justices to determine the
25 amount of fines and costs paid over or due the township, and the
26 dockets and records of the district justices shall be open to
27 inspection by the auditors for that purpose. Unless otherwise
28 agreed to by the board of auditors and the officer being
29 audited, the audit shall be conducted at the place the records
30 of the officer are normally kept.

1 (b) Upon the death or resignation of any of the officials
2 designated in this section to be audited, the board of auditors,
3 upon call of the chairman, shall meet and audit the accounts of
4 the former incumbent and determine the compensation of the
5 successor if so authorized by this act.

6 Section 902. Auditor's Compensation.--(a) Each auditor
7 shall receive seven dollars (\$7) for each hour necessarily
8 employed in the duties of the office upon presentation to the
9 board of supervisors of an itemized listing of the dates, times,
10 places and hours worked to perform the audit. No auditor in a
11 township having a population of ten thousand or less is entitled
12 to receive more than seven hundred dollars (\$700) for completing
13 the annual audit, settlement and adjustment. No auditor in a
14 township having a population in excess of ten thousand is
15 entitled to receive more than fourteen hundred dollars (\$1,400)
16 for completing the annual audit, settlement and adjustment.

17 (b) In addition to the time actually used by the board of
18 auditors to complete the audit, settlement and adjustment, each
19 auditor may be compensated at the rate of seven dollars (\$7)
20 each hour for not more than fifty hours to audit the accounts of
21 any public official who handles public funds when a vacancy
22 occurs in the office of the public official.

23 (c) Each auditor shall be reimbursed for travel costs
24 incurred in the performance of the auditing duties at the rate
25 established by the board of supervisors under the act of July
26 20, 1979 (P.L.156, No.51), referred to as the Uniform Mileage
27 Fee Law, and for other expenses, including postage, notary fees
28 or publication costs, incurred during the audit.

29 [Section 546. Subpoenas; Oaths; Perjury.--The auditors of
30 each township may issue subpoenas to obtain the attendance of

1 the officers whose accounts they are required to adjust, their
2 executors and administrators, and of any person whom it may be
3 necessary to examine as a witness, and to compel their
4 attendance, by attachment, in like manner as any court of common
5 pleas may in cases pending before them and may also compel the
6 production of all books, vouchers, and papers relative to such
7 accounts. Such subpoena and attachment shall be issued by a
8 justice of the peace and be served by a constable or auditor of
9 the township. The auditors of each township may administer oaths
10 and affirmations to all persons brought or appearing before
11 them, whether accountants, witnesses, or otherwise. All persons
12 guilty of swearing or affirming falsely on such examination
13 shall be guilty of perjury.]

14 Section 903. Subpoenas; Oaths; Perjury.--The board of
15 auditors may issue subpoenas to obtain the attendance of the
16 officers whose accounts they are required to audit or adjust, of
17 their executors and administrators and of any person whom it may
18 be necessary to examine as a witness and to compel their
19 attendance, by attachment, the same as any court of common pleas
20 may in cases pending before them and may also compel the
21 production of all books, vouchers and papers relative to
22 township accounts. The subpoena and attachment shall be issued
23 by a district justice. The board of auditors may administer
24 oaths and affirmations to all persons brought or appearing
25 before them, whether accountants, witnesses or otherwise. All
26 persons swearing or affirming falsely upon examination are
27 guilty of perjury.

28 [Section 547. Completion, Filing and Publication of Annual
29 Township Report and Financial Statement.--(a) The auditors
30 shall complete their audit, settlement, and adjustment prior to

1 March first of each year, and in townships having a population
2 of ten thousand (10,000) or less, no more than twenty days shall
3 be expended on such audit. In townships having a population in
4 excess of ten thousand (10,000), no more than forty days shall
5 be expended on such audit. In addition to the time actually
6 expended by the auditors to complete their audit, settlement and
7 adjustment within such twenty or forty days limitations, the
8 auditors may expend not more than a total of ten additional days
9 at a compensation of thirty dollars (\$30) per day to audit the
10 accounts of any public official who handles public funds when a
11 vacancy occurs in the office of such public official.

12 (b) The auditors shall make a report, as hereinafter
13 provided, of the affairs of the township, executed copies of
14 which report shall be filed not later than ninety days after the
15 close of the fiscal year by the secretary of the auditors with
16 the secretary of the township, the clerk of the court of the
17 county, or the prothonotary as may be provided by local rules of
18 court, the Department of Community Affairs, and the Department
19 of Highways. Each copy of such report shall be signed by at
20 least a majority of the auditors, and duly verified by the oath
21 of the secretary of the auditors. Any secretary of auditors,
22 refusing or wilfully neglecting to file such township report, as
23 hereinbefore provided, or to publish the financial statement
24 herein required, shall, upon conviction thereof in a summary
25 proceeding, be sentenced to pay a fine of five dollars for each
26 day's delay beyond the last day for filing such report, and
27 costs, or in default of the payment of such fine and costs, be
28 sentenced to imprisonment not exceeding ten days.

29 (c) The township report shall be presented on a uniform
30 form, prepared and furnished as hereinafter provided.

1 (d) The township report shall contain the names and
2 addresses of the chairman, members and secretary-treasurer of
3 the board of supervisors of the township, a statement of the
4 receipts of the township from all sources, and of all accounts
5 and revenue which may be due and uncollected at the close of the
6 fiscal year, a statement of the disbursements of the township
7 during the fiscal year for the construction, reconstruction,
8 maintenance and repair of the roads, for the purchase and repair
9 of road equipment and machinery, the number of miles of road
10 opened, built and permanently improved, and the total number of
11 miles of road in the township, a statement of the balance in the
12 township treasury at the beginning of the fiscal year, a
13 statement of the resources and liabilities of the township at
14 the end of the fiscal year, a detailed statement of the
15 indebtedness of the township at the close of the fiscal year,
16 the provisions made for the payment thereof, together with the
17 purposes for which it was incurred, a statement of the cost of
18 ownership and operation of each and every public service
19 industry, owned, maintained or operated by the township, and
20 such more specific information, as may be required as
21 hereinafter provided.

22 (e) On or before March tenth of each year, the auditors
23 shall publish, by advertisement, once in at least one newspaper
24 of general circulation published in the township, or if no such
25 newspaper is published in the township, then in such a newspaper
26 circulating in the township, a concise financial statement
27 setting forth the balance in the treasury at the beginning of
28 the fiscal year, all revenues received during the fiscal year by
29 major classifications, all expenditures made during the fiscal
30 year by major functions, and the current resources and

1 liabilities of the township at the end of the fiscal year, the
2 gross liability and net debt of the township, the amount of the
3 assessed valuation of the township, the assets of the township
4 with the character and value thereof, the date of the last
5 maturity of the respective forms of funded debt, and the assets
6 in the sinking fund.

7 (f) If any township has a population of less than two
8 hundred, as shown by the last preceding decennial census of the
9 United States, the auditors may post five copies of the above
10 financial statement in public places in the township in lieu of
11 publication in a newspaper.]

12 Section 904. Completion, Filing and Publication of Annual
13 Township Report and Financial Statement.--(a) The board of
14 auditors shall complete their audit, settlement and adjustment
15 before the first day of March of each year.

16 (b) The board of auditors shall make a report of the affairs
17 of the township, executed copies of which report shall be filed
18 not later than ninety days after the close of the fiscal year by
19 the secretary of the board of auditors with the township
20 secretary, the clerk of the court of the county or the
21 prothonotary under local rules of court, the Department of
22 Community Affairs and the Department of Transportation. Each
23 copy of the report shall be signed by at least a majority of the
24 board of auditors and duly verified by the oath of the secretary
25 of the board of auditors. Any secretary of the board of auditors
26 who fails to file the township report or to publish the required
27 financial statement commits a summary offense.

28 (c) The township report shall be presented on a uniform form
29 prepared and furnished under section 3203.

30 (d) The township report shall contain the names and

1 addresses of the chairman and members of the board of
2 supervisors, the township secretary and the township treasurer,
3 a statement of the receipts of the township from all sources and
4 of all accounts and revenue which may be due and uncollected at
5 the close of the fiscal year, a statement of the disbursements
6 of the township during the fiscal year, a statement of the
7 balance in the township treasury at the beginning of the fiscal
8 year, a statement of the resources and liabilities of the
9 township at the end of the fiscal year, a detailed statement of
10 the indebtedness of the township at the close of the fiscal year
11 and the provisions made for the payment thereof together with
12 the purposes for which it was incurred, a statement of the cost
13 of ownership and operation of each public service industry
14 owned, maintained or operated by the township and other
15 information as may be required in this act.

16 (e) On or before the tenth day of March of each year, the
17 board of auditors shall publish once in one newspaper of general
18 circulation in the township a concise financial statement
19 setting forth the balance in the treasury at the beginning of
20 the fiscal year, all revenues received during the fiscal year by
21 major classifications, all expenses paid during the fiscal year
22 by major functions, and the current resources and liabilities of
23 the township at the end of the fiscal year, the gross liability
24 and net debt of the township, the amount of the assessed
25 valuation of the township, the assets of the township with the
26 character and value thereof, the date of the last maturity of
27 the respective forms of funded debt and the assets in the
28 sinking fund.

29 (f) If any township has a population of less than two
30 hundred, as shown by the latest official census, the board of

1 auditors may post five copies of the financial statement in
2 public places in the township in lieu of publication in a
3 newspaper.

4 [Section 548. Cancelling Orders.--The auditors shall cancel
5 all orders, vouchers and certificates of indebtedness presented
6 to them, which they find have been paid, by writing the word
7 "audited" on the face thereof.]

8 Section 549. Penalty for Failure to Perform Duty.--Any
9 auditor neglecting or refusing to comply with the preceding
10 provisions of this article shall upon conviction thereof in a
11 summary proceeding, pay a fine of not more than one hundred
12 dollars, and in default of the payment of such fine and costs,
13 shall be sentenced to imprisonment of not more than ten days.]

14 Section 905. Penalty for Failure to Perform Duty.--Any
15 auditor who fails to comply with this article commits a summary
16 offense.

17 [Section 550. Employment and Compensation of Attorney.--The
18 auditors, in case of a disagreement with any officials or board
19 of township supervisors whose accounts they are required to
20 audit, may employ an attorney. Such attorney shall not be
21 employed until reasonable effort to reach an agreement has been
22 made, and only after notice of their intention so to do has been
23 given to said official or board of township supervisors. The
24 compensation for such attorney shall be fixed by the auditors,
25 and shall not exceed thirty dollars, unless an appeal is taken
26 to the court, in which case the court shall fix the additional
27 compensation for the attorney. The compensation for said
28 attorney shall be paid out of the general township fund by a
29 warrant drawn by the auditors upon the treasurer of the
30 township.]

1 Section 906. Employment and Compensation of Attorney.--If a
2 disagreement occurs with the board of auditors and any official
3 it is required to audit, the board of auditors may petition the
4 court of common pleas to appoint an attorney to represent or
5 advise the board of auditors on the matter. The court shall not
6 appoint an attorney unless reasonable effort to reach an
7 agreement has been made and only after the board of auditors has
8 given notice to the official or the board of supervisors of its
9 intent to petition the court for the appointment. The board of
10 auditors, with the agreement of the board of supervisors, shall
11 determine the compensation of the attorney. If the dispute
12 results in litigation or if the board of auditors and the board
13 of supervisors cannot agree upon the compensation to be paid to
14 the attorney, the court shall establish the compensation for the
15 attorney appointed for the board of auditors. The compensation
16 for the attorney shall be paid out of the general township fund.

17 [Section 551. Balances Due to Be Entered as Judgments.--Any
18 balance, in any report of the auditors, against any officer of
19 the township shall constitute a surcharge against such officer,
20 as fully as if expressly stated in said report to be a
21 surcharge. The auditors shall direct the clerk of court of
22 quarter sessions to certify the amount of every such balance or
23 surcharge from which no appeal has been taken, within the time
24 and in the manner hereinafter provided, to the court of common
25 pleas and the prothonotary shall enter the same as a judgment
26 against such officer and in favor of the township.]

27 Section 907. Surcharge by Auditors.--(a) The board of
28 auditors shall surcharge any elected or appointed officer for
29 the amount of any loss to the township caused in whole or in
30 part by the officer's act or omission in violation of law or

1 beyond the scope of the officer's authority. If the auditors
2 find an absence of intent to violate the law or exceed the scope
3 of authority and find the result of the officer's act could have
4 been achieved by legal means and authorized procedures, the
5 surcharge imposed shall be limited to the difference between the
6 costs actually incurred by the township and the costs that would
7 have been incurred had legal means and authorized procedures
8 been employed. Provisions of this section which limit the amount
9 of surcharge do not apply to cases involving fraud or collusion
10 on the part of the officers or to any penalty ensuing to the
11 benefit of or payable to the Commonwealth.

12 (b) Any balance in any report of the board of auditors
13 against any officer of the township constitutes a surcharge
14 against the officer as fully as if expressly stated in the
15 report to be a surcharge. The board of auditors shall direct the
16 clerk of court of common pleas to certify the amount of every
17 balance or surcharge from which no appeal has been taken under
18 sections 909 and 910 to the court of common pleas, and the
19 prothonotary shall enter the balance or surcharge as a judgment
20 against the officer in favor of the township.

21 [Section 552. Collection of Surcharge; Bond.--Any auditor,
22 registered elector, or taxpayer of the township may enforce the
23 collection of a judgment entered for a surcharge for the benefit
24 of the township, by any appropriate action or execution, upon
25 filing in the court of common pleas a bond (in the case of a
26 registered elector or taxpayer), with one or more sureties,
27 conditioned to indemnify the township for all costs which may
28 accrue in the proceedings undertaken by such taxpayer, subject,
29 however, to all rights of appeal from the report of auditors
30 hereinafter granted.]

1 Section 908. Collection of Surcharge; Bond.--Any auditor,
2 elector or taxpayer of the township may enforce the collection
3 of a judgment entered for a surcharge for the benefit of the
4 township, by any appropriate action or execution, upon filing in
5 the court of common pleas a bond (in the case of an elector or
6 taxpayer), with one or more sureties, conditioned to indemnify
7 the township for all costs which may accrue in the proceedings
8 undertaken, subject, however, to all rights of appeal from the
9 report of the board of auditors.

10 [Section 553. Appeals from Report.--The township, or any
11 registered elector or taxpayer thereof on its behalf, or any
12 officer whose account is settled or audited by the township
13 auditors, may appeal from any settlement or audit of the
14 township auditors to the court of common pleas within forty-five
15 days after the settlement has been filed in the court of quarter
16 sessions.]

17 Section 909. Appeals from Report.--The board of supervisors,
18 or any elector or taxpayer of the township, or any officer whose
19 account is settled or audited by the board of auditors, may
20 appeal from any settlement or audit of the board of auditors to
21 the court of common pleas within forty-five days after the
22 settlement has been filed in the court of common pleas.

23 [Section 554. Taxpayer's Appeal; Bond.--No appeal by a
24 registered elector or taxpayer or officer shall be allowed
25 unless the appellant shall enter into recognizance to prosecute
26 the same with effect, and to pay all costs accruing thereon, in
27 case, if the appellant be a registered elector or taxpayer, he
28 shall fail to obtain a final decision more favorable to the
29 township than that awarded by the auditors, or, in case the
30 appellant be an officer, he shall fail to obtain a final

1 decision more favorable to the officer than that awarded by the
2 auditors.]

3 Section 910. Taxpayer's Appeal; Bond.--No appeal by an
4 elector, taxpayer or officer shall be allowed unless the
5 appellant enters into recognizance to prosecute the appeal with
6 effect, and to pay all costs accruing thereon, in case, if the
7 appellant is an elector or taxpayer, he fails to obtain a final
8 decision more favorable to the township than that awarded by the
9 board of auditors, or, if the appellant is an officer, he fails
10 to obtain a final decision more favorable to the officer than
11 that awarded by the board of auditors.

12 [Section 556. Consolidation of Appeals.--When more than one
13 appeal from the report of the auditors is taken, whether by the
14 township, an officer thereof, or by a registered elector or
15 taxpayer, the court may on its own motion, and shall upon
16 petition of any party interested, direct that the several
17 appeals be consolidated.]

18 Section 911. Consolidation of Appeals.--When more than one
19 appeal from the report of the board of auditors is taken,
20 whether by the board of supervisors, by an officer thereof or by
21 an elector or taxpayer, the court may direct that the several
22 appeals be consolidated.

23 [Section 557. Testimony and Argument.--Any person interested
24 may order the appeal upon the argument list, and evidence may be
25 taken by deposition.]

26 Section 558. Framed Issues.--Whenever any matter of fact is
27 in dispute, the court of common pleas is authorized to frame an
28 issue for the trial thereof.

29 Section 559. Report; Prima Facie Evidence; Burden of
30 Proof.--The accounts of the officer in question may be

1 investigated de novo. The figures and facts found and stated by
2 the auditors in their report of audit shall be taken as prima
3 facie correct as against any such officer, and the burden shall
4 be upon each officer, whose accounts are in question, to
5 establish the validity of the credits which he claims.]

6 Section 912. Report; Prima Facie Evidence; Burden of
7 Proof.--The accounts of the officer in question may be
8 investigated de novo. The figures and facts found and stated by
9 the auditors in their report of audit shall be taken as prima
10 facie correct as against any officer, and the burden shall be
11 upon each officer whose accounts are in question to establish
12 the validity of the credits which he claims.

13 [Section 560. Findings; Judgment.--After hearing, the court
14 shall file its finding of fact and law, and enter judgment in
15 accordance therewith, and the judgment so entered may be
16 enforced by any appropriate proceedings by any auditor, officer,
17 registered elector or taxpayer of the township.]

18 Section 913. Findings; Judgment.--After hearing, the court
19 shall file findings of fact and law and enter judgment, and the
20 judgment so entered may be enforced by appropriate proceedings
21 by any auditor, officer, elector or taxpayer of the township.

22 [Section 561. Costs.--In all cases of appeal from the report
23 or audit of township auditors to the court of common pleas, the
24 costs shall abide the event of the suit as in other cases.]

25 Section 914. Costs.--In all cases of appeal from the report
26 or audit of the board of auditors to the court of common pleas,
27 the costs shall be determined by the court.

28 [Section 562. Appeals from Lower Courts.--Any person
29 interested may except to the rulings of the court.

30 Section 563. Counsel Fees.--When an appeal is taken from the

1 township auditors' report or settlement of the account of any
2 township officer, and such appeal results favorably to the
3 appellants in such a manner that money is recovered for any
4 township, the court hearing such appeal shall make an order to
5 pay a reasonable counsel fee.]

6 Section 915. Attorney Fees.--Upon final determination of an
7 appeal taken under section 909 from any report, audit or
8 settlement of the account of any township officer, attorney fees
9 shall be awarded as follows:

10 (1) If, in the opinion of the court, the final determination
11 is more favorable to the township officer involved than that
12 awarded by the board of auditors, the township shall pay
13 reasonable attorney fees, or under paragraph (3) a portion of
14 reasonable attorney fees, incurred by the officer in connection
15 with the surcharge proceeding.

16 (2) In the case of an appeal taken by the township, an
17 elector or a taxpayer, if, in the opinion of the court, the
18 final determination is more favorable to the township than that
19 awarded by the board of auditors, the township officer who is
20 the subject of the surcharge proceeding shall pay reasonable
21 attorney fees, or under paragraph (3) a portion of reasonable
22 attorney fees, incurred by the township, elector or taxpayer in
23 connection with the surcharge proceeding.

24 (3) If, in the opinion of the court, the final determination
25 is in part more favorable to the township and in part more
26 favorable to the township officer involved in the surcharge
27 proceeding than that awarded by the board of auditors, the court
28 may order the township to pay a portion of reasonable attorney
29 fees incurred by the officer in connection with the surcharge
30 proceeding, or it may order the township officer who is the

subject of the surcharge proceeding to pay a portion of
reasonable attorney fees incurred by the township, elector or
taxpayer in connection with the surcharge proceeding.

[Section 564. Interest in Township Transactions.--Any
auditor who is knowingly interested, directly or indirectly, in
any township transaction and benefits financially therefrom
shall, upon conviction thereof in a summary proceeding, be
sentenced to pay a fine not exceeding one hundred dollars (\$100)
and costs of prosecution, and shall forfeit his office.]

Section 916. Interest in Township Transactions.--Any auditor
who is financially interested, directly or indirectly, in any
township transaction commits a summary offense. The auditor
shall forfeit the office and forfeit to the township any
financial benefit derived from the transaction.

Section 917. Appointment of Accountant.--(a) The board of
supervisors may contract with a certified or competent public
accountant or a firm of certified or competent public
accountants, either of which shall be registered in this
Commonwealth, to be appointed by the court of common pleas at
least thirty days before the close of the fiscal year to audit
the accounts of the township and the township officers, if a
petition has been presented to the supervisors by at least
twenty-five taxpayers of the township asking for the
appointment. The amount paid to the accountant or firm in any
year shall not exceed the maximum allowed by law to be paid to
the board of auditors in any year, unless the payment of an
additional amount is approved by the court.

(b) ~~At~~ (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2), AT
its annual organization meeting, the board of supervisors may,
by resolution, appoint a certified or competent public

<—

1 accountant or a firm of certified or competent public
2 accountants, either of which shall be registered in this
3 Commonwealth, to make an examination of all the accounts of the
4 township for the NEXT fiscal year ~~just ended~~ STATED IN THE <—
5 RESOLUTION. The board of supervisors shall determine the
6 compensation of the appointed auditor.

7 (2) AT LEAST THIRTY DAYS PRIOR TO THE ORGANIZATIONAL MEETING <—
8 OR THIRTY DAYS PRIOR TO ANY VOTE TO APPOINT A CERTIFIED OR
9 COMPETENT PUBLIC ACCOUNTANT OR A FIRM OF CERTIFIED OR COMPETENT
10 PUBLIC ACCOUNTANTS TO REPLACE THE ELECTED AUDITORS, THE BOARD OF
11 SUPERVISORS SHALL ADVERTISE IN A NEWSPAPER OF GENERAL
12 CIRCULATION THE INTENT TO APPOINT A CERTIFIED OR COMPETENT
13 PUBLIC ACCOUNTANT OR A FIRM OF CERTIFIED OR COMPETENT PUBLIC
14 ACCOUNTANTS TO REPLACE THE ELECTED AUDITORS.

15 (c) When an accountant or firm is appointed under subsection
16 (a) or (b), the board of auditors shall not audit, settle or
17 adjust the accounts audited by the appointee but shall perform
18 the other duties of the office. The accountant or firm has the
19 powers given to the board of auditors under this act, except the
20 audit shall be made in accordance with generally accepted
21 auditing standards, and further provide that the accountant or
22 firm appointed under subsection (b) or (c) shall not have the
23 power to determine compensations and the amount of bond of the <—
24 ~~township treasurer,~~ and they are subject to the same penalties
25 as the elected auditors under this act. The report of the
26 accountant or firm is subject to appeals the same as reports of
27 the board of auditors under this act.

28 (d) For the purposes of meeting Federal or State
29 requirements, the board of supervisors may contract with an
30 independent certified or competent public accountant to audit

1 the fiscal affairs of the township, independent of that
2 conducted by the elected or appointed auditors.

3 ARTICLE X

4 TAX COLLECTOR; ASSESSOR

5 [(f) Tax Collector

6 Section 570. Powers, Duties and Liabilities.--The tax
7 collector of townships shall collect all county, township,
8 school, institution district and other taxes levied within
9 townships by authorities empowered to levy taxes. He shall, in
10 addition to the powers, duties and responsibilities enumerated
11 in this act, have all the powers, perform all the duties, be
12 subject to all the obligations and responsibilities for the
13 collection of such taxes, as are now vested in, conferred upon,
14 or imposed upon, tax collectors by law.]

15 Section 1001. Tax Collector; Powers, Duties and
16 Liabilities.--The tax collector shall collect all county,
17 township, school, institution district and other taxes levied
18 within townships by authorities authorized to levy taxes. The
19 tax collector may also be designated in the tax-levying
20 ordinance or resolution, or be employed by the tax-levying
21 authority, to collect taxes levied under the act of December 31,
22 1965 (P.L.1257, No.511), known as "The Local Tax Enabling Act."
23 In addition to the powers, duties and responsibilities under
24 this act, the tax collector shall exercise all the powers and
25 perform all the duties, and be subject to all the obligations
26 and responsibilities for the collection of taxes, as are
27 conferred upon tax collectors by law.

28 [(g) Assessor

29 Section 575. Powers and Duties of Assessor.--The assessors
30 of townships shall have all the powers, perform all the duties,

1 be subject to all the obligations and responsibilities and
2 receive the compensation as is provided for by law.]

3 Section 1002. Assessor; Powers and Duties.--The assessors
4 have all the powers and duties, are subject to all the
5 obligations and responsibilities and may receive the
6 compensation provided under law.

7 ARTICLE XI

8 TOWNSHIP SOLICITOR

9 [(h) Township Solicitor

10 Section 580. Appointment.--The board of supervisors, on the
11 first Monday of January in any year, or as soon thereafter as
12 practicable, may appoint, by a vote of a majority of the
13 members, and fix the compensation of one person learned in the
14 law, who shall be styled the township solicitor. In lieu of the
15 appointment of one person, the board of supervisors may appoint
16 a law firm, partnership, association or professional corporation
17 which shall act as the township solicitor.]

18 Section 1101. Township Solicitor.--The board of supervisors
19 may appoint and determine the compensation of a township
20 solicitor. The township solicitor shall be licensed to practice
21 law in this Commonwealth and may be one person or a law firm,
22 partnership, association or professional corporation. The
23 township solicitor serves at the pleasure of the board of
24 supervisors.

25 [Section 581. Solicitor to Have Control of Law Matters.--The
26 law matters of the township shall be under the superintendence,
27 direction, and control of the township solicitor, and no
28 official or official body of the township, except as herein
29 otherwise provided, shall employ an additional counsel without
30 the assent or ratification of the board of supervisors.]

1 Section 1102. Solicitor to Have Control of Legal Matters.--

2 The township solicitor shall direct and control the legal
3 matters of the township, and no official or official body of the
4 township, except as otherwise provided under law, shall employ
5 an additional attorney without the assent or ratification of the
6 board of supervisors.

7 [Section 582. Duties of Solicitor.--The township solicitor,
8 when directed or requested so to do, shall prepare or approve
9 such bonds, obligations, contracts, leases, conveyances,
10 ordinances and assurances to which the township may be a party;
11 he shall commence and prosecute all actions brought by the
12 township for or on account of any of the estates, rights,
13 trusts, privileges, claims, or demands, as well as defend all
14 actions or suits against the township, or any officer thereof,
15 wherein or whereby any of the estates, rights, privileges,
16 trusts, ordinances, or accounts, of the township, may be brought
17 in question before any court in the Commonwealth, and shall do
18 every professional act incident to the office which he may be
19 authorized or required to do by the board of supervisors or by
20 any resolution. He shall, whenever required, furnish the board
21 of supervisors, or any of them, with his opinion in writing upon
22 any question of law which may be submitted by any of them in
23 their official capacities.]

24 Section 1103. Duties of Solicitor.--The township solicitor,

25 when directed or requested so to do, shall prepare or approve

26 any bonds, obligations, contracts, leases, conveyances,

27 ordinances and assurances to which the township may be a party.

28 The township solicitor shall commence and prosecute all actions

29 brought by the township for or on account of any of the estates,

30 rights, trusts, privileges, claims or demands, as well as defend

1 the township or any township officer against all actions or
2 suits brought against the township or township officer in which
3 any of the estates, rights, privileges, trusts, ordinances or
4 accounts of the township may be brought in question before any
5 court in this Commonwealth and do every professional act
6 incident to the office which the township solicitor may be
7 authorized or required to do by the board of supervisors or by
8 any resolution. The township solicitor shall furnish the board
9 of supervisors, ~~or any of them~~ UPON REQUEST, with an opinion in <—
10 writing upon any question of law. ~~which may be submitted by any~~ <—
11 ~~of them in their official capacities.~~

12 ARTICLE XII

13 TOWNSHIP ENGINEER

14 [(i) Township Engineer

15 Section 585. Township Engineer.--The township supervisors
16 may, at any time, appoint, by a vote of a majority of them, a
17 township engineer who shall be a registered professional
18 engineer and fix his compensation.]

19 Section 1201. Township Engineer.--The board of supervisors
20 may appoint and determine the compensation of a township
21 engineer who shall be a registered professional engineer. The
22 township engineer serves at the pleasure of the board of
23 supervisors.

24 [Section 586. Duties; Preparation of Plans.--The township
25 engineer shall perform such duties as the township supervisors
26 shall prescribe as to the construction, reconstruction,
27 maintenance and repair of all streets, roads, pavements, sewers,
28 bridges, culverts and other engineering work. He shall prepare
29 plans, specifications and estimates of all such work undertaken
30 by such township, and shall, whenever required, furnish the

1 township supervisors with reports, information or estimates on
2 any township engineering work, or on questions submitted by any
3 of them in their official capacity.]

4 Section 1202. Engineer's Duties; Preparation of Plans.--The
5 township engineer shall perform duties as the board of
6 supervisors may direct for the construction, reconstruction,
7 maintenance and repair of streets, roads, pavements, sanitary
8 sewers, bridges, culverts and other engineering work. The
9 township engineer shall prepare plans, specifications and
10 estimates of the work undertaken by the township and furnish the
11 board of supervisors with reports, information or estimates on
12 any township engineering work or on questions submitted by the
13 board of supervisors.

14 [Section 587. Certificate of Commencement and of Completion
15 of Municipal Improvements.--Where a township engineer is
16 employed, he shall, immediately after the completion of any
17 municipal improvement, the cost of which, in whole or in part,
18 is to be paid by the owners of the abutting property, make a
19 certificate in which he shall state the day or time on which the
20 particular improvement was completed, and shall file the same
21 with the township secretary, who shall enter the said day or
22 time of completion in a book to be kept by him for said
23 purposes; and the said day or time mentioned in said certificate
24 shall be conclusive on all parties as to the time the said work
25 was completed. The time of completion of the work, referred to
26 in this section and in other parts of this act, shall be taken
27 to mean the time of the completion of the whole contract for the
28 improvement. He shall also furnish to the township secretary a
29 certificate showing the time at which any such particular
30 improvement was commenced, and such certificate shall be

1 conclusive evidence of the time when the said improvement was
2 begun; and an entry of such date shall be made by said secretary
3 in the book aforesaid.]

4 Section 1203. Certificate of Commencement and of Completion
5 of Municipal Improvements.--The township engineer shall certify
6 to the township secretary the date of commencement and of
7 completion of all municipal improvements, the cost of which, in
8 whole or in part, is to be paid by the owners of the abutting
9 property. The certification shall be made a part of the
10 permanent records of the township. The certified time of
11 commencement and completion is conclusive on all parties. The
12 term "certified time of completion" means the time of the
13 completion of the whole contract for the improvement.

14 [(j) Township Police

15 Section 590. Creating or Disbanding Police Force.--A. The
16 board of township supervisors may, by resolution: (1) create or
17 disband a police force within the township, or (2) upon the
18 petition of not less than twenty-five registered electors or
19 taxpayers of the township, appoint police officers.

20 B. The board of township supervisors shall provide for the
21 organization and supervision and determine the number and the
22 compensation of such police officers. The chairman of the board
23 of township supervisors shall have the authority to swear in
24 police officers. The board of township supervisors may assign
25 any police officer to undergo a course of training at any
26 training school for police officers established or made
27 available by the Federal or State government and provide for
28 payment of the officer's expenses while in attendance at the
29 training school.

30 C. Any township may contract with any adjacent township of

1 the first or second class, or with any borough or city, and may
2 expend moneys from the general fund for the purpose of securing
3 the services within the township of the police of such adjacent
4 township, borough or city. When any such contract has been
5 entered into, the police of the employing township, borough or
6 city shall have all the powers and authority conferred by law on
7 township police in the territory of the township which has
8 contracted to secure such police service.

9 Section 591. Powers.--Each policeman so appointed shall be
10 an ex-officio constable of the township, and shall and may,
11 without warrant and upon view, arrest and commit for hearing any
12 and all persons guilty of breach of the peace, vagrancy, riotous
13 and disorderly conduct, or drunkenness, or who may be engaged in
14 the commission of any unlawful act tending to imperil the
15 personal security or endanger the property of citizens, or in
16 violating any of the ordinances of said township for which a
17 fine or penalty is imposed.

18 The keepers or persons in charge of jails, lockups, or
19 station houses shall receive all persons arrested by such
20 policemen for the commission of any offense against the laws of
21 this Commonwealth within said township.

22 Section 592. Shield.--Each policeman, when on duty, shall
23 wear a shield or badge with the words "township police" and the
24 name of the township or townships for which he was appointed
25 inscribed thereon.

26 Section 593. Equipment.--The township supervisors may
27 provide each such policeman with a uniform and equipment and
28 means of transportation and the maintenance of the same, the
29 cost thereof to be paid out of the general township fund of the
30 township or townships.

1 Section 594. Certain Compensation Prohibited.--It shall not
2 be lawful for any township policeman to charge or accept any fee
3 or other compensation in addition to the salary paid to him as a
4 policeman for any service rendered or performed by him
5 pertaining to his office or duties, except public rewards and
6 the legal mileage allowed to constables for traveling expenses.

7 Section 595. Police Pension Fund.--Where a police force is
8 being maintained, the township may, by ordinance, establish a
9 police pension fund or pension annuity into which each member of
10 the police force may be required to pay an equal and
11 proportionate monthly charge not exceeding annually three per
12 centum of the pay of such member. The fund shall be under the
13 direction of the supervisors or such committee as they may, by
14 ordinance, prescribe for the benefit of such members of the
15 police force as shall receive honorable discharge therefrom by
16 reason of age or disability, and the families of such as may be
17 injured or killed in the service. Any allowances made to those
18 who are retired by reason of disability or age shall be in
19 conformity with a uniform scale.

20 Section 596. Service Required Before Retirement.--

21 (a) The ordinance establishing the police pension fund may
22 prescribe a minimum period of continuous service, not less than
23 twenty years, after which the members of the force may be
24 retired from active duty. Township policemen, so retired, shall
25 be subject to service as police reserves until unfitted for such
26 service by reason of age or disability, when they may be finally
27 discharged.

28 (b) The basis of the apportionment of the pension shall be
29 determined by the rate of monthly pay of the member at the date
30 of death, honorable discharge, or retirement.

1 Section 597. Pensions not to be Charged on Other Funds.--
2 Payments made on account of police pensions shall be a charge on
3 no fund in the treasury of the township or under its control,
4 other than the police pension fund.

5 Section 598. Gifts to Pension Fund.--Townships may take by
6 gift, grant, devise or bequest any money or property, real,
7 personal or mixed, in trust for the benefit of such police
8 pension fund. The care, management, investment and disposal of
9 such trust funds or property shall be vested in such officers as
10 the supervisors shall, by ordinance, direct, and shall be
11 governed by such officers subject to any directions, not
12 inconsistent therewith, as the donors of such funds and property
13 may prescribe.

14 Section 599. Rights of Members.--A person, participating in
15 such police pension fund and becoming entitled to receive a
16 benefit therefrom, shall not be deprived of his right to an
17 equal and proportionate share therein upon the basis upon which
18 he first became entitled thereto, except for the following
19 causes, that is to say conviction of a crime, or misdemeanor,
20 becoming an habitual drunkard, becoming a non-resident of the
21 Commonwealth, or failing to comply with some general regulation
22 relating to the management of such fund, which may be made by
23 ordinance, and which provides that a failure to comply therewith
24 shall terminate the right to participate in the pension fund
25 after such notice and hearing as it shall prescribe.

26 Section 599-A. Special School Police.--Upon request of the
27 board of school directors of the school district of the
28 township, the board of township supervisors, by resolution, may
29 appoint special school police, who shall have the duty of
30 controlling and directing traffic at or near schools, and who

1 shall be in uniform and shall display a badge or other sign of
2 authority, and who shall be vested with all the power of local
3 police officers. Such police shall serve at the pleasure of the
4 board of township supervisors, and shall not come within the
5 civil service provisions of this act, nor shall they be eligible
6 to join any police pension fund maintained for the township
7 police. Their compensation shall be fixed by the board of
8 township supervisors and they shall be paid by the board of
9 township supervisors, or jointly by the board of township
10 supervisors and the board of school directors in a ratio to be
11 determined by the two boards. If the board of township
12 supervisors and board of school directors are unable to
13 determine the ratio of compensation of the police to be paid by
14 each board, each such board shall pay one-half of the
15 compensation of such police.]

16 ARTICLE XIII

17 TOWNSHIP MANAGER

18 [(k) Township Manager

19 Section 599.1. Appointment, Removal, Powers and Duties;
20 Compensation; Bond.--The supervisors may by ordinance, at any
21 time, create the office of township manager and may, in like
22 manner, abolish the same. While said office exists the
23 supervisors shall, from time to time, and, whenever there is a
24 vacancy, by majority vote, elect one person to fill said office,
25 who shall serve until his successor is elected and qualified.
26 Any such township manager shall be subject to removal by the
27 supervisors by majority vote.

28 The powers and duties of the township manager shall be fixed
29 by ordinance. The compensation shall be set by resolution and
30 paid out of the general fund of the township. The supervisors

1 may delegate, subject to recall, any of their non-legislative
2 powers and duties to the township manager. He shall give bond to
3 the township, with sufficient surety, to be approved by the
4 supervisors, in such sum as they shall by ordinance direct,
5 conditioned for the faithful performance of his duties.

6 The office of township manager shall not be deemed
7 incompatible with the office of township secretary, township
8 treasurer, or any other township office or employment, except
9 that of supervisor.]

10 Section 1301. Township Manager; Appointment, Removal, Powers
11 and Duties; Compensation; Bond.--(a) The board of supervisors
12 may, by ordinance at any time, create the office of township
13 manager and may, in like manner, abolish the office. While the
14 office exists, the board of supervisors shall appoint one person
15 to fill the office. The township manager serves at the pleasure
16 of the board of supervisors.

17 (b) The powers and duties of the township manager shall be
18 established by ordinance. The compensation shall be set by
19 resolution and paid out of the general fund of the township. The
20 board of supervisors may delegate, subject to recall, any of
21 their nonlegislative powers and duties to the township manager.
22 The township manager shall give bond to the township, with
23 sufficient surety, in the amount directed by the board of
24 supervisors, conditioned for the faithful performance of the
25 duties of the office.

26 (c) The office of township manager is not incompatible with
27 the office of township secretary, township treasurer or any
28 other township office or employment, except that of supervisor, <—
29 AUDITOR, ASSESSOR or township police officer.

30 ARTICLE [VI] XIV

1 [STATE AND COUNTY ASSOCIATIONS OF TOWNSHIP OFFICERS]

2 COUNTY AND STATE ASSOCIATIONS

3 OF TOWNSHIPS

4 [(a) County Associations

5 Section 601. County Associations.--County associations of
6 township supervisors, auditors, assessors and tax collectors may
7 be formed. Such associations, when formed, shall hold annual or
8 semi-annual conventions at the county seats of the respective
9 counties, or some other suitable place, for the purpose of
10 considering and discussing questions and subjects pertaining to
11 the best methods for the improvement of the township government,
12 the assessment of property, the collection of taxes and the
13 construction, improvement and maintenance of roads. Such
14 associations of two or more adjacent counties may arrange to
15 meet in joint session.

16 Section 602. Who to Attend; Compensation and Mileage.--The
17 supervisors of townships, auditors, assessors, tax collectors,
18 managers, solicitors, engineers, and the secretary of the board
19 of township supervisors, when not a member of the board, shall
20 attend such conventions whenever possible. Each township
21 supervisor, auditor, assessor, tax collector, manager,
22 solicitor, engineer, and secretary attending such convention
23 shall receive a certificate, signed by the presiding officer and
24 acting secretary of the convention, attesting his presence at
25 the convention. Such certificate shall entitle him to collect
26 from the township treasurer the sum of thirty-five dollars per
27 day for each day's attendance, expenses which shall be limited
28 to the registration fee, mileage for use of a personal vehicle
29 or reimbursement of actual transportation expense going to and
30 returning from such meeting plus all other actual expenses that

1 the township board of supervisors may have agreed to pay. Every
2 delegate attending the meeting shall submit to the township
3 board of supervisors an itemized account of expenses incurred
4 thereat. The township board of supervisors may authorize
5 township employes to be compensated at their regular employe
6 rate during their attendance at the meeting, in which case such
7 employe shall not be entitled to the thirty-five dollars
8 mentioned in this section. No township supervisor, auditor,
9 assessor, tax collector, manager, solicitor, engineer, or
10 secretary shall be paid for more than two days' attendance in
11 any one year.

12 Section 603. Officers of County Association.--The officers
13 of the association shall consist of a president, two vice-
14 presidents, a secretary, and a treasurer, none of whom shall be
15 interested directly or indirectly in the promotion or sale of
16 road material and equipment, and all of whom, except the
17 secretary, shall be members of the association, and shall hold
18 office for one year or until their successors are chosen. If
19 desirable, the secretary may be a person not a regular member of
20 the association, and may be paid for his service such
21 compensation, not exceeding fifty dollars per annum, as the
22 other officers may determine. Every township supervisor,
23 assessor, tax collector, and auditor attending such convention
24 may vote in the election of officers.

25 Section 604. County Association Convention Expenses.--
26 Expenses of the county association convention shall be paid from
27 dues assessed by the association on each member township.]

28 Section 1401. County Associations.--(a) County associations
29 of township officials may be formed. County associations shall
30 hold annual or semi-annual conventions at places determined by

1 the association to consider and discuss questions and subjects
2 pertaining to improvement of township government, assessment of
3 property, collection of taxes and construction, improvement and
4 maintenance of roads. Associations of two or more adjacent
5 counties may arrange to meet in joint sessions.

6 (b) The supervisors, auditors, assessors, tax collectors,
7 managers, solicitors, engineers, treasurer and secretary of the
8 board of supervisors shall attend the conventions when possible.

9 (c) Each supervisor, auditor, assessor, tax collector,
10 manager, solicitor, engineer, treasurer and secretary attending
11 the convention shall receive a certificate, signed by the
12 secretary of the county association, attesting their presence at
13 the convention. The certificate entitles the official to collect
14 from the township treasurer the sum of thirty-five dollars (\$35)
15 for each day's attendance, expenses which are limited to the
16 registration fee, mileage for use of a personal vehicle or
17 reimbursement of actual transportation expense going to and
18 returning from the meeting plus all other actual expenses that
19 the board of supervisors agrees to pay. Every delegate attending
20 the meeting shall submit to the board of supervisors an itemized
21 account of expenses incurred at the meeting. If the meeting is
22 held during township employees' normal work schedule, the board
23 of supervisors may authorize township employees to be compensated
24 at their regular employe rate during their attendance at the
25 meeting, in which case the employe is not entitled to the
26 thirty-five dollars (\$35) mentioned in this section. No
27 supervisor, auditor, assessor, tax collector, manager,
28 solicitor, engineer, treasurer or secretary shall be paid for
29 more than two days' attendance in any one year.

30 (d) The officers of the association shall consist of a

president, one or two vice-presidents, a secretary and a treasurer, all of whom, except the secretary, shall be members of the association and shall hold office for one year or until their successors are chosen. The secretary of the association may be compensated for services an amount determined by the members of the association. Every supervisor, assessor, tax collector, manager, secretary, treasurer and auditor attending the convention may vote on policy matters and in the election of officers of the association.

(e) Expenses of each county association convention shall be paid from dues assessed by the association on each member township or from other funds as the members of the county association determine.

(f) Each county association of township officials may elect one township supervisor, township manager, township treasurer or township secretary for each ten townships, or fraction thereof, within the county, as a voting delegate to each annual meeting of the State association, but each county association is entitled to a minimum of two delegates at each meeting. These delegates' expenses may be paid by the respective county association.

[(b) State Association of Township Supervisors

Section 610. State Association Authorized.--The formation of a State Association of Township Supervisors is hereby authorized. The association shall hold annual meetings, at such time and place within this Commonwealth as it may designate, for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and devising uniform, economical and efficient methods of administering the affairs of townships.

1 The association, at its annual meeting, by majority vote of
2 all the voting delegates there represented shall have power to
3 adopt and amend bylaws to govern the association which shall
4 govern the qualification of delegates, election of officers,
5 their designation, qualifications and duties, payment of dues
6 and other organizational details. The association shall function
7 under these bylaws for advancing the interest of and betterment
8 of township government in townships of the second class.

9 The dues as adopted in these bylaws are legal expenditures of
10 the townships and are to be used to pay for the services,
11 publications and other expenses, including the rental and
12 acquisition of real estate to be used for association purposes
13 and activities authorized by the association or incurred in
14 behalf of the association by its officers and executive
15 committee.

16 The State Association of Township Supervisors is hereby
17 authorized to purchase, take, receive, lease as lessee, take by
18 gift or devise, or otherwise acquire, and to own, hold, use and
19 otherwise deal with any real estate, or any interest therein in
20 its own name for association purposes and activities authorized
21 by the association and to mortgage, sell and convey, lease as
22 lessor, and otherwise dispose of all or any part of said real
23 estate in such manner as may be provided in the bylaws of the
24 association.

25 Section 611. Delegates.--(a) Each county association of
26 township supervisors may elect one township supervisor or
27 township secretary or secretary of the county association for
28 each ten townships, or fraction thereof, within said county, as
29 a voting delegate to each annual meeting of said State
30 association, but each county association shall be entitled to a

1 minimum of two such delegates at each meeting. These delegates
2 expenses may be paid by the respective county association.

3 (b) The supervisors may designate one or more of the
4 following elected or appointed officials of the township to
5 attend the annual meeting of the State association: supervisors,
6 township secretary and/or township manager. Said convention
7 shall be held in the Commonwealth in accordance with the
8 procedures adopted by the State association. These delegates
9 expenses shall be paid by the respective townships out of the
10 township general fund.

11 (c) Each township with dues paid in the State association
12 shall elect one of those delegates designated in subsection (b)
13 to be the voting delegate at the convention.

14 Each township shall certify the name and address of its
15 elected delegate or delegates and the designated voting delegate
16 to the State association at least fifteen days prior to the
17 opening of the State convention.

18 Section 612. Expenses and Mileage.--The expenses allowed the
19 delegates attending the annual meeting shall be limited to the
20 registration fee, mileage for use of a personal vehicle or
21 reimbursement of actual transportation expense going to and
22 returning from such meeting plus all other actual expenses that
23 the township board of supervisors may have agreed to pay. Every
24 delegate attending the annual meeting shall submit to the
25 township board of supervisors an itemized account of expenses
26 incurred thereat. The township board of supervisors may
27 authorize township employes to be compensated at their regular
28 employe rate during their attendance at the annual meeting. No
29 delegate shall receive expenses for more than four days
30 including the time employed in traveling thereto and therefrom,

1 together with mileage going to and returning from such meeting.]

2 Section 1402. State Association of Township Supervisors

3 Authorized.--(a) The formation of a State Association of

4 Township Supervisors is authorized.

5 (b) The State association shall hold annual meetings, at a
6 time and place within this Commonwealth as it may designate, to
7 discuss questions and subjects pertaining to the duties of
8 elected and appointed township officials and the improvement of
9 township government.

10 (c) The State association, at its annual meeting, by
11 majority vote of all qualified voting delegates present, may
12 adopt and amend bylaws to govern the State association. The
13 bylaws shall govern the qualification of delegates, election of
14 officers, their designation, qualifications and duties, payment
15 of dues and other organizational matters. The State association
16 shall function under the bylaws to advance the interest of
17 township government.

18 (d) The board of supervisors may designate one or more of
19 the following elected or appointed officials of the township to
20 attend the annual meeting of the State association: supervisors,
21 secretary, treasurer and manager. The convention shall be held
22 in this Commonwealth under the procedures adopted by the State
23 association.

24 (e) Each township with dues paid in the State association
25 shall elect one of those delegates designated in subsection (d)
26 to be the voting delegate at the convention.

27 (f) Each township shall certify the name and address of its
28 delegate or delegates and the designated voting delegate to the
29 State association at least thirty days before the opening of the
30 State convention.

1 (g) The expenses allowed to the delegates attending the
2 annual meeting are limited to the registration fee, mileage for
3 use of a personal vehicle or reimbursement of actual
4 transportation expense going to and returning from the meeting
5 plus all other actual expenses that the board of supervisors
6 agrees to pay. Every delegate attending the annual meeting shall
7 submit to the board of supervisors an itemized account of
8 expenses incurred at the meeting. The board of supervisors may
9 authorize township employes to be compensated at their regular
10 employe rate during their attendance at the annual meeting. No
11 delegate shall receive expenses for attending more than four
12 days each year.

13 (h) Membership dues of the State association are legal
14 expenses of the townships and shall be used for the payment of
15 expenses incurred, including, but not limited to, the rental or
16 acquisition of real estate to be used for State association
17 purposes and activities, cost of publications, salaries, cost of
18 services provided to or for townships and other expenses
19 incurred on behalf of the State association.

20 (i) The State association may purchase, receive, lease as
21 lessee, accept by gift or devise or otherwise acquire and own,
22 use and otherwise deal with any real estate in its own name for
23 association purposes and mortgage, sell and convey, lease as
24 lessor and otherwise dispose of all or part of the real estate.

25 ARTICLE [VII] XV

26 [GENERAL] CORPORATE POWERS

27 [Section 701. Suits; Property.--Any township of the second
28 class may--

29 I. Sue and be sued;

30 II. Purchase, acquire by gift, or otherwise, hold, lease,

1 let and convey, by sale or lease, such real and personal
2 property as shall be deemed to be to the best interest of the
3 township: Provided, That no real estate owned by the township
4 shall be sold for a consideration in excess of fifteen hundred
5 dollars, except to the highest bidder after due notice by
6 advertisement for bids or advertisement of a public auction in
7 one newspaper of general circulation in the township. Such
8 advertisement shall be published once not less than ten days
9 prior to the date fixed for the opening of bids or public
10 auction, and such date for opening bids or public auction shall
11 be announced in such advertisement. The acceptance of bids shall
12 be made only by public announcement at a regular or special
13 meeting of the board of township supervisors or at the public
14 auction. All bids shall be accepted on the condition that
15 payment of the purchase price in full shall be made within sixty
16 days of the acceptance of bids.

17 The board of supervisors shall have the authority to reject
18 all bids if such bids are deemed to be less than the fair market
19 value of the real property. In the case of a public auction, the
20 board of supervisors may establish a minimum bid based on the
21 fair market value of the real property.

22 Except as otherwise hereinafter provided in the case of
23 personal property of an estimated sale value of less than two
24 hundred dollars, no township personal property shall be disposed
25 of, by sale or otherwise, except upon approval of the board of
26 township supervisors, by ordinance or resolution. In cases where
27 the board of township supervisors shall approve a sale of such
28 property, it shall estimate the sale value of the entire lot to
29 be disposed of. If the board of township supervisors shall
30 estimate the sale value to be two hundred dollars or more, the

1 entire lot shall be advertised for sale once, in at least one
2 newspaper of general circulation in the township, not less than
3 ten days prior to the date fixed for the opening of bids or
4 public auction, and such date of opening of bids or public
5 auction shall be announced in such advertisement, and sale of
6 the property so advertised shall be made to the best responsible
7 bidder. The board of township supervisors shall have authority,
8 by resolution, to adopt a procedure for the sale of surplus
9 personal property of an estimated sale value of less than two
10 hundred dollars and the approval of the board of township
11 supervisors shall not be required for any individual sale that
12 shall be made in conformity to such procedure.

13 The provisions of this clause shall not be mandatory where
14 township property is to be traded in or exchanged for new
15 township property.

16 The provisions of this clause shall not prohibit the sale or
17 exchange of township property to public utilities.

18 The provisions of this clause requiring advertising for bids
19 or sale at public auction and sale to the highest bidder shall
20 not apply where township real or personal property is to be sold
21 to a county, city, borough, town, township, institution
22 district, school district, volunteer fire company, volunteer
23 ambulance service or volunteer rescue squad located within the
24 township, or municipal authority pursuant to the Municipality
25 Authorities Act of 1945, or to a nonprofit corporation engaged
26 in community industrial development or where real property is to
27 be sold to a person for his exclusive use in an industrial
28 development program or where real property is to be sold to a
29 nonprofit corporation organized as a public library for its
30 exclusive use as a library, or where real property is to be sold

1 to a nonprofit medical service corporation as authorized by
2 clause LXXI of section 702 or where real property is to be sold
3 to a nonprofit housing corporation as authorized by clause LXXII
4 of section 702. When real property is to be sold to a nonprofit
5 corporation organized as a public library for its exclusive use
6 as a library or to a nonprofit medical service corporation or to
7 a nonprofit housing corporation the board of township
8 supervisors may elect to accept such nominal consideration for
9 such sale as it shall deem appropriate. Real property sold
10 pursuant to this clause to a volunteer fire company, volunteer
11 ambulance service or volunteer rescue squad, nonprofit medical
12 service corporation or to a nonprofit housing corporation shall
13 be subject to the condition that when the property is not used
14 for the purposes of the company, service, squad or corporation
15 the property shall revert to the township.

16 Any officer who sells and each officer who votes in favor of
17 selling any township property, either real or personal, without
18 the provisions of this section having been complied with, shall
19 be subject to surcharge in the amount of any loss sustained by
20 the township by reason of such sale.

21 III. When real property has been dedicated, deeded or
22 devised to a township to be used for a designated purpose and
23 the real property is accepted and used for that purpose, or the
24 real property is not used for the purpose designated for a
25 period of ten years or more, and the township supervisors
26 determine that it is not possible or not desirable for the best
27 interest of the township to use the real property for the
28 purpose designated, the township supervisors, with the prior
29 approval of the court of quarter sessions, may, by ordinance,
30 reconvey to the original owners or their successors, heirs or

1 assigns, or otherwise dispose of the real property free and
2 clear of any public right.]

3 Section 1501. Suits.--Any township may sue and be sued.

4 Section 1502. Property; Penalty for Violation.--(a) The
5 board of supervisors may purchase, acquire by gift or otherwise,
6 hold, lease, let and convey, by sale or lease, any real and
7 personal property it judges to be to the best interest of the
8 township.

9 (b) Any supervisor who votes in favor of or knowingly
10 participates in the sale or lease of township real or personal
11 property in violation of this article is subject to surcharge to
12 the extent of any loss or injury to the township as a result of
13 the sale or lease.

14 Section 1503. Real Property.--(a) No real estate owned by
15 the township having a value in excess of fifteen hundred dollars
16 (\$1,500) may be sold except to the highest bidder after due
17 notice by advertisement for bids or advertisement of a public
18 auction in one newspaper of general circulation in the township.
19 The advertisement shall be published once not less than ten days
20 before the date set for the opening of bids or public auction,
21 and the date for opening bids or public auction shall be
22 announced in the advertisement. The award of ~~bids~~ CONTRACTS <—
23 shall be made only by public announcement at a regular or
24 special meeting of the board of supervisors or at the public
25 auction. All bids shall be accepted on the condition that
26 payment of the purchase price in full shall be made within sixty
27 days of the acceptance of bids.

28 (b) The board of supervisors may reject all bids if the bids
29 are deemed to be less than the fair market value of the
30 property. In the case of a public auction, the board of

1 supervisors may establish a minimum bid based on the fair market
2 value of the real property.

3 (c) The requirements of this section do not apply to
4 conveyances or leases of real property by a township to any
5 municipal corporation, the Federal Government, the Commonwealth,
6 or any institution district, school district, MUNICIPALITY <—
7 AUTHORITY, county, public utility, volunteer fire company,
8 nonprofit corporation engaged in community industrial
9 development, volunteer ambulance service or volunteer rescue
10 squad located within the township, nonprofit corporation
11 organized as a public library, nonprofit medical service
12 corporation, nonprofit housing corporation, nonprofit
13 organizations providing community service or development
14 activities or nonprofit corporation established for the
15 preservation of historical, architectural or aesthetic sites or
16 artifacts.

17 (d) When real property is sold to a nonprofit corporation
18 organized as a public library or to a nonprofit medical service
19 corporation, nonprofit housing corporation, volunteer fire
20 company, volunteer ambulance service or volunteer rescue squad,
21 the board of supervisors may elect to accept any nominal
22 consideration for the property as it believes appropriate. Real
23 property sold under this subsection is subject to the condition
24 that when the property is not used for the purposes of the
25 corporation or volunteer fire company, the property reverts to
26 the township.

27 (e) No real estate may be purchased by a township unless the
28 board of supervisors obtains at least one appraisal on the real
29 property in question by a person authorized to perform an
30 appraisal on the subject property under the act of July 10, 1990

1 (P.L.404, No.98), known as the "Real Estate Appraisers
2 Certification Act," and the township supervisors may require
3 that an environmental impact statement be prepared, indicating
4 the potential liability of the township for any environmental
5 problems associated with the real estate to be purchased. The
6 person making the appraisal shall not be interested directly or
7 indirectly in any aspect of the sale of the real estate. The
8 price paid by the board of supervisors for the purchase of the
9 real estate shall not exceed the price established by the
10 appraisal: PROVIDED, HOWEVER, THAT IF MORE THAN ONE APPRAISAL IS <—
11 OBTAINED, THE PRICE PAID BY THE BOARD OF SUPERVISORS SHALL NOT
12 EXCEED THE AVERAGE OF THE APPRAISALS.

13 (f) When real property has been dedicated, deeded or devised
14 to a township to be used for a designated purpose and the real
15 property is accepted and used for that purpose, or the real
16 property is not used for the purpose designated for a period of
17 ten years or more, and the township supervisors determine that
18 it is not possible or not desirable for the best interest of the
19 township to use the real property for the purpose designated,
20 the township supervisors, with the prior approval of the court
21 of common pleas, may, by ordinance, reconvey to the original
22 owners or their successors, heirs or assigns, or otherwise
23 dispose of, the real property free and clear of any public
24 right.

25 Section 1504. Personal Property.--(a) No personal property
26 of the township shall be sold or disposed of without the
27 approval of the board of supervisors. No personal property owned
28 by the township, the estimated fair market value of which is one
29 thousand dollars (\$1,000) or more, shall be sold except to the
30 highest bidder after due notice by advertisement for bids or for

1 public auction in one newspaper of general circulation in the
2 township. The advertisement shall be published once not less
3 than ten days before the date set for the opening of bids or
4 public auction, and the date for opening bids or public auction
5 shall be announced in the advertisement. The award of bids <—
6 CONTRACTS shall be made only by public announcement at a regular <—
7 or special meeting of the board of supervisors or at the public
8 auction. All bids shall be accepted on the condition that
9 payment of the purchase price in full is made immediately upon
10 acceptance of the successful bid. The board of supervisors may
11 reject any bids received if the bids are believed to be less
12 than the fair market value of the property.

13 (b) With respect to personal property, either individual
14 items or lots of items, the fair market value of which is
15 estimated to be less than one thousand dollars (\$1,000), the
16 board of supervisors shall, by resolution, adopt a procedure by
17 which the property may be sold without further action by the
18 board of supervisors. The board of supervisors may arrange for
19 the sale of the item or items at public auction.

20 (c) The bidding and advertising requirements of this section
21 do not apply to the following transactions:

22 (1) If personal property of the township is being traded in
23 or exchanged for other personal property.

24 (2) The sale or lease of personal property to any municipal
25 corporation, the Federal Government, the Commonwealth, or any
26 institution district, school district, municipality authority,
27 county, public utility, volunteer fire company, nonprofit
28 corporation engaged in community industrial development,
29 volunteer ambulance service or volunteer rescue squad located
30 within the township, nonprofit corporation organized as a public

1 library, nonprofit medical service corporation, nonprofit
2 housing corporation, nonprofit organizations providing community
3 service or development activities or nonprofit corporation
4 established for the preservation of historical, architectural or
5 aesthetical sites or artifacts.

6 [Section 702. Supervisors to Exercise Powers.--The corporate
7 powers of townships of the second class shall be exercised by
8 the township supervisors. Where no specific authority is given
9 for the expenditures incident to the exercise of any power
10 hereinafter conferred, or where no specific fund is designated
11 from which such expenditures shall be made, appropriations for
12 such expenditures shall be made only from the general township
13 fund. In addition to the duties imposed upon them by section 516
14 hereof, they shall have power--

15 I. Lighting.--To light and illuminate the highways, roads,
16 and other public places of the township with electric light,
17 gas, or other illuminating medium, and to provide for defraying
18 the cost, charges and expenses thereof; and, for such purposes,
19 to enter into contracts or agreements with any person,
20 copartnership, association, or corporation, for a period not
21 exceeding ten years, for the purpose of securing and maintaining
22 a supply of light.

23 II.1. Contracts and Assessments for Lighting.--To provide
24 street lights and to make regulations therefor within the
25 township or within any district of the township established by
26 the township supervisors for that purpose:

27 A. Upon receipt of a petition signed by seventy per centum
28 of the property owners within any defined area of the township,
29 township supervisors shall establish said defined area as a
30 lighting district or include such defined area within an

1 existing lighting district and shall provide public lighting
2 within such area.

3 B. The township supervisors may enter into contract with
4 electric, gas or other lighting companies to light and
5 illuminate said roads and highways and other public places with
6 electric light, gas light or other illuminant.

7 C. The township supervisors may pay for the cost of public
8 lighting by any one or combination of the following means
9 regardless of whether the installation of said lighting was
10 initiated by action of the township supervisors or by petition
11 as herein provided:

12 (a) from the general fund;

13 (b) through uniform annual assessments made upon benefited
14 properties on the front-foot basis;

15 (c) by uniform annual assessment upon each property
16 benefited; or

17 (d) by any combination of the above methods or by such other
18 equitable means of assessment as the township supervisors may
19 determine.

20 D. In cases where public street lighting is currently in
21 existence and is being paid for by a certain means or method,
22 the township supervisors may, at their discretion, alter or
23 amend the means of assessing the cost of such lighting.

24 E. Properties shall be subject to assessment for this
25 purpose whether or not the property is exempt from taxation by
26 existing law, by an equal assessment on all property in
27 proportion to the number of feet the same fronts on the street
28 or highway, or portion thereof to be lighted, or by an equal
29 assessment upon each property benefited.

30 F. If the front-foot method of assessment is used, the

1 assessment shall be by equal assessment on all property in
2 proportion to the number of feet the same fronts on the street
3 or highway, or portion thereof to be lighted. The township
4 supervisors may provide for an equitable reduction from the
5 frontage of lots at intersections or where, from the peculiar or
6 pointed shape of lots, an assessment of the full frontage would
7 be inequitable. No such assessment shall be made against any
8 farmland, but vacant lots between built-up sections, whether
9 tilled or untilled, shall not be deemed to be farmlands:

10 Provided, however, That the assessment per front foot against
11 vacant lots shall be only twenty-five per centum of the
12 assessment per foot against property with improvements thereon.

13 G. All such annual assessments for street lights, by
14 whatever method used, shall be filed with the township tax
15 collector for collection in the same manner as township taxes
16 are collected, and if said assessment is uncollected, the same
17 shall be a lien and shall be collectable in the same manner as
18 other municipal claims. The assessment may be billed on the
19 annual real estate tax bill for general township purposes if the
20 township supervisors agree to do so.

21 H. The township tax collector shall be entitled to the same
22 commission as he is entitled to for the collection of other
23 township taxes.

24 I. All assessments, when collected, shall be paid over to
25 the township treasurer, who shall receive and keep the same in a
26 separate account and pay out the same only upon orders signed by
27 the chairman of the township supervisors, attested by the
28 secretary. The tax collector and the treasurer shall make a
29 report to the auditors of the township annually.

30 III. Fire Hydrants and Water Supply for Fire Protection.--To

1 place, replace, operate, maintain and repair or to enter into
2 contracts with water companies or municipal authorities for the
3 placing, replacing, operating, maintaining and repairing of fire
4 hydrants, to water mains maintaining pressures approved by the
5 fire insurance underwriters along any highways, streets, roads
6 and alleys, or portions thereof, within the township, or to
7 provide for or acquire a water supply system equipped to supply
8 sufficient water for the protection of property from fire.

9 The moneys necessary for placing, replacing, operating,
10 maintaining and repairing such fire hydrants, or for fulfilling
11 contract obligations to water companies or municipal authorities
12 with respect to such fire hydrants, or for providing for or
13 acquiring any such water system may be obtained by proceeding in
14 accordance with the following:

15 A. If any such fire protection service is or was instituted
16 by the township supervisors without the petition of the surface
17 property owners of a majority of the lineal feet frontage along
18 any highways, streets, roads and alleys, or portions thereof,
19 within the township, such moneys may be obtained by any one of
20 the means set forth in subparagraphs (a), (b) or (c) of
21 paragraph (B) below.

22 B. If any such fire protection service is or was instituted
23 upon the petition of the surface property owners of a majority
24 of the lineal feet frontage along any highways, streets, roads
25 and alleys, or portions thereof, within the township, such
26 moneys may be obtained by any one of the means set forth in
27 subparagraphs (a), (b) or (c) below.

28 (a) The township supervisors shall annually assess, or cause
29 to be assessed, the cost and expense of such fire protection
30 service by an equal assessment upon all property, whether or not

1 exempt from taxation by existing law, abutting upon said
2 highways, streets, roads and alleys, or portions thereof, and
3 upon property within seven hundred and eighty feet of any fire
4 hydrant in the district benefited thereby, based upon the
5 assessment for county purposes. No such assessment shall be
6 levied against any farm land or land used as an aviation field
7 or against other property in the district not benefited thereby.
8 Such assessment shall be collected in the same manner as taxes.
9 The township tax collector shall receive the same commission as
10 on the township tax. The township treasurer shall receive all
11 such assessments collected for fire protection, and keep the
12 same in a separate account, and shall pay the same out only upon
13 orders signed by the chairman of the board of supervisors,
14 attested by the township secretary. The township treasurer shall
15 make a report to the auditors of the township annually.

16 (b) The township supervisors shall annually assess, or cause
17 to be assessed, the cost and expense of such fire protection
18 service by an equal assessment on all property, whether or not
19 exempt from taxation under existing law, abutting upon said
20 highways, streets, roads and alleys, or portions thereof, within
21 seven hundred and eighty feet of any fire hydrant in the
22 district benefited thereby, in proportion to the number of feet
23 the said property fronts on any highway, street, road or alley
24 upon which a water main is laid, or within seven hundred and
25 eighty feet of any fire hydrant on such highway, street, road or
26 alley. The township supervisors may provide for an equitable
27 reduction from the frontage of lots at intersections, or where
28 from the peculiar or pointed shape of lots an assessment of the
29 full frontage would be inequitable. No such assessment shall be
30 made against any farm land, but vacant lots between built-up

1 sections, either tilled or untilled, shall not be deemed to be
2 farm lands. All such assessments for fire protection shall be
3 filed with the township tax collector who shall give thirty (30)
4 days' written or printed notice that the assessments are due and
5 payable, stating the due date to each party assessed, either by
6 service on the owner of the property or by mailing such notice
7 to the owner at his last known post office address. The township
8 tax collector shall be entitled to the same commission for the
9 collection of such assessments as he is entitled to by law for
10 the collection of the township road tax. If the assessments or
11 any of them remain unpaid at the expiration of not exceeding
12 ninety (90) days, the exact time to be fixed by the township
13 supervisors, they shall be placed in the hands of the township
14 solicitor for collection. The township solicitor shall collect
15 the same together with five percent as attorney's commission and
16 interest from the date such assessments were due by a municipal
17 claim filed against the property of the delinquent owner in like
18 manner as municipal claims are by law filed and collected. Where
19 an owner has two or more lots against which there is an
20 assessment for the same year all such lots may be embraced in
21 one claim. All assessments when collected shall be paid over to
22 the township treasurer who shall receive and shall keep the same
23 in a separate account and shall pay the same only upon orders
24 signed by the chairman of the township supervisors attested by
25 the township secretary. The township tax collector and the
26 township treasurer shall make a report to the auditors of the
27 township, annually.

28 (c) The township supervisors may pay or cause to be paid the
29 cost and expenses for such fire protection out of the general
30 township fund.

1 If the township supervisors elect to pay the cost of fire
2 protection services out of the general fund, the special fire
3 protection districts and annual assessments shall be abolished.
4 All moneys in the separate accounts for the special fire
5 protection districts shall be paid into the general fund.

6 IV. Fire Protection.--Out of the general township fund to
7 purchase, or contribute to the purchase of, fire engines and
8 fire apparatus, for the use of the township and to appropriate
9 moneys to fire companies located therein for the operation and
10 maintenance thereof, and for the purchase and maintenance of
11 fire apparatus, and for the construction, repair and maintenance
12 of fire company houses, in order to secure fire protection for
13 the inhabitants of the township. An annual report of the
14 expenditure of such appropriated moneys shall be made to the
15 township supervisors for each completed fiscal year of the
16 township by such fire companies, verified by an officer thereof,
17 before any further payments shall be made to such fire companies
18 out of appropriations for any current fiscal year. To ordain
19 rules and regulations for the government of such fire companies
20 and their officers. To enter into contracts with or to make
21 grants to the proper authorities of near or adjacent cities,
22 boroughs, or townships, or fire departments, fire companies, or
23 fire company therein, for the furnishing to such townships of
24 fire protection by the fire department, fire departments, fire
25 companies, or fire company of such cities, boroughs, or
26 townships, and to make appropriations therefor.

27 IV.I. Ponds or Dams for Fire Protection.--To construct or
28 contribute money for or participate in the construction of ponds
29 or lawful dams for the purpose of providing water for fire
30 protection for villages or built-up sections in the townships.

1 This power shall be exercised only upon request of those
2 providing fire protection facilities serving the district in
3 which the pond or dam is located.

4 V. Watering Troughs.--To erect watering troughs along the
5 highways, at an expense not exceeding twenty dollars, and to
6 keep the same in repair.

7 VI. Memorial Day Appropriations.--To appropriate moneys for
8 the expenses of Memorial Day services.

9 VII. Road Bulletins.--To subscribe for not more than three
10 publications--the main subject-matter of which pertains to good
11 roads and road building. Such publications shall be for the
12 joint use of the officers of the township.

13 VIII. Ashes, Garbage, Rubbish and Other Refuse Materials.--
14 To regulate or prohibit the dumping or otherwise depositing of
15 ashes, garbage, rubbish and other refuse materials within the
16 township. To prohibit accumulations of ashes, garbage, rubbish
17 and other refuse materials upon private property, including the
18 imposition and collection of reasonable fees and charges for the
19 collection, removal and disposal thereof. They shall also have
20 power to--

21 (1) Collect, remove and dispose of or to provide, by
22 contract or otherwise, for the collection, removal and disposal,
23 by incineration, land fill or other methods of ashes, garbage,
24 rubbish and other refuse materials and to prescribe penalties
25 for the enforcement thereof. Any such contract may be made for a
26 period not exceeding three years. This limitation shall not
27 apply to contracts entered into with any other political
28 subdivision or with any municipality authority. To acquire any
29 real property and to erect, maintain, improve, operate, and
30 lease, either as lessor or lessee, facilities for incineration,

1 land fill or other methods of disposal, either within or without
2 the limits of the township, including equipment, either
3 separately or jointly, with any other political subdivision or
4 with any municipality authority in order to provide for the
5 destruction, collection, removal and disposal of ashes, garbage,
6 rubbish and other refuse materials and to provide for the
7 payment of the cost and expense thereof, either in whole or
8 part, out of the funds of the township and to acquire land for
9 land fill purposes, either amicably or by exercising the power
10 of eminent domain, and to maintain such lands and places for the
11 dumping of ashes, garbage, rubbish and other refuse material to
12 fix, alter, charge and collect rates, and other charges for the
13 collection, removal and disposal of ashes, garbage, rubbish and
14 other refuse materials and the costs of including the payment of
15 any indebtedness incurred for the construction, purchase,
16 improvement, repair, maintenance and operation of any facilities
17 therefor, and the amount due under any contract with any other
18 political subdivision or with any municipality authority
19 furnishing any of such services or facilities. To incur
20 indebtedness and issue bonds for the costs of the construction,
21 purchase, improvement and repair of any facilities for the
22 collection, removal and disposal of ashes, garbage, rubbish and
23 other refuse materials, including equipment to be used in
24 connection therewith. To make appropriations to any other
25 political subdivision or any municipality authority out of its
26 general funds or out of any other available funds, including the
27 proceeds of bonds of the township for the construction,
28 purchase, improvement, repair, maintenance and operation of any
29 facilities for the collection, removal and disposal of ashes,
30 garbage, rubbish and other refuse materials. In the event that

1 any such bonds were issued for such purposes, pursuant to a vote
2 of the electors, any appropriation of such proceeds as above set
3 forth shall not be deemed such a change of purpose from that for
4 which such bonds were issued as shall require the question to be
5 again submitted to a vote of the electors under any existing
6 law. Any such funds appropriated as herein authorized, which
7 represent the proceeds of any bonds heretofore or hereafter
8 issued by the township for the above purposes, shall be used by
9 such other political subdivision or municipality authority for
10 or toward the purpose or purposes for which such bonds were
11 issued. In the absence of such collection, removal and disposal
12 plan for the entire township the supervisors shall--

13 (2) on petition of a majority of the adult taxable residents
14 of any territory within the township, which has been definitely
15 defined, set apart and limited by the township supervisors, with
16 the approval of the township auditors, as a village, prior to
17 the filing of any such petition, either with township employees
18 and facilities, or with independent contractors, provide for the
19 removal from the village of ashes or garbage or other refuse
20 material, as the case may be, and for the disposal thereof. The
21 supervisors shall levy a per capita assessment upon all adult
22 residents of any such village, sufficient to defray the cost of
23 such removal and disposal. Such assessment shall be collected in
24 the same manner as per capita taxes, and the collector shall
25 receive the same commission thereon. The treasurer of the board
26 of supervisors shall receive all such assessments collected and
27 keep the same in a separate account and pay the same out only
28 upon orders signed by the chairman and attested by the secretary
29 of the board of supervisors. The treasurer shall make an annual
30 report of the account to the auditors of the township.

1 IX. Traffic Lights and Signals.--To provide for and to
2 expend moneys from the general township fund for the erection,
3 maintenance, and operation of traffic lights and traffic signals
4 whenever deemed necessary for the protection of the traveling
5 public.

6 X. Roads.--To purchase or hire material, equipment,
7 machinery, teams and implements as shall be necessary for the
8 construction, repair and maintenance of roads and bridges.
9 Records shall be kept of the rental paid for all equipment,
10 machinery, teams and implements hired. To lease or lend, for
11 adequate consideration, such equipment, machinery and
12 implements, to contract, to construct, reconstruct, improve or
13 maintain driveways on lands owned or occupied by school
14 districts of the township, to construct, reconstruct and
15 improve, and to contract for the construction, reconstruction
16 and improvement of roads in the township.

17 XI. Appropriations for Forestry.--To appropriate moneys from
18 the general township fund to any forest protection association
19 co-operating with the State Department of Forests and Waters, or
20 to be expended in direct co-operation with said Department of
21 Forests and Waters in forest work; and to purchase or take by
22 gift any forest lands for recreational purposes.

23 XII. Nuisances.--To prohibit nuisances, including but not
24 limited to, accumulations of garbage and rubbish, and the
25 storage of abandoned or junked automobiles, on private and
26 public property, and the carrying on of any offensive
27 manufacture or business; and to remove any nuisance or dangerous
28 structure on public or private grounds after notice to the owner
29 to do so, and, in his default, to collect the cost of such
30 removal, together with such penalty as may be prescribed by

1 ordinance from the owner by summary proceedings or in the manner
2 provided for the collection of municipal claims or by an action
3 of assumpsit without the filing of a claim. In the exercise of
4 the powers herein conferred, the township may institute
5 proceedings in courts of equity.

6 XIII. Insurance.--A. To expend out of the general township
7 fund such amount as may be necessary to secure workmen's
8 compensation insurance for its employes, including volunteer
9 firemen of companies duly recognized by the township by motion
10 or resolution, killed or injured while going to, returning from,
11 or attending fires in said township or territory adjacent
12 thereto, or while performing any other duties authorized by the
13 township.

14 B. To make contracts of insurance with any fire insurance
15 company, duly authorized by law to transact business in the
16 Commonwealth of Pennsylvania, on any building or property owned
17 by such township.

18 C. To make contracts with any insurance company, so
19 authorized, insuring any public liability of the township,
20 including insurance on every township officer, official, and
21 employe for liability arising from errors and omissions in the
22 performance of their duties in the course of their employment,
23 except that liability of elected or appointed officials or
24 officers for surcharge in accordance with law shall not be
25 affected hereby.

26 D. To make contracts of insurance with any insurance
27 company, or nonprofit hospitalization corporation, or nonprofit
28 medical service corporation, authorized to transact business
29 within the Commonwealth, insuring its township supervisors
30 pursuant to section 515, and employes, and/or their dependents,

1 or any class or classes thereof, under a policy or policies of
2 group insurance covering life, health, hospitalization, medical
3 service, or accident insurance, and may contract with any such
4 company, granting annuities or pensions, for the pensioning of
5 such employes, and for such purposes, may agree to pay part or
6 all of the premiums or charges for carrying such contracts, and
7 may appropriate out of its treasury any money necessary to pay
8 such premiums, or charges, or portions thereof. The supervisors
9 are hereby authorized, enabled and permitted to deduct from the
10 employe's pay, salary or compensation such part of the premium,
11 or charge, as is payable by the employe, and as may be so
12 authorized by the employe in writing. This provision is subject
13 to the following qualifications:

14 (1) Elected officials, except township supervisors who are
15 provided for in section 515, and appointed township officials
16 who are not employes of the township shall not be eligible for
17 participation in any life, health, hospitalization, medical
18 service or accident insurance coverage contract paid in whole or
19 in part by the township. Any such insurance coverage contract
20 entered into by a township between January 1, 1959, and March
21 31, 1985, that includes or provides coverage for elected
22 officials, except as provided in section 515, or appointed
23 township officials who are not employes of the township, shall
24 not be void or unlawful solely because such inclusion of such
25 officials was subsequently found to be without lawful authority.
26 No penalty, assessment, surcharge, forfeiture or disciplinary
27 action of any kind may occur as a result of participation by
28 such officials: Provided, however, That insurance benefits
29 payable to insureds or their beneficiaries arising out of or on
30 account of deaths, injuries, accidents or illnesses occurring

1 prior to the effective date of this amendatory act shall remain
2 the property of the insureds or their beneficiaries.

3 E. To contract with any such company or otherwise provide
4 for the granting of annuities or pensions, for the pensioning of
5 employes, and for such purposes, to pay part or all of the
6 premiums or charges for carrying such contracts, and to
7 appropriate out of its treasury any money necessary to pay such
8 premiums, or charges, costs or portions thereof. This provision
9 is subject to the following qualifications:

10 (1) The benefit coverage shall be provided to supervisor-
11 employes in accordance with section 515.

12 (2) The supervisors are hereby authorized to deduct,
13 pursuant to an employee's written authorization, from the
14 employee's pay, salary or compensation the part of the premium or
15 charge that is payable by the employee.

16 (3) Elected officials, except township supervisors who are
17 provided for in section 515, and appointed township officials
18 who are not employes of the township shall not be eligible for
19 participation in any pension or annuity contract paid in whole
20 or in part by the township. No elected official, except as
21 provided in section 515, or appointed township official who is
22 not an employe of the township, included in a township-paid
23 pension or annuity plan entered into by a township between
24 January 1, 1959, and March 31, 1985, shall be subject to any
25 penalty, assessment, surcharge, forfeiture or disciplinary
26 action of any kind as a result of said participation. Any
27 residual interest, value, refund of premium or benefits payable
28 on or after March 31, 1985, arising out of the township-paid
29 interest of the elected or appointed township officials shall
30 become the exclusive property of the township.

1 (4) If an elected official, except township supervisors who
2 are provided for in section 515, or an appointed official who is
3 not an employe of the township, personally contributed toward a
4 township-sponsored pension plan or annuity, he shall receive a
5 refund of his total contributions thereto, plus any interest
6 accumulated thereon. In lieu of a refund of contributions plus
7 accumulated interest, a township official who personally
8 contributed toward a pension or annuity plan in which he
9 participated may elect to purchase that portion of his pension
10 or annuity funded by the township. The appropriate compensation
11 to be paid to the township by the elected or appointed official
12 shall be determined by a qualified actuary, who shall report his
13 determination in accordance with the act of December 18, 1984
14 (P.L.1005, No.205), known as the "Municipal Pension Plan Funding
15 Standard and Recovery Act."

16 XIV. Armories.--To appropriate money or convey land, either
17 independently or in connection with any county, city, town,
18 borough or township, to the Commonwealth, for the purpose of
19 assisting the Armory Board of the Commonwealth in the erection
20 of armories for the use of the National Guard, and to furnish
21 water, light or fuel, free of cost to the Commonwealth, for use
22 in any armory of the National Guard, and to do all things
23 necessary to accomplish the purposes of this clause.

24 XV. National Guard.--To take by right of eminent domain, for
25 the purpose of appropriating to the township, for the use of the
26 National Guard of Pennsylvania, such public lands, easements,
27 and public property as may be in its possession or control, and
28 used or held by it for any other purpose. Such right, however,
29 shall not be exercised as to any street or highway or wharf.

30 XVI. Acquisition of Lands to Assist Armory Board.--To

1 acquire, by purchase or by gift or by the right of eminent
2 domain, any land for the use of the National Guard of
3 Pennsylvania, and to convey such lands so acquired to the
4 Commonwealth in order to assist the Armory Board in the erection
5 of armories. The power conferred by this clause shall not be
6 exercised to take any church property, graveyard, cemetery, or
7 any dwelling house, or the curtilage of the same, in the actual
8 occupancy of the owner.

9 XVII. Burial Plots of Ex-Service Persons.--To purchase plots
10 of ground in any cemetery or burial ground for the interment of
11 such deceased service men and women as shall hereafter die
12 within such township, or shall die beyond such township and
13 shall have a legal residence within such township at the time of
14 their death and whose bodies are entitled to be buried by the
15 county. Such plots of ground shall be paid for out of the
16 general township fund.

17 XVIII. Display of Flags.--To display the flag of the United
18 States, the Commonwealth, the official POW/MIA flag or the flag
19 of any county, city, borough or township on any public building
20 or grounds of the township.

21 XIX. Care of Memorials.--To take charge of, care for,
22 maintain and keep in good order and repair at the expense of the
23 township, any soldiers monument, gun or cartridge, or other
24 similar memorials, when there is not in existence any person,
25 body or organization to care for and maintain the same, and when
26 such memorials were not erected by the government of the United
27 States, the Commonwealth of Pennsylvania, any other state, or by
28 the commissioners of any county; and to receive from persons or
29 organizations funds for such purposes.

30 XX. Fireworks and Inflammable Articles.--To regulate and

1 prohibit, by resolution or ordinance, the manufacture, of
2 fireworks or other inflammable or dangerous articles; to grant
3 permits for supervised public displays of fireworks and to adopt
4 reasonable rules and regulations governing such displays; to
5 adopt reasonable rules and regulations not inconsistent with
6 State regulations covering the storage of inflammable articles;
7 and to prescribe such other safeguards concerning the same as
8 may be necessary. In the exercise of the powers herein
9 conferred, the township may institute proceedings in courts of
10 equity.

11 XXI. Support of National Guard Units.--To appropriate
12 annually a sum not exceeding seven hundred and fifty dollars for
13 the support and maintenance, discipline and training of any
14 dismounted company or similar unit of the National Guard, and a
15 sum not to exceed fifteen hundred dollars for the support and
16 maintenance of any mounted or motorized troop or similar unit of
17 the National Guard. Where such units are organized as a
18 battalion, regiment or similar organization, the total amount
19 due may be paid to the commanding officer of the battalion,
20 regiment or similar organization. Any moneys so appropriated
21 shall be paid by warrant drawn to the order of the commanding
22 officer of such company, battalion, regiment or similar
23 organization, only when it shall be certified to the township,
24 by the Adjutant General of the State, that the said company or
25 companies have satisfactorily passed the annual inspection
26 provided by law. The moneys so appropriated shall be used and
27 expended solely and exclusively for the support and maintenance,
28 discipline and training of the said company, battalion,
29 regiment, or similar organization; and the commanding officers
30 shall account, by proper vouchers to the said township each

1 year, for the expenditure of the money so appropriated, and no
2 appropriation shall be made for any subsequent year until the
3 expenditure of the previous year is duly and satisfactorily
4 accounted for.

5 The accounts of such expenditures shall be subject to the
6 inspection of the Department of Military Affairs, and shall be
7 audited by the Auditor General in the manner provided by law for
8 the audit of accounts of state moneys.

9 XXII. Fire Hydrants and Water Supply; Special Tax.--With the
10 consent of fifty-one per centum of the electors of the township
11 voting thereon, as hereinafter provided, to contract with water
12 companies for the placing of fire hydrants, and for the
13 maintenance of adequate water pressure for fire purposes, and to
14 levy an annual tax, not exceeding two mills, for the purpose of
15 defraying the expense thereof.

16 Whenever five per centum or more registered electors of the
17 township shall petition the supervisors for the establishment
18 and maintenance of fire hydrants and fire hydrant water service,
19 and the levy of a tax, not exceeding two mills, to defray the
20 expense thereof, and for a referendum thereon, the supervisors
21 shall, if they approve thereof, cause a question to be submitted
22 at the next municipal election occurring at least sixty days
23 thereafter, by certifying a resolution duly adopted to the
24 county board of elections for submission on the ballot or on
25 voting machines, in the manner provided by the election laws of
26 this Commonwealth. If fifty-one per centum or more of the
27 persons voting on such question in the township shall vote
28 "Yes," then the supervisors shall have power to enter into such
29 contract and levy an annual tax as aforesaid: Provided, That no
30 such question shall be submitted at any election unless the

1 resolution of the board of supervisors authorizing the same
2 shall be published once in a newspaper of general circulation
3 published in the county in which the township is situated. If
4 within thirty days after date of publication, taxpayers of the
5 township whose property valuation as assessed for taxable
6 purposes within the township shall amount to thirty-five per
7 centum of the total property valuation as assessed for taxable
8 purposes within the township, shall sign and file with the
9 chairman of the board of supervisors a written protest against
10 submitting such question at any election, then the board of
11 supervisors shall not certify any resolution to the county board
12 of elections as provided in this clause.

13 XXIII. Regulation of Parks.--To regulate by resolution or
14 ordinance the use and enjoyment by the public of any park or
15 recreational grounds owned and operated by charitable
16 organizations for the use of the public without charge; to
17 prescribe rules for the use by the public of such parks and
18 recreational grounds and the facilities and amusements connected
19 therewith; and to make any violation of such rules when posted
20 at conspicuous places in such parks or recreational grounds
21 punishable in a summary proceeding before any justice of the
22 peace, alderman or magistrate of the county by the payment of
23 costs of prosecution and a fine of not more than ten dollars,
24 and, in default of the payment thereof, imprisonment in the jail
25 of the county for a period not exceeding five days.

26 Any police officer when displaying a badge or sign of
27 authority may arrest upon view any person violating any such
28 rules, and such peace officer shall forthwith make and file with
29 the justice of the peace, alderman or magistrate before whom the
30 arrested person is taken an information setting forth the

1 offense.

2 XXIV. Regulation of Parking.--To regulate parking, to
3 provide parking accommodations so as to promote the convenience
4 and protection of the public and to establish or designate, at
5 the discretion of the supervisors, parking areas exclusively
6 reserved for handicapped parking purposes. The supervisors shall
7 also have power to erect parking meters and to regulate parking
8 meter charges and to post signs regulating parking in areas
9 established or designated for handicapped parking.

10 XXV. Zoning Ordinances.--To adopt and enforce zoning
11 ordinances, regulating the location, construction, and use of
12 buildings, the size of courts and open spaces, the density of
13 population, and the use of land.

14 XXVI. Obstruction of Roads, Drains and Bridges.--To
15 prohibit, by ordinance, the erection or construction of any
16 obstruction to the convenient use of the roads, footwalks,
17 culverts, drains and bridges in the township.

18 XXVII. Cemetery, Cesspool, Sewer and Drainage Regulations.--
19 To make regulations, by ordinance, respecting cemeteries,
20 vaults, sewers, drains and cesspools.

21 XXVIII. Abandoned Cemeteries.--Whenever any cemetery or
22 burial ground incorporated or unincorporated, is abandoned, or
23 is being neglected although occasionally used for burial
24 purposes, either of the following actions may be taken:

25 (1) The township supervisors may give notice to the owner
26 thereof, directing him to remove the weeds, refuse and debris
27 therefrom within thirty days. If the weeds, refuse and debris
28 are not removed within thirty days after such notice, the
29 supervisors shall cause the same to be done by employees of the
30 township or persons hired for the purpose at the expense of the

1 township. In no case shall the township supervisors expend more
2 than five hundred dollars in any one year on any one cemetery.
3 All costs and expenses of such removal shall be a debt owed to
4 the township by the owner of the cemetery or burial ground, and
5 may be collected therefrom as like debts are collected, or (2)
6 the court of common pleas of the county, upon petition of
7 twenty-five residents of the township wherein such cemetery is
8 located, may direct the supervisors to care for such cemetery at
9 a cost of not more than five hundred dollars in any one year.
10 The supervisors shall expend moneys from the general township
11 fund for such purpose. Such cemetery shall remain open to the
12 public under the regulation and control of the supervisors.

13 XXIX. Health.--To make such regulations, by ordinance, not
14 inconsistent with State laws and regulations, as may be
15 necessary for the promotion of the health, cleanliness, comfort
16 and safety of the citizens of the township.

17 XXX. Sewers.--In the manner hereinafter provided, to
18 establish and construct, singly or jointly with other
19 municipalities, sewer and drainage systems in the township, or
20 part thereof, and to finance and assess the cost thereof, and to
21 provide for the making of sewer constructions and the charging
22 of rental for sewerage service.

23 XXXI. Water Supply.--In the manner hereinafter provided, to
24 provide a supply of water for public or private uses in the
25 township, or part thereof, and to finance and assess the cost
26 thereof, to provide for the construction of necessary lines and
27 works therefor, and to charge and collect water rentals.

28 XXXII. Fire Prevention.--To make regulations, by ordinance,
29 relative to the cause and prevention of fires. Such ordinances
30 may adopt any standard fire prevention code published and

1 printed in book form covering the above items without
2 incorporating such code in the ordinance, or any township may
3 enact such fire prevention code as its ordinance authorized
4 under the provisions of this clause. In either event, such code
5 shall not be published or advertised in full as provided by this
6 section in the case of the adoption of ordinances. Notice of the
7 adoption of such standard fire prevention code as the fire
8 prevention ordinance of the township, together with a brief
9 summary thereof setting forth the principal provisions of said
10 ordinance in such reasonable detail as will give adequate notice
11 of its contents, pursuant to a uniform form which shall be
12 prepared or approved by the Pennsylvania State Police, and a
13 reference to the place or places within the township where
14 copies of the code adopted are deposited and may be examined,
15 shall be published in the manner provided by this section for
16 the publication of ordinances. Not less than three such copies
17 shall be made available to public inspection and use during
18 business hours, for a period of not less than three months after
19 the adoption of such fire prevention code.

20 XXXIII. Public Amusements.--To regulate, by ordinance, not
21 inconsistent with State law and regulations, the time of opening
22 and closing, and the conduct of places of public entertainment,
23 amusement and recreation.

24 XXXIV. Parks and Recreation Centers.--To designate, set
25 apart, acquire by gift, devise, purchase, lease or by the
26 exercise of the right of eminent domain, supervise, operate and
27 maintain, in the manner hereinafter provided, parks,
28 playgrounds, playfields, gymnasiums, public parks, swimming
29 pools and recreation centers.

30 XXXV. Regulation of Dogs.--To prohibit or regulate by

1 ordinance, the running at large of dogs.

2 XXXVI. Lockups.--To provide lockup facilities.

3 XXXVII. Naming of Streets; Numbering of Buildings.--To
4 provide for and regulate the naming of streets, roads and
5 highways, and to require and regulate the numbering of
6 buildings.

7 XXXVIII. Sidewalks and Footpaths.--To provide for and expend
8 moneys from the general fund of the township for the
9 construction and maintenance of sidewalks and footpaths,
10 whenever deemed necessary, for the protection of the traveling
11 public.

12 XXXIX. Transient Merchants.--To license and regulate, by
13 ordinance, transient retail merchants in the manner and to the
14 extent hereinafter provided.

15 XL. Joint Municipal Agreements.--To enter into agreements
16 with other political subdivisions, in accordance with existing
17 laws, in making joint purchases of materials, supplies or
18 equipment, and in cooperating with other political subdivisions
19 in promotion of the health of the citizens and residents of the
20 township and other political subdivisions, and in performing
21 governmental powers, duties and functions, and in carrying into
22 effect provisions of law relating to said subjects, which are
23 common to all such political subdivisions.

24 XLI. Ordinances.--To adopt ordinances prescribing the manner
25 in which such specific powers of the township shall be carried
26 out. All such proposed ordinances, unless otherwise provided by
27 law, shall be published not more than sixty days nor less than
28 seven days prior to passage at least once in one newspaper
29 circulating generally in the township. Public notices of any
30 proposed ordinances shall include either the full text thereof

1 or the title and a brief summary prepared by the township
2 solicitor, if the township has a solicitor, otherwise by that
3 individual who drafted the ordinance setting forth all the
4 provisions in reasonable detail and a reference to a place
5 within the township where copies of the proposed ordinance may
6 be examined. If the full text is not included a copy thereof
7 shall be supplied to a newspaper of general circulation in the
8 county at the time the public notice is published. If the full
9 text is not included an attested copy thereof shall be filed in
10 the county law library or other county office designated by the
11 county commissioners who may impose a fee no greater than that
12 necessary to cover the actual costs of storing said ordinances.
13 In the event substantial amendments are made in the proposed
14 ordinance or resolution, before voting upon enactment, the board
15 of supervisors shall within ten days readvertise in one
16 newspaper of general circulation in the township, a brief
17 summary setting forth all the provisions in reasonable detail
18 together with a summary of the amendments. Such ordinances shall
19 be recorded in the ordinance book of the township and shall
20 become effective five days after such adoption. Any and all
21 township ordinances, or portions thereof, the text of which,
22 prior to the effective date of this reenactment and amendment,
23 shall have been attached to the township ordinance book, shall
24 be considered in force just as if such ordinances, or portions
25 thereof, had been recorded directly upon the pages of such
26 ordinance book: Provided, That all other requirements of this
27 act applicable to the enactment, approval, advertising and
28 recording of such ordinances or portions thereof, were complied
29 with within the time limits prescribed by this act. In any case
30 in which maps, plans, or drawings of any kind are adopted as

1 part of an ordinance, the supervisors may, instead of publishing
2 the same as part of the ordinance, refer in publishing the
3 ordinance to the place where such maps, plans, or drawings are
4 on file and may be examined. The board of supervisors may
5 prescribe fines and penalties not exceeding one thousand dollars
6 for a violation of a building, housing, property maintenance,
7 health, fire or public safety code or ordinance and for water,
8 air and noise pollution violations, and not exceeding six
9 hundred dollars for a violation of any other township ordinance,
10 which fines and penalties may be collected by suit or summary
11 proceeding brought in the name of the township before any
12 justice of the peace. Proceedings for the violation of township
13 ordinances and for the collection of fines and penalties imposed
14 thereby may be commenced by warrant, or by summons, at the
15 discretion of the justice of the peace before whom the
16 proceeding is begun. No warrant shall be issued, except upon
17 complaint on oath or affirmation specifying the ordinance for
18 the violation of which the same is issued. All proceedings shall
19 be directed to, and be served by, a constable of the township.
20 Warrants shall be returnable forthwith and upon such return like
21 proceeding shall be had, as in cases of summary conviction. All
22 fines and penalties collected for the violation of township
23 ordinances shall be paid over to the township treasury. Upon
24 judgment against any person by summary conviction, or by
25 proceedings by summons on default of the payment of the fine or
26 penalty imposed and the costs, the defendant may be sentenced
27 and committed to the township lockup for a period not exceeding
28 five days, or to the county jail, or workhouse for a period not
29 exceeding thirty days.

30 Any person aggrieved may make complaint as to the legality of

1 such ordinance or resolution to the court.

2 XLI.I. Consolidation, Codification or Revision of
3 Ordinances.--Whenever any township shall have caused to be
4 prepared a consolidation, codification or revision of the
5 general body of township ordinances or the ordinances on a
6 particular subject, the township supervisors may adopt such
7 consolidation, codification or revision as an ordinance of the
8 township, in the same manner that is now prescribed by law for
9 the adoption of township ordinances, except as hereinafter
10 provided.

11 Any such consolidation, codification or revision of township
12 ordinances to be enacted as a single ordinance shall be
13 introduced in the board of township supervisors at least thirty
14 days before its final enactment, and at least fifteen days
15 before its final enactment, notice of the introduction of any
16 consolidation, codification or revision, specifying its general
17 nature and listing its table of contents, shall be given by
18 advertisement in a newspaper of general circulation in said
19 township.

20 When any such consolidation, codification or revision has
21 been enacted as an ordinance, it shall not be necessary to
22 advertise the entire text thereof, but it shall be sufficient in
23 any such case, to publish a notice stating that such
24 consolidation, codification or revision, notice of the
25 introduction of which had previously been given, was finally
26 enacted.

27 The procedure set forth in this clause for the consolidation
28 or codification of township ordinances as a single ordinance may
29 also be followed in enacting a complete group or body of
30 ordinances, repealing or amending existing ordinances as may be

1 necessary in the course of preparing a consolidation,
2 codification or revision of the township ordinances, except that
3 in such case the advertisement giving notice of the introduction
4 shall list, in lieu of a table of contents, the titles only of
5 each of the ordinances in such complete group or body of
6 ordinances.

7 XLI.2. Adoption and Amendment of Codes by Reference.--To
8 adopt any ordinance by reference to a standard or nationally
9 recognized code, or to parts thereof, determined by the board,
10 or the provisions of any ordinance supplied by reference to a
11 typed or printed code, prepared under the direction of or
12 accepted by the board, or the provisions of a standard or
13 nationally recognized code, or parts thereof, and also further
14 provisions typed or printed as aforesaid: Provided, however,
15 That no portion of any code which limits the work to be
16 performed to any type of construction contractor, or labor or
17 mechanic classification shall be adopted. Such code need not be
18 advertised by publication of the full text thereof, and in place
19 of such complete advertisement, an informative notice of
20 intention to consider such proposed code, and a brief summary,
21 setting forth the principal provisions of the code in such
22 reasonable detail as will give adequate notice of its contents
23 and a reference to the place or places within the township where
24 copies of the proposed code may be examined or obtained shall be
25 published in the manner and within the time limits provided by
26 this act for publication of notice of other proposed ordinances.
27 Not less than three copies of such code, portion, or amendment
28 which is incorporated or adopted by reference, shall be filed
29 with the secretary of the township at least ten days before the
30 board considers the proposed ordinance and upon enactment kept

1 with the ordinance book, and available for public use,
2 inspection and examination.

3 An ordinance adopted by reference to any code shall be
4 enacted within sixty days after it is filed with the secretary
5 of the township and, in the case of a standard or nationally
6 recognized code, shall encompass the provisions of such code
7 effective as of the code date stated in the ordinance.

8 Any township that has adopted any code by reference to a
9 standard or nationally recognized code may adopt subsequent
10 ordinances which incorporate by reference any subsequent changes
11 thereof, properly identified as to date and source, as may be
12 adopted by the agency or association which promulgated the code.
13 Any ordinances which incorporate code amendments by reference
14 shall become effective after the same procedure and in the same
15 manner as is herein specified for original adoption of any such
16 code.

17 XLII. Airports.--To acquire by lease or purchase or by
18 exercising the power of eminent domain, in the manner provided
19 in article ten of this act, any land lying either within or
20 without the limits of the township, which in the judgment of the
21 corporate authorities thereof, may be necessary and desirable
22 for the purpose of establishing and maintaining municipal
23 airdromes, aviation landing fields and airport facilities. The
24 title acquired by the township exercising the power of
25 condemnation shall be a title in fee simple. Any township having
26 acquired land for such purposes may establish, equip, condition,
27 operate and maintain the same as a municipal airport, airdrome,
28 landing field, or intermediate landing field, and may lease the
29 same or any part thereof, to any individual or corporation
30 desiring to use the same for aviation purposes, and may enter

1 into a contract in the form of a lease providing for the use of
2 said land, or any part thereof, by the Government of the United
3 States for the use by said Government of said land for aviation
4 purposes upon nominal rental or without consideration.

5 Any township may acquire by lease or purchase land for
6 aviation purposes as hereinbefore provided jointly with any
7 county, city, borough, township, or political subdivision or
8 municipality authority of this Commonwealth, and is hereby
9 authorized and empowered to operate and maintain said airport,
10 airdrome, landing field, or intermediate landing field jointly
11 with any county, city, borough, township, or other political
12 subdivision or municipality authority of this Commonwealth upon
13 such terms and conditions, as may be agreed upon between the
14 proper authorities of the county, city, borough, township, or
15 other political subdivision of this Commonwealth.

16 XLIII. Police Protection Districts; Assessments.--To provide
17 police protection and promote the public safety, health,
18 convenience and welfare of its citizens the board of township
19 supervisors is hereby empowered, with the approval of the
20 township auditors, on petition of a majority of the property
21 owners of any territory within the township, to designate,
22 definitely define, set apart and limit any part of such
23 territory, as a district for the purpose of providing such
24 districts adequate police protection. Such police protection may
25 be furnished jointly with one or more other townships or
26 boroughs under an agreement with such townships and boroughs.
27 The township supervisors shall annually assess or cause to be
28 assessed the cost and expense of the maintenance of said police
29 protection by an equal assessment on all property benefited by
30 such protection in proportion to the number of feet the same

1 fronts on the street or highway or portion thereof to be
2 protected. The supervisors may provide for an equitable
3 reduction from the frontage of lots at intersections or where
4 from the peculiar or pointed shape of lots an assessment of the
5 full frontage would be inequitable. No such assessment shall be
6 made against any farm land, but vacant lots between built-up
7 sections, whether tilled or untilled, shall not be deemed to be
8 farm lands: Provided, however, That the assessment per front
9 foot against vacant lots shall be only twenty-five per centum
10 (25%) of the assessment per foot front against property with
11 improvements thereon. All such assessments for police protection
12 shall be filed with the township tax collector, who shall give
13 thirty days' written or printed notice that the assessments are
14 due and payable, stating the due date to each party assessed
15 either by service on the owner of the property or by mailing
16 such notice to the owner at his last known post office address.
17 The tax collector shall be entitled to the same commission for
18 the collection of such assessments as he is entitled to by law
19 for the collection of the township road tax. If the assessments
20 or any of them remain unpaid at the expiration of not exceeding
21 ninety days, the exact time to be fixed by the township
22 supervisors, they shall be placed in the hands of the township
23 solicitor for collection. The solicitor shall collect the same
24 together with five per centum (5%) as attorney's commission, and
25 interest from the date such assessments were due, by a municipal
26 claim filed against the property of the delinquent owner in like
27 manner as municipal claims are by law filed and collected. Where
28 an owner has two or more lots against which there is an
29 assessment for the same year all such lots shall be embraced in
30 one claim. All assessments, when collected, shall be paid over

1 to the township treasurer, who shall receive and shall keep the
2 same in a separate account, and pay out the same only upon
3 orders signed by the chairman of the township supervisors,
4 attested by the secretary. The tax collector and the treasurer
5 shall make a report to the auditors of the township annually.

6 XLIV. Widening and Deepening Water-Courses.--After a permit
7 has been secured from the Water and Power Resources Board, to
8 widen and deepen water-courses running through the township and
9 to erect such dikes, retaining walls and embankments along the
10 same as shall be necessary to prevent water from overflowing the
11 banks thereof. For such purposes, townships may enter upon and
12 condemn such property as may be necessary. Townships may enter
13 upon land lying near such water-courses and secure such material
14 as may be necessary in connection with such work. Damages for
15 property taken, injured or destroyed as the result of such work
16 shall be fixed and determined in the manner provided in article
17 ten of this act. Townships may appropriate moneys from the
18 general fund for the purpose of carrying into effect the
19 provisions of this clause.

20 XLV. Appointment of Accountant.--To employ a certified
21 public accountant registered in Pennsylvania, a firm of
22 certified public accountants so registered or a competent public
23 accountant or a competent firm of public accountants to be
24 appointed by the court of common pleas at least thirty days
25 prior to the close of the fiscal year to audit the accounts of
26 the township and the township officers, if a petition has been
27 presented to the supervisors by at least twenty-five taxpayers
28 of the township asking for such appointment. The amount paid to
29 the accountant or firm in any year shall not exceed the maximum
30 allowed by law to be paid to the township auditors in such year,

1 unless the payment of an additional amount is approved by the
2 court. When an accountant or firm is appointed as herein
3 provided, the township auditors shall not audit, settle or
4 adjust the accounts audited by such appointee but shall perform
5 the other duties of their office. After the initial appointment,
6 the township supervisors may, at their discretion, continue to
7 employ the court-appointed accountant or firm on an annual basis
8 by ordinance or resolution passed prior to the close of the
9 fiscal year.

10 When an accountant or firm is employed under the provisions
11 of this clause, the accountant or firm shall have the powers
12 given to the auditors under sections 545, 546 and 551 of this
13 act, except the power to fix compensations authorized in section
14 515, and referred to in section 545 of this act. They shall
15 perform the duties of the auditors as provided in section 547.
16 They shall be subject to the same penalties to which the
17 auditors are subject under section 549.

18 The report of the accountant or firm is subject to appeals
19 the same as reports of auditors under sections 553, 554, 555,
20 556, 557, 558, 559, 560, 561, 562 and 563 of this act.

21 XLV.1. Independent Audit.--For the purpose of meeting
22 Federal or State requirements, to contract with or employ an
23 independent public accountant for the purpose of preparing or
24 conducting a report or audit of the fiscal affairs of the
25 township, independent of that conducted by the elected township
26 auditors.

27 XLVI. Ambulances and Rescue and Life Saving Services.--To
28 acquire and to operate and maintain motor vehicles for the
29 purposes of conveying sick and injured persons of such townships
30 and the vicinity to and from hospitals, and for such purposes to

1 appropriate and expend moneys of the township or to appropriate
2 money annually towards ambulance and rescue and life saving
3 service, and to enter into contracts relating thereto. All
4 appropriations of money heretofore made and contracts heretofore
5 entered into by any township for such service are hereby
6 validated and confirmed.

7 XLVII. Public Safety.--To take all needful means for
8 securing the safety of persons or property within the township,
9 including the power to adopt ordinances defining disturbing the
10 peace within the limits of the township and to provide in such
11 ordinances for the imposition of penalties for the violation
12 thereof, but such penalties shall not be in excess of twenty-
13 five dollars notwithstanding like statutes pertaining to the
14 same or similar offenses. All penalties imposed for the
15 violation of such ordinances shall be paid to the township
16 treasurer for the use of the township.

17 XLVIII. Committing Magistrate.--To designate, from time to
18 time, one of the justices of the peace to sit at the police
19 station or town hall as a committing magistrate.

20 XLIX. Fire Houses.--To provide and maintain suitable places
21 for the housing of engines, hose carts and other apparatus for
22 the extinguishment of fire.

23 L. Building and Housing Regulations.--To prohibit or
24 regulate the erection of wooden buildings and housing in certain
25 parts of the township, and make regulations for the construction
26 of new buildings and housing and the alteration and repair of
27 old ones, and to require that before the work begins, municipal
28 approval of the plans and specifications therefor be secured; to
29 classify buildings and housing or parts of buildings and housing
30 according to the use to be made of them; to specify the mode of

1 construction of such different classes of buildings and housing;
2 and to require that before any use or occupancy be changed from
3 any classification to a different classification, as to which
4 more stringent regulations are prescribed under the provisions
5 of any ordinance relating thereto, municipal approval of the
6 plans and specifications therefor be secured.

7 LI. Building and Housing Sanitation Regulations.--In
8 addition to other remedies provided by law, and in order to
9 promote the public health, safety, morals, and the general
10 welfare, to enact and enforce suitable ordinances to govern and
11 regulate the construction, alteration, repairs, occupation,
12 maintenance, sanitation, lighting, ventilation, water supply,
13 toilet facilities, drainage, use and inspection of all buildings
14 and housing or parts of buildings and housing constructed,
15 erected, altered, designed, or used in whole or in part for
16 human habitation, and of the sanitation and inspection of land
17 appurtenant thereto. In case any building and housing or
18 structure is constructed, reconstructed, altered, repaired,
19 converted, or maintained, or any building, housing or land is
20 used in violation of any ordinance enacted under authority
21 conferred hereby, the township supervisors, in addition to
22 penalties provided by ordinances enacted hereunder, may
23 institute appropriate actions or proceedings at law or in equity
24 to prevent and restrain such unlawful construction,
25 reconstruction, alteration, repairs, conversion, maintenance, or
26 use, and to restrain, correct or abate such violation, and to
27 prevent the occupancy of said building, housing or structure.
28 The ordinances enacted pursuant to this clause shall not be
29 inconsistent with the provisions of any statute governing the
30 same matter, but all regulations prescribed by such ordinances

1 which are additional or supplementary to the statute law and not
2 inconsistent therewith, or enacted for the purpose of carrying
3 into effect the provisions of the statute law, shall be valid
4 and binding. Such ordinances may adopt any standard building
5 code and any standard housing code published and printed in book
6 form covering any or all of the above items without
7 incorporating such building code and housing code in the
8 ordinance, or any township may enact such building code and
9 housing code as its ordinance authorized under the provisions of
10 this clause. In either event, such building code and housing
11 code shall not be published or advertised in full as provided by
12 this section in the case of the adoption of ordinances:

13 Provided, That notice of the adoption of such standard building
14 code and such standard housing code as the building ordinance
15 and the housing ordinance of the township, together with a brief
16 summary thereof setting forth the principal provisions of said
17 ordinance in such reasonable detail as will give adequate notice
18 of its contents, pursuant to a uniform form which shall be
19 prepared or approved by the Department of Labor and Industry,
20 and a reference to the place or places within the township where
21 copies of the building code and copies of the housing code
22 adopted are deposited and may be examined, shall be published in
23 the manner provided by this section for the publication of
24 ordinances. Not less than three such copies shall be made
25 available to public inspection and use during business hours for
26 a period of not less than three months after the adoption of
27 such building code and such housing code.

28 LII. Building Inspectors and Housing Inspectors.--To provide
29 for the inspection of the construction and repair of buildings
30 and housing, including the appointment of one or more building

1 inspectors and housing inspectors; to prescribe limits wherein
2 none but buildings and housing of noncombustible material and
3 fireproof roofs shall be erected or substantially reconstructed
4 or removed thereinto; to provide penalties for the violation of
5 such regulations. Any building and housing erected,
6 reconstructed or removed contrary to the provisions of any
7 ordinance passed for any of the purposes herein specified, is
8 declared to be a public nuisance and abatable as such.

9 LIII. Building Lines.--To establish, by ordinance, and
10 maintain, uniform building lines upon any or all public streets
11 or highways of the township.

12 LIV. Township Seals.--To adopt a seal which shall contain
13 the name of the township and the word "seal," and which shall be
14 in the custody of the township supervisors. The official acts of
15 the supervisors shall be authenticated therewith, and the seal
16 shall have the same effect when used for such authentication as
17 the seal of a notary public.

18 LV. Creation of Capital Reserve Fund for Anticipated Capital
19 Expenditures.--To create and maintain a separate capital reserve
20 fund for any anticipated legal capital expenditures, which fund
21 shall be designated for a specific purpose or purposes at the
22 time of its creation. The money in the fund shall be used, from
23 time to time, for the construction, purchase or replacement of
24 or addition to municipal buildings, equipment, machinery, motor
25 vehicles or other capital assets of the township as specified at
26 the time of the creation of the fund and for no other purpose:
27 Provided, That it may be used for capital expenditure other than
28 the purpose or purposes specified at the time it was created, if
29 the supervisors by a unanimous vote shall declare that the
30 original purpose or purposes have become impracticable,

1 inadvisable or impossible, or that conditions have arisen in the
2 township which make other capital expenditures more urgent than
3 those for which the fund was created.

4 The township supervisors may appropriate moneys from the
5 general township funds to be paid into the capital reserve fund,
6 or place in the fund any moneys received from the sale, lease or
7 other disposition of any township property or from any other
8 source, unless received or acquired for a particular purpose.
9 The fund shall be controlled, invested, reinvested and
10 administered and the moneys therein and income from such moneys
11 expended for the specific purpose or purposes for which the fund
12 is created in such manner as may be determined by the township
13 supervisors. The money in the fund, when invested, shall be
14 invested in securities designated by law as legal investments
15 for sinking funds of municipalities.

16 LVI. Contributions for Industrial Promotion.--To make
17 appropriations to an industrial development agency.

18 LVII. Appropriations for Community Nursing Services.--To
19 appropriate money annually towards any nonprofit associations or
20 corporations which provide community nursing services, in
21 recognition of their services in the control of communicable
22 disease, the immunization of children, the operation of child
23 health centers (Well-Baby Clinics), instructive visits to
24 parents of new babies beginning in the prenatal period and
25 family health guidance, including nutrition, detection and
26 correction of defects.

27 LVIII. Junk Dealers and Junk Yards.--To regulate and license
28 junk dealers and the establishment and maintenance of junk yards
29 and scrap yards including, but not limited to, automobile junk
30 or grave yards and to prescribe license fees therefor not to

1 exceed two hundred dollars per year.

2 LIX. Appropriations for Handling, Storage and Distribution
3 of Surplus Foods.--The board of township supervisors of any
4 township may appropriate from township funds moneys for the
5 handling, storage and distribution of surplus foods obtained
6 either through a local, State or Federal agency.

7 All appropriations of moneys heretofore made by the board of
8 township supervisors of any township for the handling, storage
9 and distribution of surplus foods obtained either through a
10 local, State or Federal agency are hereby validated.

11 LX. Historical Property.--To acquire by purchase or by gift,
12 and to repair, supervise, operate and maintain ancient landmarks
13 and other property of historical or antiquarian interest, and to
14 make appropriations to nonprofit associations or corporations
15 organized for the purpose of acquiring and maintaining
16 historical properties. Such appropriations shall only be used by
17 the association or corporation for the acquisition, restoration
18 and maintenance of the historical properties.

19 LXI. Insect, Pest and Vector Programs.--To appropriate money
20 annually toward insect, pest and vector programs.

21 LXII. General Powers.--To make and adopt all such
22 ordinances, by-laws, rules and regulations not inconsistent with
23 or restrained by the Constitution and laws of this Commonwealth
24 as may be deemed expedient or necessary for the proper
25 management, care and control of the township and its finances
26 and the maintenance of peace, good government and welfare of the
27 township and its trade, commerce and manufactures.

28 LXIII. To appropriate moneys to assist any city, borough,
29 town, township or other political subdivision or municipality
30 airport authority to acquire, establish, operate and maintain

1 any and all air navigation facilities lying either within or
2 without the limits of the township.

3 LXIII. Non-Debt Revenue Bonds.--To issue non-debt revenue
4 bonds pursuant to provisions of the act of June 25, 1941
5 (P.L.159, No.87), known as the "Municipal Borrowing Law," to
6 provide sufficient moneys for and toward the acquisition,
7 construction, extension or improvement of municipal facilities,
8 including water systems or facilities, sewers, sewer systems and
9 sewage disposal systems or facilities, systems for the treatment
10 or disposal of garbage and refuse, aeronautical facilities
11 including but not limited to airports, terminals and hangars,
12 and park and recreational facilities, and parking facilities, to
13 be secured solely by the pledge of the whole or part of the
14 rent, toll or charge for the use or services of such facilities.

15 Included in the cost of the issue may be any costs and
16 expenses incident to constructing and financing the facilities
17 and selling and distributing the bonds.

18 LXIV. Appropriations for Urban Common Carrier Mass
19 Transportation.--To appropriate funds for urban common carrier
20 mass transportation purposes from current revenues and to make
21 annual contributions to county departments of transportation or
22 to urban common carrier mass transportation authorities to
23 assist the departments or the authorities to meet costs of
24 operation, maintenance, capital improvements, and debt service,
25 and to enter into long-term agreements providing for the payment
26 of the said contributions.

27 LXV. Appropriations for Mental Health Centers.--To
28 appropriate money annually towards any nonprofit association or
29 corporation which operates or conducts a mental health center.

30 LXVI. Community Development.--To undertake community

1 development programs, including but not limited to urban
2 renewal, public housing, model cities programs and neighborhood
3 development projects.

4 LXVII. To appropriate money annually towards any nonprofit
5 association or corporation which operates or conducts a library
6 within the township or to enter into contracts with or to make
7 grants to the proper authorities of near or adjacent cities,
8 boroughs, or townships for the furnishing of library service to
9 the township.

10 LXVIII. Appropriations for Observances and Celebrations.--To
11 appropriate annually an amount for the observance of holidays,
12 centennials or other anniversaries or for township celebrations
13 or civic projects or programs.

14 LXIX. Building Hospitals.--To appropriate not exceeding one
15 dollar (\$1) per township resident per year toward the
16 maintenance and/or support of any medical center or hospital
17 building and further appropriate from such funds toward the
18 purchase and/or erection of medical or hospital facilities.
19 Where the total cost of such purchase or erection exceeds one
20 hundred thousand dollars (\$100,000), it will necessitate
21 approval by the appropriate health planning agency. The number
22 of residents shall be determined from the latest decennial
23 Federal Census.

24 LXX. Appropriations to Tourist Promotion Agencies.--To
25 appropriate annually, such amount of money but not in excess of
26 ten cents (10¢) for each resident of the township, as determined
27 by the latest official census, which may be deemed necessary, to
28 any "tourist promotion agency," as defined in the act of April
29 28, 1961 (P.L.111, No.50), known as the "Tourist Promotion Law,"
30 to assist such agencies in carrying out tourist promotional

1 activities.

2 LXXI. Sale of Real Property to Nonprofit Medical Service
3 Corporation.--To sell township owned real property to a
4 nonprofit medical service corporation for its exclusive use as a
5 site for a medical service facility.

6 LXXII. Sale of Real Property to Nonprofit Housing
7 Corporation.--To sell township-owned real property to a
8 nonprofit housing corporation for its exclusive use for housing
9 for the elderly.

10 LXXIII. Appropriations for Nonprofit Art Corporations.--To
11 appropriate moneys annually, not exceeding an amount equal to
12 one mill of the real estate tax to any nonprofit art corporation
13 for the conduct of its artistic and cultural activities. For the
14 purposes of this section nonprofit art corporation shall mean a
15 local arts council, commission or coordinating agency, or any
16 other nonprofit corporation engaged in the production or display
17 of works of art, including the visual, written or performing
18 arts. Artistic and cultural activities shall include the display
19 or production of theater, music, dance, painting, architecture,
20 sculpture, arts and crafts, photography, film, graphic arts and
21 design and creative writing.

22 LXXIV. Recreational Programs.--In addition to the other
23 purposes for which funds may be expended pursuant to the act of
24 December 10, 1974 (P.L.865, No.292), the funds may be expended
25 for recreational programs not directly sponsored by the
26 township.

27 LXXV. Appropriations for Neighborhood Crime Watch
28 Programs.--To appropriate annually, solely at the discretion of
29 the township supervisors, an amount toward a neighborhood crime
30 watch program. Notwithstanding any other provision of law, no

township or official thereof shall become subject to contractual, tort or other liability as a result of having made an appropriation pursuant to this clause.]

Section 1505. Boards of Supervisors to Exercise Powers.--The corporate powers of townships shall be exercised by the board of supervisors. If no specific authority is given for the payment of costs incurred in the exercise of any power contained in this act, the expenses may be paid from the general township fund.

Section 1506. General Powers.--The board of supervisors may make and adopt any ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the township and its finances and the maintenance of peace, good government, health and welfare of the township and its citizens, trade, commerce and manufacturers.

Section 1507. Intergovernmental Cooperation.--The board of supervisors may, by ordinance, make agreements with other municipal corporations in performing governmental powers, duties and functions and in carrying into effect provisions of the act of July 12, 1972 (P.L.762, No.180), referred to as the Intergovernmental Cooperation Law.

Section 1508. Capital Reserve Fund.--(a) The board of supervisors may create and maintain a separate capital reserve fund for any anticipated capital expenses, which fund shall be designated for a specific purpose or purposes when created. The moneys in the fund shall be used for no other purpose unless the board of supervisors declares that conditions in the township make other expenses more urgent than those for which the fund was created.

(b) The board of supervisors may appropriate moneys from the

general township funds to be paid into the capital reserve fund or place in the fund any moneys received from the sale, lease or other disposition of any township property or from any other source.

Section 1508.1. Operating Reserve Fund.--(a) The board of supervisors shall have the power to create and maintain a separate operating reserve fund in order to minimize future revenue shortfalls and deficits, provide greater continuity and predictability in the funding of vital government services, minimize the need to increase taxes to balance the budget in times of fiscal distress, provide the capacity to undertake long-range financial planning and develop fiscal resources to meet long-term needs.

(b) The board of supervisors may annually make appropriations from the general township fund to the operating reserve fund, but no appropriation shall be made to the operating reserve fund if the effect of the appropriation would cause the fund to exceed five per centum of the estimated revenues of the township's general fund in the current fiscal year.

(c) The board of supervisors may at any time, by resolution, make appropriations from the operating reserve fund for the following purposes only:

(1) to meet emergencies involving the health, safety or welfare of the residents of the township;

(2) to counterbalance potential budget deficits resulting from shortfalls in anticipated revenues or program receipts from whatever source; or

(3) to provide for anticipated operating expenditures related either to the planned growth of existing projects or

programs or to the establishment of new projects or programs if for each such project or program appropriations have been made and allocated to a separate restricted account established within the operating reserve fund.

(d) The operating reserve fund shall be invested, reinvested and administered in a manner consistent with the provisions of section 3204 relating to the investment of township funds generally.

Section 1509. Indebtedness.--The board of supervisors may incur indebtedness and issues notes, bonds or other evidence of indebtedness under the act of July 12, 1972 (P.L.781, No.185), known as the "Local Government Unit Debt Act," to provide sufficient moneys for any expense of the township.

Section 1510. Display of Flags.--The board of supervisors may display the flag of the United States or the Commonwealth, the official POW/MIA flag or the flag of any county or municipal corporation on any public building or grounds of the township.

Section 1511. Township Seals.--The board of supervisors may adopt a seal which contains the name of the township and the word "seal" and which shall be in the custody of the township secretary or manager. The official acts of the board of supervisors may be authenticated by use of the seal. The seal has the same effect as the seal of a notary public.

Section 1512. Insurance.--(a) The board of supervisors shall secure workers' compensation insurance for its employes, including volunteer firemen and volunteer ambulance and rescue personnel of companies duly recognized by the township by resolution, killed or injured in the course of their appointed functions or while performing any other duties expressly authorized by the board of supervisors.

1 (b) The board of supervisors may contract with any insurance
2 company to insure property owned by the township.

3 (c) The board of supervisors may contract with any insurance
4 company to insure any public liability of the township,
5 including insurance on every township officer, official and
6 employee for liability arising from errors and omissions in the
7 performance of their duties in the course of their employment,
8 except that liability of elected or appointed officials or
9 officers for surcharge under law shall not be affected hereby.

10 (d) The board of supervisors may contract with any insurance
11 company, nonprofit hospitalization corporation or nonprofit
12 medical service corporation to insure its supervisors under
13 section 606, employees and their dependents under a policy or
14 policies of group insurance covering life, health,
15 hospitalization, medical service or accident insurance. This
16 provision is subject to the following qualifications:

17 (1) Elected officials, except supervisors under section 606,
18 and appointed officials who are not employees of the township are
19 not eligible for participation in any life, health,
20 hospitalization, medical service or accident insurance coverage
21 contract paid in whole or in part by the township.

22 (2) Any insurance coverage contract made by a township
23 between January 1, 1959, and March 31, 1985, that includes or
24 provides coverage for elected officials, except under section
25 606, or appointed township officials who are not employees of the
26 township are not void or unlawful solely because the inclusion
27 of those officials was subsequently found to be without lawful
28 authority. No penalty, assessment, surcharge, forfeiture or
29 disciplinary action of any kind may occur as a result of
30 participation by those officials. Insurance benefits payable to

insureds or their beneficiaries arising out of or on account of deaths, injuries, accidents or illnesses occurring before March 30, 1988, remain the property of the insureds or their beneficiaries.

(e) The board of supervisors may contract with any insurance company for the pensioning of employees and may pay part or all of the premiums or charges for group pension or annuity plans. This provision is subject to the following qualifications:

(1) The benefit coverage may be provided to supervisor-employees under section 606.

(2) The board of supervisors may deduct from the employee's pay, salary or compensation the part of the premium or charge that is payable by the employee.

(3) Elected officials, except township supervisors under section 606, and appointed township officials who are not employees of the township are not eligible for participation in any pension or annuity contract paid in whole or in part by the township. No elected official, except under section 606, or appointed township official who is not an employee of the township included in a township-paid pension or annuity plan made by a township between January 1, 1959, and March 31, 1985, is subject to any penalty, assessment, surcharge, forfeiture or disciplinary action of any kind as a result of that participation. Any residual interest, value, refund of premium or benefits payable on or after March 31, 1985, arising out of the township-paid interest of the elected or appointed township officials is the exclusive property of the township.

(4) If an elected official, except supervisors under section 606, or an appointed official who is not an employee of the township personally contributed toward a township-sponsored

1 pension plan or annuity, he shall receive a refund of his total
2 contributions thereto plus any interest accumulated thereon. In
3 lieu of a refund of contributions plus accumulated interest, a
4 township official who personally contributed toward a pension or
5 annuity plan in which he participated may elect to purchase that
6 portion of his pension or annuity funded by the township. A
7 qualified actuary, who shall report his determination under the
8 act of December 18, 1984 (P.L.1005, No.205), known as the
9 "Municipal Pension Plan Funding Standard and Recovery Act,"
10 shall determine the amount the official shall pay to the
11 township to purchase the township-funded portion of the annuity
12 or pension.

13 Section 1513. Widening and Deepening Watercourses.--After
14 permits have been secured from the Department of Environmental
15 Resources PROTECTION and the Pennsylvania Fish and Boat <—
16 Commission, the board of supervisors or its agents or employees
17 may widen and deepen watercourses running through the township
18 and erect dikes, retaining walls and embankments along the
19 watercourses as are necessary to prevent water from overflowing
20 the banks. For these purposes, townships may enter and condemn
21 property as may be necessary. Townships may enter land lying
22 near the watercourses and secure materials as may be necessary
23 in connection with the work. Damages for property taken, injured
24 or destroyed as the result of the work shall be determined under
25 this act.

26 Section 1514. Airports.--(a) The board of supervisors may
27 acquire by grant, lease, purchase or, where appropriate, eminent
28 domain any property located inside or outside the boundaries of
29 the township which, in the judgment of the board of supervisors,
30 may be necessary to establish and maintain municipal airport

1 facilities. Any township having acquired land for those purposes
2 may establish, equip, condition, operate and maintain the
3 property as a municipal airport, may lease all or part of the
4 property to any individual or corporation desiring to use the
5 property for aviation purposes and may contract in the form of a
6 lease of all or part of the property by the Federal Government
7 for aviation purposes upon nominal rental or without
8 consideration.

9 (b) The board of supervisors may acquire by lease or
10 purchase land for aviation purposes jointly with any county or
11 municipal corporation of this Commonwealth and operate and
12 maintain the municipal airport jointly with any county or
13 municipal corporation of this Commonwealth upon terms and
14 conditions as may be agreed upon between the proper authorities
15 of the county or municipal corporation.

16 Section 1515. Urban Common Carrier Mass Transportation.--The
17 board of supervisors may appropriate funds for urban common
18 carrier mass transportation purposes, make contributions to
19 county departments of transportation or urban common carrier
20 mass transportation authorities to assist the departments or the
21 authorities to meet costs of planning, operation, maintenance,
22 capital improvements and debt service and make long-term
23 agreements providing for the payment of contributions.

24 Section 1516. Land Use Regulations.--The board of
25 supervisors may plan for the development of the township through
26 zoning, subdivision and land development regulations under the
27 act of July 31, 1968 (P.L.805, No.247), known as the
28 "Pennsylvania Municipalities Planning Code."

29 Section 1517. Building and Housing Regulations.--The board
30 of supervisors may enact and enforce ordinances to govern and

1 regulate the construction, alteration, repair, occupation,
2 maintenance, sanitation, lighting, ventilation, water supply,
3 toilet facilities, drainage, use and inspection of all buildings
4 and housing constructed, erected, altered, designed or used for
5 any use or occupancy and the sanitation and inspection of land.
6 If any building and housing or structure is constructed,
7 reconstructed, altered, repaired, converted or maintained or any
8 building, housing or land is used in violation of any ordinance
9 enacted under this section, the board of supervisors, in
10 addition to penalties provided by the ordinances, may institute
11 appropriate actions or proceedings at law or in equity to
12 prevent and restrain the unlawful construction, reconstruction,
13 alteration, repair, conversion, maintenance or use, to restrain,
14 correct or abate the violation and to prevent the use or
15 occupancy of the building, housing or structure.

16 Section 1518. Building and Housing Inspectors.--The board of
17 supervisors may appoint one or more building and housing
18 inspectors to enforce the building and housing regulations of
19 the township and for the inspection of the construction,
20 alteration, repair and sanitation facilities of buildings and
21 housing in the township.

22 Section 1519. Building Lines.--The board of supervisors may,
23 by ordinance, establish and maintain uniform building lines upon
24 any or all public streets or highways of the township.

25 Section 1520. Numbering of Buildings.--The board of
26 supervisors may, by ordinance, require and regulate the
27 numbering of buildings.

28 Section 1521. Insect, Pest and Vector Programs.--The board
29 of supervisors may appropriate moneys toward insect, pest and
30 vector programs.

1 Section 1522. Sewage Treatment Facilities Regulations.--The
2 board of supervisors may, by ordinance, make regulations
3 respecting the installation of individual or community sewage
4 treatment facilities under the act of January 24, 1966 (1965
5 P.L.1535, No.537), known as the "Pennsylvania Sewage Facilities
6 Act."

7 Section 1523. Surplus Foods.--The board of supervisors may
8 appropriate moneys for the handling, storage and distribution of
9 surplus foods obtained through a Federal, State or local agency.

10 Section 1524. Community Nursing Services.--The board of
11 supervisors may appropriate moneys to nonprofit associations or
12 corporations which provide community nursing services.

13 Section 1525. Mental Health Centers.--The board of
14 supervisors may appropriate moneys toward any nonprofit
15 association or corporation which operates or conducts a mental
16 health center.

17 Section 1526. Hospitals.--The board of supervisors may
18 appropriate not exceeding one dollar (\$1) for each township
19 resident each year toward the erection, maintenance or support
20 of any medical center or hospital building facilities. If the
21 total cost of the purchase or erection exceeds one hundred
22 thousand dollars (\$100,000), approval by the appropriate health
23 planning agency is required. The number of residents is
24 determined from the latest official census.

25 Section 1527. Public Safety.--The board of supervisors may
26 adopt ordinances to secure the safety of persons or property
27 within the township and to define disturbing the peace within
28 the limits of the township.

29 Section 1528. Ambulances and Rescue and Life Saving
30 Services.--The board of supervisors may acquire, operate and

1 maintain motor vehicles for the purposes of conveying persons to
2 and from hospitals, and it may appropriate moneys toward
3 ambulance and rescue and life saving service and make contracts
4 relating thereto.

5 Section 1529. Nuisances.--The board of supervisors may, by
6 ordinance, prohibit nuisances, including, but not limited to,
7 the storage of abandoned or junked automobiles, on private and
8 public property and the carrying on of any offensive manufacture
9 or business.

10 Section 1530. Regulation of Dogs.--The board of supervisors
11 may, by ordinance, prohibit and regulate the running at large of
12 dogs.

13 Section 1531. Animal Shelters.--The board of supervisors may
14 appropriate moneys to foster, encourage or assist the operation
15 of humane societies, animal shelters or animal control centers
16 or programs.

17 Section 1532. Regulation of Business.--(a) The board of
18 supervisors may license and regulate, by ordinance, the
19 following business activities within the township:

20 (1) Transient merchants conducting business within the
21 township, except farmers selling their own produce, or to any
22 sale of goods, wares or merchandise donated by the owners
23 thereof, the proceeds of which are to be applied to any
24 charitable or philanthropic purpose or the imposition or
25 collection of any license fee upon insurance companies or their
26 agents or insurance brokers authorized to transact business
27 under the insurance laws of this Commonwealth.

28 (2) Cable television companies operating within the township
29 to the extent allowed by Federal and State law and regulation.

30 (3) Restaurants operating within the township. This power

1 includes the power to inspect these establishments.

2 (4) Junk dealers and the establishment and maintenance of
3 junk yards and scrap yards, including, but not limited to,
4 automobile junk yards or automobile grave yards.

5 (b) The board of supervisors may establish license fees for
6 regulated businesses enumerated in subsection (a). These fees
7 shall bear a reasonable relationship to the cost of
8 administering the ordinance and regulating, inspecting and
9 supervising each business. A fee charged to transient merchants
10 shall not exceed twenty-five dollars (\$25) each month or part of
11 a month.

12 Section 1533. Dangerous Structures.--The board of
13 supervisors may, by ordinance, require the owner to remove any
14 nuisance or dangerous structure on public or private grounds
15 after notice to the owner to do so. In the owner's default, the
16 board of supervisors may remove the nuisance or structure and
17 collect the cost of the removal, together with the penalty
18 imposed by the ordinance, from the owner by summary proceedings
19 or under law for the collection of municipal liens.

20 Section 1534. Fireworks and Inflammable Articles.--The board
21 of supervisors may:

22 (1) By ordinance, regulate and prohibit the manufacture of
23 fireworks or inflammable or dangerous articles.

24 (2) Grant permits for supervised public displays of
25 fireworks and adopt rules and regulations governing the
26 displays.

27 (3) By ordinance, adopt rules and regulations not
28 inconsistent with State regulations relating to the storage of
29 inflammable articles.

30 (4) By ordinance, impose other safeguards concerning

1 inflammable articles as may be necessary.

2 Section 1535. Human Services.--The board of supervisors may,
3 under the provisions of the act of December 10, 1974 (P.L.865,
4 No.292), entitled "An act authorizing municipalities to expend
5 Federal general revenue sharing or general funds for social
6 service programs for the poor, the disabled and the aging, and
7 to jointly cooperate in the sponsorship, establishment,
8 administration, maintenance and operation of such programs," by
9 ordinance or resolution, appropriate moneys for social service
10 programs for the poor, the disabled and the aging.

11 Section 1536. Cemeteries.--(a) The board of supervisors
12 may, by ordinance, make rules and regulations regarding the
13 location, operation and maintenance of cemeteries in the
14 township.

15 (b) When any cemetery or burial ground is abandoned or is
16 being neglected, the board of supervisors may give notice to the
17 owner directing the removal of weeds, refuse and debris from the
18 cemetery within thirty days. If the removal is not completed
19 within thirty days after the notice, the board of supervisors
20 shall provide for the removal to be done by employees of the
21 township or persons hired for that purpose at the expense of the
22 township. All costs of removal shall be assessed against the
23 owner of the cemetery, if known, and collected under section
24 3302(b).

25 (c) The cemetery shall remain open to the public under the
26 regulation and control of the board of supervisors.

27 Section 1537. Burial Plots of Service Persons.--The board of
28 supervisors may purchase plots of ground in any cemetery or
29 burial ground for the interment of deceased or former service
30 men and women who at the time of their death maintained legal

1 residence within the township.

2 Section 1538. Care of Memorials.--The board of supervisors
3 may maintain and repair any soldiers' monument or memorial
4 existing or erected within the township and may receive funds
5 from persons or organizations for those purposes.

6 Section 1539. Libraries.--The board of supervisors may, IN <—
7 ACCORDANCE WITH THE ACT OF JUNE 14, 1961 (P.L.324, NO.188),
8 KNOWN AS "THE LIBRARY CODE," appropriate moneys toward any
9 nonprofit association or corporation which operates or conducts
10 a library or contract with or make grants to counties or
11 municipal corporations for the furnishing of library service to
12 the township.

13 Section 1540. Observances and Celebrations.--The board of
14 supervisors may appropriate moneys for the observance of
15 holidays, centennials or other anniversaries or for township
16 celebrations or civic projects or programs.

17 Section 1541. Historical Property.--The board of supervisors
18 may acquire by purchase or by gift, repair, supervise, operate
19 and maintain ancient landmarks and other property of historical
20 or antiquarian interest and make appropriations to nonprofit
21 associations or corporations organized to acquire and maintain
22 historical properties.

23 Section 1542. Community Development.--The board of
24 supervisors may undertake community development programs,
25 including, but not limited to, urban renewal, public housing,
26 model cities programs and neighborhood development projects.

27 Section 1543. Industrial Promotion.--The board of
28 supervisors may make appropriations to an industrial development
29 agency.

30 Section 1544. Tourist Promotion Agencies.--The board of

1 supervisors may appropriate moneys not in excess of ten cents
2 (10¢) for each resident of the township, as determined by the
3 latest official census, to any tourist promotion agency, as
4 defined in the act of April 28, 1961 (P.L.111, No.50), known as
5 the "Tourist Promotion Law," to assist the agencies in carrying
6 out tourist promotional activities.

7 Section 1545. Nonprofit Art Corporations.--The board of
8 supervisors may appropriate moneys, not exceeding an amount
9 equal to one mill of the real estate tax, to any nonprofit art
10 corporation for the conduct of its artistic and cultural
11 activities. For the purposes of this section, the term
12 "nonprofit art corporation" means a local arts council,
13 commission or coordinating agency or any other nonprofit
14 corporation engaged in the production or display of works of
15 art, including the visual, written or performing arts and the
16 term "artistic and cultural activities" includes the display or
17 production of theater, music, dance, painting, architecture,
18 sculpture, arts and crafts, photography, film, graphic arts and
19 design and creative writing.

20 Section 1546. Neighborhood Crime Watch Programs.--The board
21 of supervisors may appropriate moneys toward a neighborhood
22 crime watch program. No township or township official is subject
23 to contractual, tort or other liability as a result of making an
24 appropriation under this section.

25 Section 1547. Public Rewards.--The board of supervisors may
26 offer rewards for information leading to the arrest and
27 conviction of persons who commit capital or other crimes within
28 the township or for the violation of any township ordinance.

29 Section 1548. Municipality Authorities.--The board of
30 supervisors may, by ordinance or resolution, individually or in

1 cooperation with other municipal corporations, form municipality
2 authorities as authorized by the act of May 2, 1945 (P.L.382,
3 No.164), known as the "Municipality Authorities Act of 1945,"
4 specify the project or projects to be undertaken by the
5 authorities, appoint members and establish their compensation.

6 [Section 703. Racetracks.--A. In addition to the powers and
7 duties imposed upon the township supervisors by this act or any
8 other provision of law, the township supervisors shall have the
9 power and duty to secure the health, safety and welfare of
10 persons and property by adopting an ordinance prohibiting the
11 conducting of live horse race meets by a licensed corporation at
12 a racetrack located within the area of fifty air miles from the
13 center of an existing, currently licensed racetrack,
14 notwithstanding the provisions of the act of December 17, 1981
15 (P.L.435, No.135), known as the "Race Horse Industry Reform
16 Act," provided that a majority of electors of the township
17 approve a referendum pursuant to subsection B prohibiting the
18 conducting of such horse race meets within the township.

19 B. The township supervisors may or, upon the petition of a
20 number of electors of the township equal to at least twenty-five
21 per centum of the highest number of votes for a public office of
22 the township at the last preceding municipal election, shall
23 adopt a resolution directing the county board of elections to
24 place a referendum question on the ballot for the primary or
25 general election, with respect to the conducting of live horse
26 race meets by licensed corporations within the township. The
27 question shall be in the following form:

28 Shall live horse race meets conducted by licensed
29 corporations be prohibited within the area of fifty air
30 miles from the center of an existing, currently licensed

1 racetrack?

2 C. The definitions provided for in the "Race Horse Industry
3 Reform Act" shall apply to this section.]

4 Section 1549. Racetracks.--(a) In addition to the powers
5 and duties imposed upon the township supervisors by this act or
6 any other provision of law, the township supervisors shall have
7 the power and duty to secure the health, safety and welfare of
8 persons and property by adopting an ordinance prohibiting the
9 conducting of live horse race meets by a licensed corporation at
10 a racetrack located within the area of fifty air miles from the
11 center of an existing, currently licensed racetrack,
12 notwithstanding the provisions of the act of December 17, 1981
13 (P.L.435, No.135), known as the "Race Horse Industry Reform
14 Act," provided that a majority of electors of the township
15 approve a referendum pursuant to subsection (b) prohibiting the
16 conducting of such horse race meets within the township.

17 (b) The township supervisors may, or upon the petition of a
18 number of electors of the township equal to at least twenty-five
19 percent of the highest number of votes for a public office of
20 the township at the last preceding municipal election shall,
21 adopt a resolution directing the county board of elections to
22 place a referendum question on the ballot for the primary or
23 general election, with respect to the conducting of live horse
24 race meets by licensed corporations within the township. The
25 question shall be in the following form:

26 Shall live horse race meets conducted by licensed
27 corporations be prohibited within the area of fifty air
28 miles from the center of an existing, currently licensed
29 racetrack?

30 (c) The definitions provided for in the "Race Horse Industry

1 Reform Act" shall apply to this section.

2 ARTICLE XVI

3 ORDINANCES

4 Section 1601. Ordinances.--(a) The board of supervisors may
5 adopt ordinances in which general or specific powers of the
6 township may be exercised and, by the enactment of subsequent
7 ordinances, the board of supervisors may amend, repeal or revise
8 existing ordinances. All proposed ordinances, whether original,
9 amended, repealed, revised, consolidated or codified, shall be
10 published not more than sixty days nor less than seven days
11 before passage at least once in one newspaper circulating
12 generally in the township. Public notices shall include either
13 the full text or a brief summary of the proposed ordinance which
14 lists the provisions in reasonable detail and a reference to a
15 place within the township where copies of the proposed ordinance
16 may be examined. If the full text is not included, a copy shall
17 be supplied to the publishing newspaper when the notice is
18 published, and an attested copy shall be filed within thirty
19 days after enactment in the county law library or other county
20 office designated by the county commissioners, who may impose a
21 fee no greater than that necessary to cover the actual costs of
22 storing the ordinances. The date of such filing shall not affect
23 the effective date of the ordinance, the validity of the process
24 of the enactment or adoption of the ordinance; nor shall a
25 failure to record within the time provided be deemed a defect in
26 the process of the enactment or adoption of such ordinance. If
27 substantial amendments are made in the proposed ordinance,
28 before voting upon enactment, the board of supervisors shall, at
29 least ten days before enactment, readvertise in one newspaper of
30 general circulation in the township a brief summary setting

forth all the provisions in reasonable detail together with a summary of the amendments. Ordinances shall be recorded in the ordinance book of the township and are effective five days after adoption unless a date later than five days after adoption is stated in the ordinance.

(b) When maps, plans or drawings of any kind are adopted as part of an ordinance, instead of publishing them as part of the ordinance, the board of supervisors may refer in publishing the ordinance to the place where the maps, plans or drawings are on file and may be examined.

(c) The board of supervisors may prescribe fines not exceeding one thousand dollars (\$1,000) for a violation of a building, housing, property maintenance, health, fire or public safety code or ordinance and for water, air and noise pollution violations, and not exceeding six hundred dollars (\$600) for a violation of any other township ordinance. Any person who violates or permits the violation of a township ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay the fine set by the board of supervisors plus all court costs, including reasonable attorney fees, incurred by a municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.

(d) The board of supervisors may prepare or have prepared a consolidation or codification of the general body of township ordinances or the ordinances on a particular subject. The board of supervisors may adopt the consolidation or codification as an ordinance of the township, except the required advertised notice

1 of the proposed adoption of the consolidation or codification
2 shall include a listing of its table of contents. The procedure
3 for the consolidation or codification of township ordinances as
4 a single ordinance may also be followed in enacting a complete
5 group or body of ordinances repealing or amending existing
6 ordinances as may be necessary in the course of preparing a
7 consolidation or codification of the township ordinances, except
8 that the advertisement giving notice of the proposed adoption
9 shall list, in lieu of a table of contents, the titles only of
10 each of the ordinances in the complete group or body of
11 ordinances.

12 (e) In the same manner as other ordinances, the board of
13 supervisors may adopt, by reference to a standard or nationally
14 recognized code in a township ordinance, all or any portion of
15 the code as an ordinance of the township. No portion of any code
16 which limits the work to be performed to any type of
17 construction contractor or labor or mechanic classification
18 shall be adopted. Copies of the proposed code or portion or
19 amendment shall be filed with the township secretary at least
20 ten days before the board of supervisors considers the proposed
21 ordinance and, upon enactment, kept with the ordinance book and
22 available for public use, inspection and examination.

23 (f) Any person aggrieved by the adoption of any ordinance
24 may make complaint as to the legality of the ordinance to the
25 court of common pleas.

26 ARTICLE XVII

27 PUBLIC BUILDINGS

28 Section 1701. Township Buildings.--The board of supervisors
29 may procure by purchase, gift, devise or the exercise of eminent
30 domain a lot or lots of ground located within the township and

1 erect or use buildings thereon for township purposes. No land or
2 property used for any cemetery, burying ground, public or
3 parochial school, educational or charitable institution,
4 seminary or place of public worship shall be taken or
5 appropriated under this section.

6 Section 1702. Use of Public Land Acquired for Other
7 Purposes.--When the board of supervisors desires to take any
8 public lands previously granted or dedicated to a use or purpose
9 for which they are no longer used, it shall pass an ordinance
10 declaring its intention and shall petition the court of common
11 pleas for leave to file the bond of the township to secure any
12 person or persons who may be entitled to compensation for the
13 taking. The court shall direct notice to be given by publication
14 in at least one newspaper circulating generally in the township.
15 The court may increase the amount of the bond, shall hear all
16 exceptions that are filed against the petition and the
17 sufficiency of the bond and may grant or deny the request of the
18 petition. Upon the granting of the petition and the approval of
19 the bond, the board of supervisors may enter lands for the
20 purposes of erecting public buildings. The bond, which shall be
21 in the name of the Commonwealth for the use of any person or
22 persons who are entitled to damages by reason of the taking of
23 the lands, shall remain on file for their use and benefit.

24 Section 1703. How Damages Are Assessed.--The compensation
25 and damages arising from taking, using and appropriating private
26 or public property for township purposes shall be ascertained,
27 determined, awarded and paid under this act for eminent domain
28 proceedings.

29 Section 1704. Garages and Warehouses.--The board of
30 supervisors may purchase or lease land inside or outside the

limits of the township and erect garages, warehouses or other buildings as may be necessary for handling and storing equipment, materials and supplies.

ARTICLE XVIII

FIRE PREVENTION AND PROTECTION

Section 1801. Authority of Board of Supervisors.--The board of supervisors may provide for fire protection within the township.

Section 1802. Fire Hydrants and Water Supply.--(a) The board of supervisors may place, replace, operate, maintain and repair or contract with water companies or municipal authorities for the placing, replacing, operating, maintaining and repairing of fire hydrants to water mains, maintaining pressures approved by fire insurance underwriters along highways, streets, roads and alleys, within the township or provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire. The moneys necessary for providing or acquiring these fire protection services may be obtained by one of the following methods:

(1) The board of supervisors may annually assess the cost of fire protection by an equal assessment upon all property, whether or not exempt from taxation by existing law, within seven hundred and eighty feet of any fire hydrant based upon the assessment of property for county tax purposes.

(2) The board of supervisors may annually assess the cost of fire protection by an equal assessment on all property, whether or not exempt from taxation under existing law, abutting upon highways, streets, roads and alleys within seven hundred and eighty feet of any fire hydrant in proportion to the number of feet the property abuts any water main or within seven hundred

1 and eighty feet of any fire hydrant on the water main. The board
2 of supervisors may provide for an equitable reduction from the
3 frontage of lots at intersections or where, due to the irregular
4 shape of lots, an assessment of the full frontage would be
5 inequitable.

6 (3) The board of supervisors may pay the cost for fire
7 protection out of the general township fund. If the board of
8 supervisors elects to pay the cost of fire protection services
9 out of the general fund, any special fire protection districts
10 and annual assessments shall be abolished. All moneys in the
11 separate accounts for the special fire protection districts
12 shall be paid into the general fund.

13 (b) When assessments are made under this section, no
14 assessment shall be made against any farmland or an airport
15 which is privately owned and which is not open nor intended to
16 be open to the public; but vacant lots between built-up
17 sections, either tilled or not tilled, are not farmland.

18 (c) All assessments for fire protection shall be collected
19 by the tax collector under section 3301(a).

20 (d) The assessment may be billed on the annual real estate
21 tax bill for township purposes if authorized by the board of
22 supervisors.

23 Section 1803. Fire Companies and Facilities.--(a) The board
24 of supervisors may appropriate moneys for the use of the
25 township or to fire companies located in the township for the
26 operation and maintenance of fire companies, for the purchase
27 and maintenance of fire apparatus and for the construction,
28 repair and maintenance of fire company houses in order to secure
29 fire protection for the inhabitants of the township. The fire
30 companies shall submit to the board of supervisors an annual

1 report of the use of the appropriated moneys for each completed
2 year of the township before any further payments may be made to
3 the fire companies for the current year.

4 (b) The board of supervisors may, by ordinance, make rules
5 and regulations for the government of fire companies which are
6 located within the township and their officers.

7 (c) The board of supervisors may contract with or make
8 grants to near or adjacent municipal corporations or volunteer
9 fire companies therein for fire protection in the township.

10 (d) No volunteer fire company not in existence in the
11 township before the effective date of this act may organize or
12 operate unless the establishment or organization is approved by
13 resolution of the board of supervisors.

14 Section 1804. Ponds, Dams or Impoundments for Fire
15 Protection.--The board of supervisors may construct or
16 contribute moneys for, or participate in the construction of,
17 ponds, dams or other impoundments to provide water for fire
18 protection for the township.

19 Section 1805. Fire Prevention Code.--The board of
20 supervisors may adopt any standard fire prevention code
21 published and printed in book form as provided under this act
22 for adopting standard codes.

23 Section 1806. Prohibition of Fire-Producing Devices in
24 Certain Retail Stores.--The board of supervisors may, by
25 ordinance, prohibit the smoking or carrying of lighted
26 cigarettes, cigars, pipes or matches and the use of matches or
27 fire-producing devices in retail stores arranged to accommodate
28 one hundred persons or more or which employ ten or more
29 employees. Any ordinance passed under this section may not
30 prohibit smoking in any restaurant room, rest room, beauty

1 parlor, executive office or any shopping center area designated
2 for smoking.

3 ARTICLE XIX

4 TOWNSHIP POLICE

5 Section 1901. Creating or Disbanding Police Force.--The
6 board of supervisors may, by resolution, create or disband a
7 police force within the township or, upon the petition of not
8 less than twenty-five registered electors or taxpayers of the
9 township, appoint police officers.

10 Section 1902. Appointment of Police.--The board of
11 supervisors shall provide for the organization and supervision,
12 and determine the number and the compensation, of the police
13 officers. The chairman of the board of supervisors may swear in
14 police officers. The board of supervisors may assign any police
15 officer to undergo a course of training at any training school
16 for police officers established or made available by the Federal
17 or State Government and provide for payment of the officer's
18 expenses while in attendance at the training school.

19 Section 1903. Contracts to Secure Police Service.--Any
20 township may contract with any municipal corporation to secure
21 the services within the township of the police of the municipal
22 corporation. When any contract is made, the police officers of
23 the employing municipal corporation have all the powers and
24 authority conferred by law on police officers in the township
25 which has contracted to secure police service.

26 Section 1904. Contract to Provide Police Service.--Any
27 township may contract with any municipal corporation to provide
28 police services within the other municipal corporation. When a
29 contract is made, the township police have all the powers and
30 authority conferred by law on police in the municipal

1 corporation which has contracted to secure police service.

2 Section 1905. Powers.--Each township police officer has
3 those powers and abilities as are granted to police officers
4 under the laws of this Commonwealth or the rules of the Supreme
5 Court or the ordinances of the township for which a fine or
6 penalty is imposed unless otherwise excepted in this act.

7 Section 1906. Shield.--Each police officer, when on duty,
8 shall wear a shield or badge with the words "township police"
9 and the name of the township inscribed thereon.

10 Section 1907. Equipment.--The board of supervisors may
11 provide each police officer with a uniform, equipment and means
12 of transportation and the maintenance thereof.

13 Section 1908. Lockups.--The board of supervisors may provide
14 lockup facilities.

15 Section 1909. Certain Compensation Prohibited.--No police
16 officer may charge or accept any fee or other compensation in
17 addition to the salary paid by the township for any service
18 rendered or performed by the police officer, except public
19 rewards.

20 Section 1910. Police Pension Fund.--(a) In those townships
21 maintaining police forces of less than three full-time police
22 officers, the board of supervisors may, by ordinance or
23 resolution, establish a police pension fund or pension annuity
24 into which each member of the police force may be required to
25 pay a member contribution of an equal and proportionate charge
26 which, except to the extent that section 607(c) of the act of
27 December 18, 1984 (P.L.1005, No.205), known as the "Municipal
28 Pension Plan Funding Standard and Recovery Act," applies, shall
29 not exceed annually three percent of the pay of the member.

30 (b) The fund shall be under the direction of the board of

supervisors for the benefit of members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of members who may be injured or killed in the service. Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale.

(c) The ordinance or resolution establishing the police pension fund shall prescribe a minimum period of continuous service of not less than twenty years, after which the members of the force may be retired from active duty. Township police officers so retired may be subject to service as police reserves until unfit for service by reason of age or disability, when they may be finally discharged.

(d) The basis of the apportionment of the pension is determined by the rate of monthly pay of the member at the date of death, honorable discharge or retirement.

(e) Payments made on account of police pensions are a charge on no fund of the township other than the police pension fund.

(f) Townships shall make contributions to the police pension fund in an amount sufficient to meet the minimum obligation of the municipality with respect to the pension plan pursuant to the "Municipal Pension Plan Funding Standard and Recovery Act," and may take by gift, grant, devise or bequest any money or property in trust for the benefit of the police pension fund. The care, management, investment and disposal of trust funds or property is vested in the board of supervisors subject, whenever possible or practical, to any directions for administration which the donors of the funds and property may prescribe.

(g) A person participating in the police pension fund and entitled to receive a benefit therefrom may not be deprived of

1 his right to an equal and proportionate share therein except for
2 the following causes: conviction of a crime or misdemeanor or
3 failing to comply with some general regulation relating to the
4 management of the fund, which may be made by ordinance or
5 resolution and which provides that a failure to comply therewith
6 terminates the right to participate in the pension fund after
7 notice and hearing as it prescribes.

8 (h) Police pension funds of townships with a police force of
9 three or more full-time officers are governed by the act of May
10 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal
11 Police Pension Law.

12 Section 1911. Police Protection Districts.--On petition of a
13 majority of the property owners of any territory within the
14 township, the board of supervisors may designate the territory
15 as a district for the purpose of providing police protection.
16 The board of supervisors may annually assess the cost of the
17 maintenance of the police protection by an equal assessment on
18 all property benefited by the protection in proportion to the
19 number of feet the property fronts on the street or highway or
20 portion thereof to be protected. The board of supervisors may
21 provide for an equitable reduction from the frontage of lots at
22 intersections or where, due to the irregular shape of lots, an
23 assessment of the full frontage would be inequitable. No
24 assessment shall be made against any farmland, but vacant lots
25 between built-up sections, whether tilled or not tilled, are not
26 farmland. The assessment for each foot front against vacant lots
27 shall be only twenty-five percent of the assessment for each
28 foot front against property with improvements. All assessments
29 for police protection shall be filed with the township tax
30 collector under section 3301(a).

1 Section 1912. Removal of Police Officers.--No person
2 employed as a regular full-time police officer in any police
3 department, except officers appointed for a probationary period
4 of one year or less, shall be suspended, removed or reduced in
5 rank except under the act of June 15, 1951 (P.L.586, No.144),
6 entitled "An act regulating the suspension, removal, furloughing
7 and reinstatement of police officers in boroughs and townships
8 of the first class having police forces of less than three
9 members, and in townships of the second class."

10 Section 1913. Auxiliary Police.--The board of supervisors
11 may confirm persons to serve as auxiliary police officers under
12 the act of January 14, 1952 (1951 P.L.2016, No.561), entitled
13 "An act providing for supplementing the police forces of cities,
14 boroughs, towns and townships, for the appointment, powers and
15 control of auxiliary police therein, and for the transfer during
16 disasters and emergencies of such auxiliary police, members of
17 the regular police forces, and police equipment thereof."

18 Section 1914. Special Fire Police.--The board of supervisors
19 may confirm any members of a volunteer fire company to serve as
20 special fire police under the act of June 18, 1941 (P.L.137,
21 No.74), entitled, as amended, "An act providing for the
22 appointment, powers and control of members of volunteer fire
23 companies as special fire police, and conferring powers on them
24 at fires attended by their fire companies in any city, borough,
25 town, township or home rule municipality."

26 Section 1915. Special School Police.--(a) Upon request of
27 the board of school directors of a school district located
28 wholly or partially within the township, the board of
29 supervisors, by resolution, may appoint special school police to
30 control and direct traffic at or near schools. The officers

1 shall be in uniform and display a badge or other sign of
2 authority, and they have all the power of local police officers.
3 Special school police serve at the pleasure of the board of
4 supervisors and are not eligible to join any police pension fund
5 maintained for the township police. The board of supervisors
6 shall determine the compensation of special school police, to be
7 paid by the township or jointly by the township and the school
8 district in a ratio to be determined by the two boards. If the
9 township and school district cannot determine the ratio of
10 compensation to be paid by each board, each board shall pay one-
11 half of the compensation of the police.

12 (b) The board of supervisors may create an educational
13 service agency under section 402.1 of the act of December 5,
14 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the
15 "Unemployment Compensation Law," to provide special school
16 police service to one or more educational institutions by the
17 school crossing guards appointed in conjunction with the school
18 district. The educational service agency shall serve as the
19 agency for management and control of the school crossing guards.

20 ARTICLE XX

21 STREET LIGHTS

22 Section 2001. Lighting.--The board of supervisors may light
23 and illuminate the highways, roads and other public places of
24 the township and remove, alter or improve lighting as may be
25 appropriate and in the best interests of the township and make
26 contracts for securing and maintaining a supply of light.

27 Section 2002. Street Light Districts.--(a) The board of
28 supervisors may provide street lights and make regulations
29 therefor within the township or within any district of the
30 township established by the board of supervisors for that

1 purpose.

2 (b) Upon receipt of a petition signed by seventy percent of
3 the property owners within any defined area of the township, the
4 board of supervisors shall establish the defined area as a
5 lighting district or include the defined area within an existing
6 lighting district and shall provide public lighting within the
7 area.

8 (c) The board of supervisors may contract with electric, gas
9 or other lighting companies to light and illuminate roads and
10 highways and other public places with electric light, gas light
11 or other illuminating substances.

12 Section 2003. Costs.--(a) The board of supervisors may pay
13 for the cost of public lighting by any one or a combination of
14 the following means, whether the installation of the lighting
15 was initiated by action of the board of supervisors or by
16 petition:

17 (1) From the general fund.

18 (2) Through uniform annual assessments made upon benefited
19 properties on the foot-front basis.

20 (3) By uniform annual assessment upon each property
21 benefited.

22 (4) By an equal assessment upon each property benefited,
23 based upon the assessment for county tax purposes.

24 (5) By any combination of the above methods or other
25 equitable means of assessment as the board of supervisors may
26 determine.

27 (b) If public street lighting is currently in existence and
28 is being paid for by a certain means or method, the board of
29 supervisors may alter or amend the means of assessing the cost
30 of the lighting.

1 (c) Properties are subject to assessment for this purpose,
2 whether or not the property is exempt from taxation by existing
3 law.

4 (d) If the foot-front method of assessment is used, the
5 assessment shall be by equal assessment on all property in
6 proportion to the number of feet the property fronts on the
7 street or highway or portion thereof to be lighted. The board of
8 supervisors may provide for an equitable reduction from the
9 frontage of lots at intersections or where, due to the irregular
10 shape of lots, an assessment of the full frontage would be
11 inequitable. No assessment shall be made against any farmland,
12 but vacant lots between built-up sections, whether tilled or not
13 tilled, are not farmland. The assessment for each foot front
14 against vacant lots shall be only twenty-five percent of the
15 assessment for each foot front against property with
16 improvements.

17 (e) All annual assessments for street lights shall be filed
18 with the township tax collector under section 3301(a). The
19 assessment may be billed on the annual real estate tax bill for
20 general township purposes if authorized by the board of
21 supervisors.

22 ARTICLE XXI

23 SOLID WASTE COLLECTION AND DISPOSITION

24 Section 2101. Accumulation of Ashes, Garbage, Solid Waste
25 and Refuse Materials.--The board of supervisors IN THE MANNER <—
26 AUTHORIZED BY THE ACT OF JULY 7, 1980 (P.L.380, NO.97), KNOWN AS
27 THE "SOLID WASTE MANAGEMENT ACT" AND THE ACT OF JULY 28, 1988
28 (P.L.556, NO.101), KNOWN AS THE "MUNICIPAL WASTE PLANNING,
29 RECYCLING AND WASTE REDUCTION ACT," may prohibit accumulations
30 of ashes, garbage, solid waste and other refuse materials upon

1 private property, including the imposition and collection of
2 reasonable fees and charges for the collection, removal and
3 disposal thereof.

4 Section 2102. Collection.--The board of supervisors may
5 collect and remove, by contract or otherwise, ashes, garbage,
6 solid waste and other refuse materials and recyclables and
7 prescribe penalties for the enforcement thereof. Any contract
8 with refuse haulers may be made for a period not exceeding five
9 years. This limitation does not apply to contracts with any
10 other county or municipal corporation.

11 Section 2103. Disposal.--The board of supervisors may
12 dispose of, by contract or otherwise, ashes, garbage, solid
13 waste and other refuse materials. Any contract with the owner of
14 a private facility for the disposal or incineration of ashes,
15 garbage, solid waste and other refuse materials may be made for
16 a period not exceeding twenty years. This limitation does not
17 apply to contracts with any county or municipal corporation.

18 Section 2104. Acquisition of Land.--The board of supervisors
19 may acquire any real property and erect, maintain, improve,
20 operate and lease, either as lessor or lessee, facilities for
21 incineration, landfill or other methods of disposal, either
22 inside or outside the limits of the township, including
23 equipment, either separately or jointly, with any county or
24 municipal corporation in order to provide for the destruction,
25 collection, removal and disposal of ashes, garbage, solid waste
26 or other refuse materials, for the collection and storage of
27 recyclable materials or for the composting of leaf and yard
28 waste. The board of supervisors may provide for the payment of
29 the cost thereof out of the funds of the township. The board of
30 supervisors may acquire land for landfill purposes, either

amicably or by exercising the power of eminent domain, and
maintain lands and places for the dumping of ashes, garbage,
solid waste and other refuse materials.

Section 2105. Charge for Services.--The board of supervisors
may establish, alter, charge and collect rates and other charges
for the collection, removal and disposal of ashes, garbage,
solid waste, other refuse materials and recyclable materials,
and the costs of including the payment of any indebtedness
incurred for the construction, purchase, improvement, repair,
maintenance and operation of any facilities therefor, and the
amount due under any contract with any county or municipal
corporation furnishing the services or facilities.

Section 2106. Appropriations.--The board of supervisors may
make appropriations to any county or municipal corporation for
the construction, purchase, improvement, repair, maintenance and
operation of any facilities for the collection, removal,
disposal or marketing of ashes, garbage, solid waste, other
refuse materials, recyclable materials or composted leaf and
yard waste.

Section 2107. Refuse Collection District.--On petition of a
majority of the owners, occupants or tenants of any territory
inside the township which is definitely defined, set apart and
limited by the board of supervisors as a refuse collection
district, either with township employes and facilities or with
independent contractors, the board of supervisors may provide
for the removal from the refuse collection district of ashes,
garbage, solid waste or other refuse materials and for the
disposal thereof, including the collection and marketing of
recyclable materials. The board of supervisors may levy an
assessment upon all owners, occupants or tenants of the district

1 sufficient to defray the cost of the removal, disposal or
2 marketing under section 3301(b).

3 Section 2108. Exclusion from Bidding Requirements.--A
4 township shall not be subject to requirements otherwise imposed
5 by law for the sale of personal property owned by the township
6 when selling recyclable materials or materials separated,
7 collected, recovered or created by recycling, as provided in the
8 act of April 9, 1992 (P.L.70, No.21), entitled "An act excluding
9 the sale of recyclable material from political subdivision
10 personal property sale restrictions relating to advertising and
11 bidding."

12 ARTICLE XXII

13 PARKS, RECREATION CENTERS AND FORESTS

14 Section 2201. Acquisition of Lands and Buildings.--The board
15 of supervisors may designate lands or buildings owned, leased or
16 controlled by the township for use as parks, playgrounds,
17 playfields, gymnasiums, swimming pools, indoor recreation
18 centers, public parks and other recreation areas and facilities
19 and acquire lands or buildings by lease, gift, devise, purchase
20 or by the exercise of the right of eminent domain for
21 recreational purposes and construct and equip facilities for
22 recreational purposes.

23 Section 2202. Recreation Facilities Employees.--The board of
24 supervisors may employ persons to maintain the recreation
25 facilities or supervise the use of the recreation facilities.

26 Section 2203. Regulation of Parks and Public Amusements.--
27 (a) The board of supervisors may, by ordinance, regulate the
28 use and enjoyment by the public of any park or recreation
29 grounds owned and operated by the township or charitable
30 organizations for the use of the public.

1 (b) The board of supervisors may prescribe rules for the use
2 by the public of parks and recreation grounds and the facilities
3 and amusements connected therewith and post the rules at
4 conspicuous places in the parks or recreation grounds. Any
5 person who violates the rules commits a summary offense.

6 (c) The board of supervisors may, by ordinance not
7 inconsistent with State law and regulations, regulate the time
8 of opening and closing and the conduct of places of public
9 entertainment, amusement and recreation.

10 (d) The board of supervisors may, by ordinance or
11 resolution, appropriate funds for recreation programs not
12 directly sponsored by the township.

13 Section 2204. Creation of Recreation Boards.--(a) The board
14 of supervisors may, by ordinance, create a recreation board to
15 supervise, regulate, equip and maintain township-funded
16 recreation programs and facilities. The recreation board has
17 only those powers specifically delegated to it by the board of
18 supervisors.

19 (b) Recreation boards, when established, shall consist of
20 five or seven persons. The members shall be appointed by the
21 board of supervisors and shall serve for terms of five years or
22 until their successors are appointed, except that the members
23 first appointed shall be appointed so that the terms of not more
24 than two members expire annually. Members shall serve without
25 pay but may be reimbursed by the township for all expenses
26 incurred in performing their duties. All persons appointed shall
27 serve their full terms unless voluntarily resigned or removed by
28 the board of supervisors for dereliction or neglect of duty.
29 Vacancies occurring other than by expiration of term shall be
30 for the unexpired term and shall be filled in the same manner as

1 original appointments.

2 (c) The members of a recreation board shall elect a chairman
3 and secretary and select all other necessary officers to serve
4 for a period of one year. The recreation board may adopt rules
5 and regulations for the conduct of all business within its
6 jurisdiction and exercise powers and functions concerning parks
7 and recreation facilities as may be delegated to it by the board
8 of supervisors. The recreation board shall submit an annual
9 report to the board of supervisors, including an analysis of the
10 adequacy and effectiveness of community recreation areas,
11 facilities and leadership.

12 Section 2205. Joint Ownership and Maintenance.--The board of
13 supervisors may join with any one or more municipal
14 corporations, counties or school districts to acquire, create,
15 equip, maintain and operate any park or recreation area to serve
16 residents of the township under the act of July 12, 1972
17 (P.L.762, No.180), referred to as the Intergovernmental
18 Cooperation Law.

19 Section 2206. Expenses for Maintenance.--All expenses
20 incurred in the operation of parks, recreation areas and
21 facilities are payable from the general township fund or from
22 the treasury of the municipal corporations, counties or school
23 districts under the agreement of the corporate authorities.

24 Section 2207. Forest Lands.--(a) Townships may acquire, by
25 purchase, gift or lease, and hold tracts of land covered with
26 forest or tree growth, or suitable for the growth of trees, and
27 administer the tracts under the direction of the Department of
28 ~~Environmental Resources~~ CONSERVATION AND NATURAL RESOURCES. The <—
29 tracts may be of any size suitable for the purpose and may be
30 located inside or outside the township limits.

1 (b) When the board of supervisors intends to acquire any
2 lands for forests, it shall so declare by an ordinance, setting
3 forth all facts and conditions relating to the proposed action.

4 (c) Upon the acquisition of any forests or lands suitable
5 for forests, the board of supervisors shall notify the
6 Department of ~~Environmental Resources~~ CONSERVATION AND NATURAL <—
7 RESOURCES which may make rules for the government and proper
8 administration of the lands as may be necessary. The Department

9 of ~~Environmental Resources~~ CONSERVATION AND NATURAL RESOURCES <—
10 shall publish the rules, declare the uses of the forest under
11 the intent of this article and make provision for its
12 administration, maintenance, protection and development as
13 necessary. The rules governing the administration of the forests
14 shall have for their main purpose the producing of a continuing
15 township revenue by the sale of forest products.

16 (d) All revenue and emoluments arising from the forests
17 shall be paid into the general township fund.

18 (e) Township forests may be used by the public as general
19 outing or recreation grounds, subject to the rules of the
20 Department of ~~Environmental Resources~~ CONSERVATION AND NATURAL <—
21 RESOURCES governing their administration and rules adopted by
22 the board of supervisors not inconsistent with law and the rules
23 of the Department of ~~Environmental Resources~~ CONSERVATION AND <—
24 NATURAL RESOURCES.

25 (f) When the board of supervisors decides to sell or lease
26 any forest, or part thereof or products therefrom, it shall so
27 declare by an ordinance, setting forth all the facts and
28 conditions relating to the proposed action.

29 (g) The board of supervisors may, on behalf of the township,
30 accept the title to lands which may be donated to the township

1 for any of the purposes mentioned in this article.

2 [ARTICLE VIII

3 CONTRACTS

4 Section 801. Power to Make Contracts.--Each township may
5 make contracts for lawful purposes and for the purpose of
6 carrying into execution the provisions of this act and the laws
7 of the Commonwealth.

8 Section 802. Letting Contracts.--(a) Each township shall
9 have the power to make, to authorize, and to ratify,
10 expenditures for lawful purposes from funds available therefor,
11 by borrowing within legal limitations: Provided, That all
12 contracts or purchases in excess of ten thousand dollars, except
13 those hereinafter mentioned, shall not be made except with and
14 from the lowest responsible bidder, after due notice in one
15 newspaper of general circulation, published or circulating in
16 the county in which the township is situated, at least two
17 times, at intervals of not less than three days where daily
18 newspapers of general circulation are employed for such
19 publication, or in case weekly newspapers are employed, then the
20 notice shall be published once a week for two successive weeks.
21 The first advertisement shall be published not more than forty-
22 five days and the second advertisement not less than ten days
23 prior to the date fixed for the opening of bids. Notice of
24 proposed contracts or purchases shall also be posted where the
25 board of supervisors normally meets or in a conspicuous place
26 within the township.

27 (a.1) Written or telephonic price quotations from at least
28 three qualified and responsible contractors shall be requested
29 for all contracts that exceed four thousand dollars but are less
30 than the amount requiring advertisement and competitive bidding

1 or, in lieu of price quotations, a memorandum shall be kept on
2 file showing that fewer than three qualified contractors exist
3 in the market area within which it is practicable to obtain
4 quotations. A written record of telephonic price quotations
5 shall be made and shall contain at least the date of the
6 quotation, the name of the contractor and the contractor's
7 representative, the construction, reconstruction, repair,
8 maintenance or work which was the subject of the quotation and
9 the price. Written price quotations, written records of
10 telephonic price quotations and memoranda shall be retained for
11 a period of three years.

12 (b) The amount of the contract shall in all cases, whether
13 of straight sale price, conditional sale, bailment lease, or
14 otherwise, be the entire amount which the township pays to the
15 successful bidder or his assigns in order to obtain the services
16 or property, or both, and shall not be construed to mean only
17 the amount which is paid to acquire title or to receive any
18 other particular benefit or benefits of the whole bargain.

19 (c) The acceptance of bids shall only be made by public
20 announcement at the meeting at which bids are received, or at a
21 subsequent meeting, the time and place of which shall be
22 publicly announced when bids are received. If for any reason one
23 or both of the above meetings shall not be held, the same
24 business may be transacted at subsequent meetings: Provided,
25 That at least five days' notice thereof shall be published in
26 the newspaper aforesaid.

27 (d) The successful bidder, when advertising is required
28 herein, shall be required to furnish a bond with suitable
29 reasonable requirements, guaranteeing performance of the
30 contract, with sufficient surety in the amount of fifty per

1 centum (50%) of the amount of the contract within twenty days
2 after the contract has been awarded, unless the supervisors
3 shall prescribe a shorter period not less than ten days, and
4 upon failure to furnish such bond within such time, the previous
5 award shall be void. Delivery, accomplishment and guarantees may
6 be required in all cases of expenditures, including the
7 exceptions herein.

8 (e) The contracts or purchases made by any supervisors
9 involving an expenditure of over ten thousand dollars, which
10 shall not require advertising or bidding as hereinbefore
11 provided, are as follows:

12 (1) Those made for maintenance, repairs or replacements for
13 water, electric light and other public works of the township,
14 provided they do not constitute new additions, extensions or
15 enlargements of existing facilities and equipment, but a bond
16 may be required by the supervisors as in other cases of work
17 done.

18 (2) Those made for improvements, repairs or maintenance of
19 any kind, made or provided by any township, through its own
20 employes: Provided, however, That all materials used for road
21 improvement, maintenance and/or construction in excess of ten
22 thousand dollars be subject to the advertising requirements
23 contained herein.

24 (3) Those where particular types, models or pieces of new
25 equipment, articles, apparatus, appliances, vehicles, or parts
26 thereof, are desired by the supervisors, which are patented and
27 manufactured products.

28 (4) Those involving any policies of insurance or surety
29 company bonds, those made for public utility service under
30 tariffs on file with the Pennsylvania Public Utility Commission,

1 those made with another political subdivision, county, the
2 Commonwealth of Pennsylvania or the Federal Government, or any
3 agency of the Commonwealth or Federal Government, or any
4 municipal authority, including the sale, leasing or loan of any
5 supplies or materials by the Commonwealth, or the Federal
6 Government, or their agencies, but the price thereof, or the
7 expenditure therefor, shall not be in excess of those fixed by
8 the Commonwealth, the Federal Government or their agencies.

9 (5) Those involving personal or professional services.

10 (f) Except as herein provided, no township official, either
11 elected or appointed, who knows, or who by the exercise of
12 reasonable diligence, could know, shall be interested to any
13 appreciable degree, either directly or indirectly, in any
14 contract for the sale or furnishing of any supplies or materials
15 for the use of the township, or for any work to be done for such
16 township involving the expenditure by the township of more than
17 three hundred dollars (\$300) in any year, but this limitation
18 shall not apply to cases where such officer, or appointee of the
19 township, is an employe of the person, firm or corporation to
20 which the money is to be paid in a capacity with no possible
21 influence on the transaction, and in which he cannot be possibly
22 benefited thereby, either financially or otherwise: Provided,
23 however, That in the case of a supervisor, if he knows that he
24 is within the exception just mentioned, he shall so inform the
25 supervisors and shall refrain from voting on the expenditures,
26 or any ordinance relating thereto, and shall in no manner
27 participate therein: Provided, further, That any such official
28 or appointee who shall knowingly violate this provision shall be
29 subject to surcharge to the extent of the damage shown to be
30 thereby sustained by the township, ouster from office, and shall

1 be guilty of a misdemeanor, and upon conviction thereof, shall
2 be sentenced to pay a fine not exceeding five hundred dollars
3 (\$500): Provided, That in the case of the purchase of material
4 for the construction, reconstruction, maintenance and
5 improvement of roads and bridges, the contract, which shall be
6 in writing, and shall be let only on standard specifications of
7 the Department of Transportation, and materials so purchased
8 shall only be used in accordance with specifications of said
9 department.

10 (g) Every contract for the construction, reconstruction,
11 alteration, repair, improvement or maintenance of public works
12 shall comply with the provisions of the act of March 3, 1978
13 (P.L.6, No.3), known as the "Steel Products Procurement Act."

14 (h) No person, consultant, firm or corporation contracting
15 with a township for purposes of rendering personal or
16 professional services to the township shall share with any
17 township officer or employee, and no township officer or employee
18 shall accept, any portion of the compensation or fees paid by
19 the township for the contracted services provided to the
20 township except under the following terms or conditions:

21 (1) Full disclosure of all relevant information regarding
22 the sharing of the compensation or fees shall be made to the
23 board of supervisors.

24 (2) The board of supervisors must approve the sharing of any
25 fee or compensation for personal or professional services prior
26 to the performance of said services.

27 (3) No fee or compensation for personal or professional
28 services may be shared except for work actually performed.

29 (4) No shared fee or compensation for personal or
30 professional services may be paid at a rate in excess of the

1 commensurate for similar personal or professional services.

2 Section 802.1. Evasion of Advertising Requirements.--(a) No
3 supervisor or supervisors shall evade the provisions of section
4 eight hundred two as to advertising for bids, by purchasing or
5 contracting for services and personal properties piecemeal for
6 the purpose of obtaining prices under ten thousand dollars upon
7 transactions which should, in the exercise of reasonable
8 discretion and prudence, be conducted as one transaction
9 amounting to more than ten thousand dollars. This provision is
10 intended to make unlawful the evading of advertising
11 requirements by making a series of purchases or contracts each
12 for less than the advertising requirement price, or by making
13 several simultaneous purchases or contracts, each below said
14 price, when, in either case, the transactions involved should
15 have been made as one transaction for one price. Any supervisors
16 who so vote in violation of this provision, and who know that
17 the transaction upon which they so vote is or ought to be part
18 of a larger transaction and that it is being divided in order to
19 evade the requirements as to advertising for bids, shall be
20 jointly and severally subject to surcharge for ten per centum of
21 the full amount of the contract or purchase. Whenever it shall
22 appear that a supervisor may have voted in violation of this
23 section, but the purchase or contract on which he so voted was
24 not approved by the board of supervisors, this section shall be
25 inapplicable.

26 (b) Any supervisor who votes to unlawfully evade the
27 provisions of section eight hundred two and who knows that the
28 transaction upon which he so votes is or ought to be a part of a
29 larger transaction and that it is being divided in order to
30 evade the requirements as to advertising for bids commits a

1 misdemeanor of the third degree for each contract entered into
2 as a direct result of that vote. This penalty shall be in
3 addition to any surcharge which may be assessed pursuant to
4 subsection (a).

5 Section 803. Bonds for Protection of Labor and
6 Materialmen.--It shall be the duty of every township to require
7 any person, copartnership, association, or corporation, entering
8 into a contract with such township for the construction,
9 erection, installation, completion, alteration, repair of, or
10 addition to, any public work or improvement of any kind
11 whatsoever, where the amount of such contract is in excess of
12 one thousand five hundred dollars, before commencing work under
13 such contract, to execute and deliver to such township, in
14 addition to any other bond which may now or hereafter be
15 required by law to be given in connection with such contract, an
16 additional bond, for the use of any and every person,
17 copartnership, association, or corporation interested, in a sum
18 not less than fifty per centum and not more than one hundred per
19 centum of the liability under the contract, as such township may
20 prescribe, having as surety thereon one or more surety companies
21 legally authorized to do business in this Commonwealth,
22 conditioned for the prompt payment of all material furnished and
23 labor supplied or performed in the prosecution of the work,
24 whether or not the said material or labor enter in and become
25 component parts of the work or improvement contemplated. Such
26 additional bond shall be deposited with and held by the township
27 for the use of any party interested therein. Every such
28 additional bond shall provide that every person, copartnership,
29 association, or corporation who, whether as subcontractor or
30 otherwise, has furnished material or supplied or performed labor

1 in the prosecution of the work as above provided, and who has
2 not been paid therefor, may sue in assumpsit on said additional
3 bond in the name of the township for his, their, or its use and
4 prosecute the same to final judgment for such sum or sums as may
5 be justly due him, them, or it, and have execution thereon:
6 Provided, That the township shall not be liable for the payment
7 of any costs or expense of any suit.

8 Section 803.1. Purchase Contracts for Petroleum Products;
9 Fire Company, Etc., Participation.--The board of supervisors of
10 each township shall have power to permit, subject to such terms
11 and conditions as it may, and as hereinafter specifically
12 provided, shall, prescribe any paid or volunteer fire company,
13 paid or volunteer rescue company and paid or volunteer ambulance
14 company in the township to participate in purchase contracts for
15 petroleum products entered into by the township. Any such
16 company desiring to participate in such purchase contracts shall
17 file with the township secretary a request that it be authorized
18 to participate in contracts for the purchase of petroleum
19 products of the township and agreeing that it will be bound by
20 such terms and conditions as the township may, and as
21 hereinafter specifically provided, shall, prescribe and that it
22 will be responsible for payment directly to the vendor under
23 each purchase contract. Among such terms and conditions, the
24 township shall prescribe that all prices shall be F.O.B.
25 destination.

26 Section 804. Separate Specifications for Branches of Work.--
27 In the preparation of specifications for the erection or
28 alteration of any public building, when the entire cost of such
29 work exceeds ten thousand dollars, the architect, engineer, or
30 person preparing such specifications shall prepare separate

1 specifications for the plumbing, heating, ventilating, and
2 electrical work, and the township shall receive separate bids
3 upon each of such branches of work and award the contract for
4 the same to the lowest responsible bidder.

5 Section 805. Workmen's Compensation Insurance.--All
6 contracts executed by any township, which shall involve the
7 construction or doing of any work involving the employment of
8 labor, shall contain a provision that the contractor shall
9 accept, in so far as the work covered by any such contract is
10 concerned, the provisions of the Workmen's Compensation Act of
11 one thousand nine hundred and fifteen, and any supplements or
12 amendments thereto, and that the said contractor will insure his
13 liability thereunder, or file with the township with which the
14 contract is made a certificate of exemption from insurance from
15 the Bureau of Workmen's Compensation of the Department of Labor
16 and Industry.

17 Every officer of a township who shall sign, on behalf of the
18 said township, any contract, requiring in its performance the
19 employment of labor, shall require, before the said contract
20 shall be signed, proof that the said contractor with whom the
21 contract is made shall have accepted the Workmen's Compensation
22 Act of one thousand nine hundred and fifteen, and any
23 supplements or amendments thereto, and proof that the said
24 contractor has insured his liability thereunder in accordance
25 with the terms of the said act, or that the said contractor has
26 had issued to him a certificate of exemption from insurance from
27 the Bureau of Workmen's Compensation of the Department of Labor
28 and Industry.

29 Any contract executed in violation of the provisions of this
30 section shall be null and void.

1 Section 806. Engineers and Architects Not to Be Interested
2 in Contracts.--It shall be unlawful for any architect or
3 engineer, in the employ of a township, and engaged in the
4 preparation of plans, specifications, or estimates, to bid on
5 any public work at any letting of such work in such township.

6 It shall also be unlawful for the officers of a township,
7 charged with the duty of letting any public work, to award a
8 contract to any such architect or engineer in the employ of the
9 township.

10 It shall also be unlawful for any architect or engineer in
11 the employ of a township to be in any wise interested in any
12 contract for public work in such township, or receive any
13 remuneration or gratuity from any person interested in such
14 contract except under the terms and conditions as provided in
15 section 802(h).

16 Any person who violates any of the provisions of this
17 section, shall be guilty of a misdemeanor, and, on conviction
18 thereof, shall be sentenced to pay a fine not exceeding five
19 hundred dollars, or undergo imprisonment of not more than six
20 months, or both, in the discretion of the court, and shall
21 forfeit his office.

22 Section 807. Minimum Wages under Contracts.--(a) The
23 specifications upon which contracts are entered into by any
24 township for the construction, alteration, or repair of any
25 public work or improvement may, at the option of any such
26 township, contain the minimum wage or wages, which may be paid
27 by the contractor or his subcontractors for the work performed
28 by laborers and mechanics employed on such public work or
29 improvement, and such laborers and mechanics shall, in such
30 cases, be paid not less than such minimum wage or wages.

1 (b) Every contract for the construction, alteration, or
2 repair of any public work or improvement founded on
3 specifications, containing any such stipulation for minimum wage
4 or wages, shall stipulate a penalty of an amount equal to twice
5 the difference between the minimum wage contained in said
6 specifications and the wage actually paid to each laborer or
7 mechanic for each day, during which he has been employed at a
8 wage less than that prescribed in said specifications.

9 (c) Every officer, or person designated as an inspector of,
10 or having supervision over, the work to be performed under any
11 such contract, in order to aid in enforcing the fulfillment
12 thereof, shall, upon observation or investigation, report to the
13 supervisors of the township all violations of minimum wage
14 stipulations, together with the name of each laborer or mechanic
15 who has been paid a wage less than that prescribed by the
16 specifications, and the day or days of such violation.

17 (d) All such penalties shall be withheld and deducted for
18 the use of the township from any moneys due the contractor by
19 the officer or person, whose duty it shall be to authorize the
20 payment of moneys due such contractor, whether the violation of
21 the minimum wage stipulation of the specifications was by the
22 contractor or by any of his subcontractors: Provided, That if
23 any such contractor or subcontractor subsequently pays to all
24 laborers and mechanics the balance of the amounts stipulated in
25 such contract, the township shall pay to the contractor the
26 amounts so withheld as penalties.

27 Section 808. Discrimination between Employees.--Every
28 contract for or on behalf of any township for the construction,
29 alteration or repair of any public building or public work shall
30 contain provisions by which the contractor agrees.

1 (a) That in the hiring of employees for the performance of
2 work under this contract, or any subcontract hereunder, no
3 contractor, subcontractor, nor any person acting on behalf of
4 such contractor or subcontractor, shall by reason of race, creed
5 or color, discriminate against any citizen of the Commonwealth
6 of Pennsylvania, who is qualified and available to perform the
7 work to which the employment relates.

8 (b) That no contractor, subcontractor, nor any person on his
9 behalf shall in any manner discriminate against or intimidate
10 any employee hired for the performance of work under his contract
11 on account of race, creed or color.

12 (c) That there may be deducted from the amount payable to
13 the contractor, under this contract, a penalty of five dollars
14 for each person, for each calendar day, during which such person
15 was discriminated against, or intimidated in violation of the
16 provisions of the contract, and

17 (d) That the contract may be cancelled or terminated by the
18 township, and all money due, or to become due hereunder, may be
19 forfeited for a second or any subsequent violation of the terms
20 or conditions of this portion of the contract.

21 ARTICLE IX

22 TAXATION AND FINANCE

23 Section 901. Fiscal Year.--The fiscal year in townships of
24 the second class shall commence on the first day of January in
25 each year. All receipts, disbursements, contracts, and purchases
26 shall be chargeable to and entered as of record in the fiscal
27 year in which made.

28 Section 902. Annual Budget.--A. (1) The board of township
29 supervisors shall annually, at least thirty days prior to the
30 adoption of the annual budget begin preparation of a proposed

1 budget for all funds or annual estimate of revenues and
2 expenditures for the ensuing fiscal year, beginning on the first
3 day of January, which shall be filed with the treasurer. Said
4 budget shall reflect as nearly as possible the estimated
5 revenues and expenditures of the township for the year for which
6 the budget is prepared. It shall be unlawful to prepare and
7 advertise notice of a proposed budget when the same is knowingly
8 inaccurate. Where, upon any revision of the budget, it appears
9 that the estimated expenditures in the adopted budget will be
10 increased more than ten percent in the aggregate or more than
11 twenty-five percent in any individual item over the proposed
12 budget, it shall be presumed that the tentative budget was
13 inaccurate; and such budget may not be legally adopted with any
14 such increases therein unless the same is again advertised once,
15 as in the case of the proposed budget, and an opportunity
16 afforded to taxpayers to examine the same and protest such
17 increases. In all townships, the budget shall be prepared on a
18 uniform form, prepared and furnished as hereafter provided. The
19 estimates in the budget, shall specify:

20 (a) The amount of money necessary for the construction,
21 maintenance, repair, and improvement of roads;

22 (b) The amount of money necessary for the construction,
23 maintenance, and repair of culverts and bridges;

24 (c) The amount of money necessary for the purchase, hire,
25 repair, and custody of equipment, machinery, teams and
26 implements;

27 (d) The amount of money necessary for each other
28 governmental activity of the township, for which a special tax
29 levy may or may not be authorized;

30 (e) The amount of money necessary for the payment of debts,

1 and other miscellaneous purposes.

2 (2) Upon the preparation of the proposed budget, the
3 supervisors shall give public notice by advertisement once in at
4 least one newspaper of general circulation in the township or
5 county that the proposed budget will be available for public
6 inspection at a designated place in the township. After the
7 budget has been available for public inspection for twenty days
8 the supervisors shall, after making such revisions therein as
9 appear advisable, adopt the budget not later than the thirty-
10 first day of December and the necessary appropriation measures
11 required to put it into effect.

12 (3) The total appropriation shall not exceed the revenues
13 estimated as available for the fiscal year. In all townships the
14 board of supervisors shall, within fifteen days after the
15 adoption of the budget, file a copy of the same in the office of
16 the Department of Community Affairs.

17 (4) The supervisors may at any time by resolution make
18 supplemental appropriations for any lawful purpose from any
19 funds on hand or estimated to be received within the fiscal year
20 and not otherwise appropriated, including the proceeds of any
21 borrowing authorized by law. Such supplemental appropriations
22 may be made whether or not an appropriation for the same purpose
23 was included in the original budget as adopted, except that no
24 supplemental appropriation shall be made for any purpose in
25 respect to which the court on an appeal pursuant to section nine
26 hundred eight of this act has ordered a specific reduction or
27 elimination of an item of the original budget for the same
28 purpose.

29 (5) The supervisors may by resolution, transfer unencumbered
30 moneys from one township account to another, but no moneys shall

1 be transferred from the fund allocated for the payment of debts
2 or from any fund raised by a special tax levy for a particular
3 purpose. Such transfers shall not be made during the first three
4 months of the fiscal year. No money shall be paid out of the
5 township treasury except upon appropriation made according to
6 law.

7 B. The uniform forms for the annual budget, the annual
8 township report, and the annual financial statement required to
9 be made by the auditors, shall be prepared by a committee
10 consisting of four representatives of the State Association of
11 Township Supervisors and one representative of each from the
12 Department of Transportation, and the Department of Community
13 Affairs.

14 Such representatives of the State Association of Township
15 Supervisors shall be appointed by the president of the
16 organization. Such representatives may be either township
17 supervisors, auditors or township secretaries, and, as far as
18 possible, shall be chosen to represent townships in the various
19 population groups among the range of townships of the second
20 class. The president of the organization shall supply to the
21 Secretary of Community Affairs the names and addresses of such
22 representatives, immediately upon their appointment.

23 Such representatives of the townships shall serve without
24 compensation, but shall be reimbursed by the Commonwealth for
25 all necessary expenses incurred in attending meetings of the
26 committee from appropriations made to the Department of
27 Community Affairs. The committee shall meet at the call of the
28 Secretary of Community Affairs, or his agent, who shall serve as
29 chairman of the committee.

30 In preparing such uniform forms, the committee shall give

1 careful consideration to the fiscal needs and procedure of
2 townships of the various population groups producing separate
3 forms, if necessary, to meet the needs of townships of varying
4 sizes. The form for annual reports shall contain the
5 information, herein specifically required to be furnished, and
6 such other information as the committee shall deem proper, and
7 shall be arranged to correlate with the forms for the budget,
8 respecting order of items, and division of revenues by major
9 classifications, and disbursements by major functions. The
10 committee shall also prescribe the form of the statement
11 summarizing the annual report, which is hereinbefore required to
12 be published.

13 It shall be the duty of the Secretary of Community Affairs to
14 see to it that the forms required by this act are prepared in
15 cooperation with such committee. In the event that such
16 committee should, for any reason, fail to furnish such
17 cooperation, Department of Community Affairs shall prepare the
18 forms. After they are prepared, the Secretary of Community
19 Affairs shall issue such forms and distribute them annually, as
20 needed, to the proper township officers.

21 Section 902.1. Investment of Township Funds.--(a) The
22 supervisors shall have the power to:

23 (1) make investment of township sinking funds as authorized
24 by the act of July 12, 1972 (P.L.781, No.185), known as the
25 "Local Government Unit Debt Act";

26 (2) make investment of moneys in the General Fund and in
27 special funds of the township other than the sinking funds as
28 authorized by Article IX; and

29 (3) liquidate any such investment, in whole or in part, by
30 disposing of securities or withdrawing funds on deposit. Any

1 action taken to make or to liquidate any investment shall be
2 made by the officers designated by action of the supervisors.

3 (b) The supervisors shall invest township funds consistent
4 with sound business practice.

5 (c) The supervisors shall provide for an investment program
6 subject to restrictions contained in this act and in any other
7 applicable statute and any rules and regulations adopted by the
8 supervisors.

9 (d) Authorized types of investments for township funds shall
10 be:

11 (1) United States Treasury bills.

12 (2) Short-term obligations of the United States Government
13 or its agencies or instrumentalities.

14 (3) Deposits in savings accounts or time deposits, other
15 than certificates of deposit, or share accounts of institutions
16 insured by the Federal Deposit Insurance Corporation or the
17 Federal Savings and Loan Insurance Corporation or the National
18 Credit Union Share Insurance Fund or the Pennsylvania Deposit
19 Insurance Corporation or the Pennsylvania Savings Association
20 Insurance Corporation to the extent that such accounts are so
21 insured, and, for any amounts above the insured maximum,
22 provided that approved collateral as provided by law therefore
23 shall be pledged by the depository.

24 (4) Obligations of the United States of America or any of
25 its agencies or instrumentalities backed by the full faith and
26 credit of the United States of America, the Commonwealth of
27 Pennsylvania or any of its agencies or instrumentalities backed
28 by the full faith and credit of the Commonwealth, or of any
29 political subdivision of the Commonwealth of Pennsylvania or any
30 of its agencies or instrumentalities backed by the full faith

1 and credit of the political subdivision.

2 (5) Shares of an investment company registered under the
3 Investment Company Act of 1940, whose shares are registered
4 under the Securities Act of 1933, provided that the only
5 investments of that company are in the authorized investments
6 for township funds listed in (1) through (4).

7 (6) Certificates of deposit purchased from institutions
8 insured by the Federal Deposit Insurance Corporation or the
9 Federal Savings and Loan Insurance Corporation or the National
10 Credit Union Share Insurance Fund or the Pennsylvania Deposit
11 Insurance Corporation or the Pennsylvania Savings Association
12 Insurance Corporation to the extent that such accounts are so
13 insured. However, for any amounts above the insured maximum,
14 such certificates of deposit shall be collateralized by a pledge
15 or assignment of assets of the institution, and such collateral
16 may include loans (including interest in pools of loans) secured
17 by first mortgage liens on real property. Certificates of
18 deposit purchased from commercial banks shall be limited to an
19 amount equal to twenty percent of a bank's total capital and
20 surplus. Certificates of deposit purchased from savings and loan
21 associations or savings banks shall be limited to an amount
22 equal to twenty percent of an institution's assets minus
23 liabilities.

24 (7) Any investment authorized by 20 Pa.C.S. Ch. 73 (relating
25 to fiduciaries investments) shall be an authorized investment
26 for any pension or retirement fund.

27 (e) In making investments of township funds, the supervisors
28 shall have authority:

29 (1) To permit assets pledged as collateral under subsection
30 (d)(3), to be pooled in accordance with the act of August 6,

1 1971 (P.L.281, No.72), relating to pledges of assets to secure
2 deposits of public funds.

3 (2) To combine moneys from more than one fund under township
4 control for the purchase of a single investment, provided that
5 each of the funds combined for the purpose shall be accounted
6 for separately in all respects and that the earnings from the
7 investment are separately and individually computed and
8 recorded, and credited to the accounts from which the investment
9 was purchased.

10 (3) To join with one or more other political subdivisions
11 and municipal authorities in accordance with the act of July 12,
12 1972 (P.L.762, No.180), entitled "An act relating to
13 intergovernmental cooperation," in the purchase of a single
14 investment, provided that the requirements of clause (2) on
15 separate accounting of individual funds and separate
16 computation, recording and crediting of the earnings therefrom
17 are adhered to.

18 Section 902.2. Amending Budget; Notice.--During the month of
19 January next following any municipal election, the supervisors
20 of any township may amend the budget and the levy and tax rate
21 to conform with its amended budget. A period of ten days' public
22 inspection at the office of the township secretary of the
23 proposed amended budget, after notice by the township secretary
24 to that effect is published once in a newspaper as provided by
25 section 110 of this act, shall intervene between the proposed
26 amended budget and the adoption thereof. Any amended budget must
27 be adopted by the township supervisors on or before the
28 fifteenth day of February.

29 No such proposed amended budget shall be revised upward in
30 excess of ten percent in the aggregate thereof or as to an

1 individual item in excess of twenty-five percent of the amount
2 of such individual item in the proposed amended budget.

3 Within fifteen days after the adoption of an amended budget,
4 the township secretary shall file a copy thereof in the office
5 of the Department of Community Affairs.

6 Section 903. Temporary Indebtedness.--Whenever the township
7 road funds have been exhausted, the board of supervisors may
8 borrow, on the credit of the township, money in anticipation of
9 taxes to be collected for the current fiscal year and issue a
10 certificate of indebtedness payable on a certain date within the
11 current fiscal year, to the end that work may be performed in
12 proper season and in accordance with rules and regulations
13 prescribed.

14 Section 904. Sale of Bonds.--Bonds and other obligations,
15 issued for the repayment of money borrowed, except tax
16 anticipation notes, shall be issued and sold in the manner
17 provided by the Municipal Borrowing Law, and its amendments.

18 Section 905. Township and Special Tax Levies.--A. The board
19 of township supervisors may, by resolution, levy taxes upon all
20 real property and upon all occupations, or upon real property
21 alone, within the township made taxable for township purposes,
22 as ascertained by the last adjusted valuation for county
23 purposes, for the purposes and at the rates hereinafter
24 specified. All taxes shall be collected in cash.

25 1. An annual township tax, for road, bridge, and general
26 township purposes, not later than the fourth Monday of March of
27 each year, not exceeding fourteen mills. Where the board of
28 supervisors, by a majority action, shall, upon due cause shown,
29 petition the court of quarter sessions for the right to levy
30 additional millage, the court, after such public notice as it

1 may direct and after hearing, may order a greater rate than
2 fourteen mills but not exceeding five additional mills, to be
3 levied. Such annual township tax shall include all levies for
4 road, bridge and general township purposes.

5 2. Upon receipt of a petition of a majority of the owners of
6 real estate of the township requesting it, an annual tax, not
7 exceeding five mills, for the purpose of lighting the highways,
8 roads and other public places in the township, in the manner
9 provided by the general powers of this act, and of defraying the
10 cost, charges and expenses thereof. Nothing contained herein
11 shall require a petition of owners of real estate in any
12 township, which is now lighting its streets and imposing taxes
13 under this subsection for such purposes.

14 3. An annual tax so long as necessary not exceeding fifty
15 per centum of the rate of assessment for the township tax, for
16 the purpose of procuring a lot and erecting a building thereon
17 for a townhouse, and for the payment of indebtedness incurred in
18 connection therewith.

19 4. An annual tax, not exceeding three mills, pursuant to
20 provision therefor in the township budget, for the purpose of
21 purchasing and maintaining fire apparatus, for the purpose of
22 making appropriations to fire companies both within and without
23 the township and of contracting with adjacent municipalities or
24 volunteer fire companies therein for fire protection, for the
25 purchase and maintenance of fire apparatus, and for the purposes
26 of providing a suitable place for the housing of fire apparatus.
27 If an annual tax for the purposes specified in this clause is
28 proposed to be set at a level higher than three mills, the
29 question shall be submitted to the voters of the township, and
30 the county board of elections shall frame the question in

1 accordance with the election laws of the Commonwealth for
2 submission to the voters of the township.

3 5. A tax not exceeding two mills for the purpose of
4 establishing and maintaining fire hydrants and fire hydrant
5 water service, after obtaining the assent of fifty-one per
6 centum of the electors of the township voting thereon, in the
7 manner provided in this act.

8 6. A tax, for the purpose of maintaining and operating
9 parks, playgrounds, playfields, gymnasiums, public baths,
10 swimming pools and recreation centers as hereinafter provided.

11 7. Annual tax sufficient to pay interest and principal on
12 any indebtedness incurred pursuant to the act of July 12, 1972
13 (P.L.781, No.185), known as the "Local Government Unit Debt
14 Act," or any prior or subsequent act governing the incurrence of
15 indebtedness of the township.

16 8. An annual tax, not exceeding one-half mill, for the
17 purpose of supporting ambulance and rescue squads serving the
18 township, except as provided in subsection D.

19 B. Whenever the assent of the electors is required as
20 hereinbefore provided the same shall be expressed at an election
21 to be held at the place and time of any general, special or
22 primary election, and under the same regulations as provided by
23 law for the holding of municipal elections. At such election,
24 the election officers shall receive ballots from the electors,
25 which shall be prepared in the manner prescribed by the
26 Pennsylvania Election Code.

27 C. This article does not include the levy of any taxes upon
28 particular districts or parts of any township for particular
29 purposes.

30 D. The tax for supporting ambulance and rescue squads

1 serving the township shall not exceed the rate specified in
2 clause 8 of subsection A, except when the question is submitted
3 to the voters of the township in the form of a referendum which
4 will appear on the ballot in accordance with the election laws
5 of the Commonwealth in which case the rate shall not exceed two
6 mills. The county board of elections shall frame the question to
7 be submitted to the voters of the township in accordance with
8 the election laws of the Commonwealth.

9 Section 905.1. Additions and Revisions to Duplicates.--

10 Whenever in any township, there is any construction of a
11 building or buildings not otherwise exempt as a dwelling after
12 January first of any year and the building is not included in
13 the tax duplicate of the township, the authority responsible for
14 assessments in the township shall, upon the request of the
15 township supervisors, direct the assessor in the township to
16 inspect and reassess, subject to the right of appeal and
17 adjustment provided by the act of Assembly under which
18 assessments are made, all taxable property in the township to
19 which major improvements have been made after January first of
20 any year and to give notice of such reassessments within ten
21 days to the authority responsible for assessments, the township
22 and the property owner. The property shall then be added to the
23 duplicate and shall be taxable for township purposes at the
24 reassessed valuation for that proportionate part of the fiscal
25 year of the township remaining after the property was improved.
26 Any improvement made during the month shall be computed as
27 having been made on the first of the month. A certified copy of
28 the additions or revisions to the duplicate shall be furnished
29 by the township supervisors to the township tax collector,
30 together with their warrant for collection of the same, and

1 within ten days thereafter, the township tax collector shall
2 notify the owner of the property of the taxes due the township.

3 Whenever an assessment is made for a portion of a year as
4 above provided, the same shall be added to the duplicate of the
5 following or succeeding year unless the value of the
6 improvements has already been included in said duplicate.

7 Section 906. Tax Rate to be Expressed in Dollars and
8 Cents.--Whenever the supervisors of any township shall, by
9 resolution, fix the rate of taxation for any year at a mill
10 rate, such resolution shall also include a statement expressing
11 the rate of taxation in dollars and cents on each one hundred
12 dollars of assessed valuation of taxable property.

13 Section 907. Special Levies Ordered by Court to Pay Debts.--
14 In addition to the levies hereinbefore provided for, when it is
15 shown to the court that the debts due by any township exceed the
16 amount which the supervisors may collect in any year by
17 taxation, the court, after ascertaining the amount of
18 indebtedness of any such township, may, by a writ of mandamus,
19 direct the township supervisors, by special taxation, to collect
20 an amount sufficient to pay the same. If the amount of such
21 indebtedness is so large as to render it inadvisable to collect
22 the same in any one year taking into consideration other
23 necessary taxation, the court may direct the same to be levied
24 and collected by annual installments, and may order such special
25 taxes to be levied and collected during such successive years as
26 may be required for payment of the same.

27 Section 908. Appeals to Court to Reduce Budget and Tax
28 Rate.--(a) Taxpayers whose property valuation as assessed for
29 taxable purposes within the township shall amount to twenty-five
30 per centum or over of the total valuation as assessed for

1 taxable purposes within the township, may, within fifteen days
2 after the board of township supervisors have adopted the budget
3 and determined the amount of the tax levy for the township,
4 petition the court of common pleas of the county in which such
5 township is located to examine into the necessity therefor and
6 the reasonableness of the various items in the budget of the
7 township and to reduce the proposed tax levy. Each such petition
8 shall contain a specification of objections and shall be
9 accompanied by the affidavit of one of the petitioners that the
10 proceedings have not been instituted for the purpose of delay,
11 and that the facts set forth in the petition are true and
12 correct to the best of his knowledge and belief. The petitioners
13 shall also file bond in the total amount of five hundred dollars
14 with good and sufficient surety to be approved by the court,
15 conditioned upon the payment of the costs if the court shall
16 assess the costs upon the petitioners.

17 Immediately upon the filing of such petition, the petitioners
18 shall serve a copy of the petition upon the president or
19 secretary of the board of township supervisors.

20 (b) Upon the filing of such petition, the court shall fix a
21 day for a hearing not less than fifteen nor more than thirty
22 days after such petition has been filed. Notice of such hearing
23 shall be given to all interested parties in such manner as the
24 court shall direct. On such hearing, it shall be the duty of the
25 court to examine into the necessity for and the reasonableness
26 of the various items of the budget and the amount of the
27 proposed levy. The court shall thereupon make an order approving
28 the budget and levy or reducing or eliminating any one or more
29 of the items of the budget and reducing the levy.

30 If no appeal shall be taken from such order as herein

1 provided, the budget and levy shall remain as constituted by the
2 court.

3 (d) Neither the filing of any such petition, shall act as a
4 supersedeas.

5 (e) The budget and tax levy as approved or revised by the
6 final order of the court shall be the budget and tax levy for
7 such township. Any contract, agreement, or undertaking which
8 relates to an item of the budget which has been attacked in the
9 petition, and which shall be entered into during the pendency of
10 such proceedings, shall be cancelled or made to conform to such
11 budget.

12 If such final order reduces the proposed levy, the
13 supervisors shall revise the tax duplicates in conformity with
14 such order and any levy, made during the pendency of the
15 proceedings, shall be subject to revision in accordance with
16 such order.

17 Section 909. Duplicates; Abatements and Penalties.--The
18 township supervisors shall make or cause a duplicate to be made
19 designating the amount of township tax levied against each
20 taxpayer of the township, and also duplicates for all other
21 taxes levied and assessed under the provisions of this act, and
22 shall deliver the same, within thirty days after the adoption of
23 the budget or within thirty days after receipt of the assessment
24 roll from the county, whichever is later, to the township
25 collector.

26 Section 910. Revolving Fund; Special Tax; Bond Issue.--
27 Townships are hereby empowered to levy and collect annually, a
28 tax upon all property taxable for township purposes, not to
29 exceed five mills on the dollar in any one year, for the purpose
30 of creating and maintaining a revolving fund to be used by such

1 township in making permanent street, sidewalk, water supply, or
2 sewer improvements prior to the collection of the cost and
3 expense, or any part thereof, from the property owners adjoining
4 or abutting thereon by such township under existing laws. Any
5 such revolving fund may also be begun by funds raised through
6 the issuance of general obligation bonds of the township, in the
7 manner provided by law, for the making of permanent street,
8 sidewalk, water supply or sewer improvements.

9 Section 911. Repayments Into Revolving Fund.--When the cost
10 and expense, or any part thereof, of the construction of any
11 permanent street, sidewalk, water supply or sewer improvement,
12 which has been made under existing laws, and which has been
13 aided in its construction from the said revolving fund, hereby
14 provided for, shall have been assessed and collected from the
15 owners of the property adjoining or abutting upon such
16 improvement, it shall be applied to the credit of said revolving
17 fund to the extent of the withdrawal therefrom for such purpose.

18 Section 912. Road Machinery Fund; Special Tax.--Townships
19 are hereby empowered to create a special fund to be known as the
20 road machinery fund and to accumulate therein moneys to be used
21 exclusively for purchasing road machinery. Such special fund may
22 consist of, (1) moneys transferred during any fiscal year from
23 appropriations made from the general township fund; (2) moneys
24 transferred from surplus moneys in the general township fund at
25 the end of any fiscal year; and (3) moneys appropriated to the
26 fund in the annual budget from the receipts of a special tax,
27 not exceeding two mills, which the supervisors may levy and
28 collect for that purpose, annually, upon all property taxable
29 for township purposes.

30

ARTICLE X

1 EMINENT DOMAIN; ASSESSMENT OF
2 DAMAGES AND BENEFITS

3 (a) General Provisions Relating to Eminent Domain

4 Section 1001. Scope of Article.--Whenever under the
5 provisions of this act, the right of eminent domain or the
6 ascertainment and assessment of damages and benefits in viewer
7 proceedings is provided for and vested in a township, the
8 proceeding shall be as set forth in this article.

9 Section 1002. Restrictions as to Certain Property.--In
10 addition to the restrictions made by other provisions of this
11 act in particular cases, no township shall exercise right of
12 eminent domain as against land now occupied by any building
13 which was used during the Colonial or Revolutionary period as a
14 place of Assembly by the Council of the Colony of Pennsylvania,
15 the Supreme Executive Council of the Commonwealth of
16 Pennsylvania, or the Congress of the United States; or as
17 against the land occupied by any fort, redoubt, or blockhouse,
18 erected during the Colonial or Revolutionary period, or any
19 building used as headquarters by the Commander-in-Chief of the
20 Continental Army; or as against the site of any building, fort,
21 redoubt, blockhouse, or headquarters, which are preserved for
22 their historic associations and not for private profit. The
23 Colonial and Revolutionary period shall be taken as ended on the
24 third day of September, one thousand seven hundred and eighty-
25 three.

26 Section 1006. Value of Land or Property Not to Be Assessed
27 as Benefits; Exception.--In all cases of the appropriation of
28 land or property for public use, other than for roads, it shall
29 not be lawful to assess any portion of the damage done to or
30 value of the land or property, so appropriated, against the

1 other property adjoining or in the vicinity of the land or
2 property so appropriated.

3 Section 1016. Title Acquired.--In all cases where land or
4 property is taken under eminent domain proceedings, other than
5 for road purposes, or is acquired by gift, purchase or
6 otherwise, the title obtained by the township shall be in fee
7 simple: Provided, That in particular instances a different title
8 may, by agreement, be acquired.

9 (b) Procedure for the Exercise of Eminent Domain and for the
10 Assessment of Damages and Benefits

11 Section 1024. Assessment of Damages and Benefits.--The
12 damages may be paid in whole or in part by the township, or may
13 be assessed in whole or in part upon the property benefited. In
14 the latter case, the viewers, having first determined the
15 damages apart from the benefits, shall assess the total cost of
16 the improvement, or so much thereof as may be just and
17 reasonable, upon the properties peculiarly benefited, including
18 in the assessment all parties for which damages have been
19 allowed, and shall report the same to the court. The total
20 assessment for benefits shall not exceed the total damages
21 awarded or agreed upon.

22 Section 1025. Assessment Awards.--In proceedings to assess
23 damages and benefits, if the land or property is both benefited
24 and damaged by such improvements, the excess of damages over
25 benefits, or the excess of benefits over damages, or nothing in
26 case the benefits and damages are equal, shall be awarded to or
27 assessed against the owner of land or property affected thereby.

28 Section 1052. Assessments to Bear Interest.--All assessments
29 for benefits, costs, and expenses shall bear interest at six per
30 centum per annum from the expiration of thirty days after they

1 shall have been finally ascertained, and shall be payable to the
2 treasurer of the township.]

3 ARTICLE [XI] XXIII

4 ROADS, STREETS, BRIDGES AND HIGHWAYS

5 [(a) Laying Out, Opening, Widening, Straightening, Vacating
6 and Relaying Roads, Et Cetera, Repairs and Detours]

7 Section 2301. Road and Bridge Maintenance, Repair and
8 Construction.--(a) The board of supervisors may purchase or
9 hire materials, equipment, machinery and implements necessary
10 for the construction, repair and maintenance of roads and
11 bridges and make and maintain bridges over streams, gullies,
12 canals and railroads where bridges are necessary for the ease
13 and safety of travelers. The bridges shall be deemed to be a
14 part of the road.

15 (b) The board of supervisors may, for adequate
16 consideration, construct, reconstruct, improve or maintain
17 driveways on lands owned or occupied by school districts in the
18 township.

19 (c) The board of supervisors may construct, reconstruct and
20 improve and contract for the construction, reconstruction and
21 improvement of roads in the township.

22 (d) The board of supervisors may, for adequate
23 consideration, contract with the Commonwealth, a county or a
24 municipal corporation to construct, reconstruct, improve or
25 maintain public roads or highways under the jurisdiction of the
26 Commonwealth, a county or a municipal corporation. Contracts
27 executed under this subsection need not be submitted to the
28 Local Government Commission for review under the act of July 12,
29 1972 (P.L.762, No.180), referred to as the Intergovernmental
30 Cooperation Law.

1 (e) The board of supervisors may employ one or more
2 roadmasters. The roadmasters are subject to removal by the board
3 of supervisors.

4 Section 2302. Duties of Roadmasters.--The roadmasters shall:

5 (1) Report to the board of supervisors any information that
6 may be required by the board of supervisors and by the
7 Department of Transportation.

8 (2) Inspect all roads and bridges as directed by the board
9 of supervisors.

10 (3) Do or direct to be done all work necessary to carry out
11 the responsibilities imposed by the board of supervisors with
12 respect to the maintenance, repair and construction of township
13 roads.

14 Section 2303. Road Complaints.--If any complaint alleges
15 that the public roads and highways of any township are not
16 maintained in accordance with law, the court may appoint three
17 persons who shall examine the highways and report the findings
18 to the court. In these cases, the complainants shall first enter
19 security, in a sum as the court may fix, to pay all costs.

20 [Section 1101. Power to Lay Out, Open, Widen, Vacate, Et
21 Cetera.--The township supervisors may by ordinance enact,
22 ordain, survey, lay out, open, widen, straighten, vacate and
23 relay all roads and parts thereof which are wholly within the
24 township, upon the petition of interested citizens, or without
25 petition if in the judgment of the supervisors, it is necessary.
26 Such power shall include authority to vacate, in whole or in
27 part, roads laid out by the Commonwealth, where the same have
28 remained unopened for a period of thirty years, and also the
29 authority to lay out and open a public road which will be a
30 continuation or extension of a street already opened by an

1 adjacent city, borough or township, and to provide in any
2 ordinance for the vacation of a road, that all or part thereof
3 shall be a private road. The township supervisors may also, by
4 ordinance, enact, ordain, survey, lay out, open, widen,
5 straighten, vacate and relay roads, partly within the township,
6 where similar concurrent action is taken by the authorities of
7 all political subdivisions wherein the road is located.

8 The township supervisors may also, by ordinance, provide for
9 the widening, straightening or improvement of a State highway,
10 with the consent of the Secretary of Highways, by the adoption
11 of a plan therefor, and may expend township funds in connection
12 therewith. The supervisors may adopt a plan of the Department of
13 Highways as the official plan of the township.

14 When any petition is presented to the township supervisors
15 under the provisions of this section and the supervisors fail to
16 act on the petition within sixty (60) days, the petitioners may
17 present their petition to the court of quarter sessions which
18 shall proceed thereon as provided by the general road law.

19 No such road shall be laid out and opened through any burial
20 ground or cemetery, nor through any grounds occupied by a
21 building used as a place for public worship, or as a public or
22 parochial school, or educational or charitable institution, or
23 seminary, unless the consent of the owner or corporation or
24 person controlling the premises is first secured.]

25 Section 2304. Power to Lay Out, Open, Widen, Vacate, Et
26 Cetera.--(a) The board of supervisors may, by ordinance, enact,
27 ordain, survey, lay out, open, widen, straighten, vacate and
28 relay all roads and bridges and parts thereof which are located
29 wholly or partially within the township.

30 (b) The board of supervisors may, by ordinance, provide for

1 the widening, straightening or improvement of a State highway,
2 with the consent of the Department of Transportation, and may
3 spend township funds in connection therewith.

4 (c) When any petition is presented to the board of
5 supervisors requesting the board of supervisors to open or
6 vacate a specific road in the township and the board of
7 supervisors fails to act on the petition within sixty days, the
8 petitioners may present their petition to the court of common
9 pleas which shall proceed thereon under the act of June 13, 1836
10 (P.L.551, No.169), referred to as the General Road Law. If the
11 board of supervisors acts on the petition but denies the request
12 of the petition, the board of supervisors shall notify the
13 person designated in the petition of its denial. If the request
14 of the petition is denied, the petitioners, or a majority of
15 them, may, within thirty days after receipt of the notice,
16 petition the court of common pleas for the appointment of
17 viewers and proceedings shall be taken thereon under the General
18 Road Law.

19 (d) No road shall be laid out and opened through any burial
20 ground or cemetery, nor through any grounds occupied by a
21 building used as a place for public worship or as a public or
22 parochial school, educational or charitable institution or
23 seminary, unless the consent of the owner of the premises is
24 first secured. If the owner is unknown, this prohibition does
25 not apply.

26 [Section 1102. Hearing; Report; Exceptions Thereto; View and
27 Notice.--(a) Prior to the passage of any ordinance for the
28 laying out, opening, changing or vacating of any road or highway
29 or section thereof, the supervisors shall give ten days' written
30 notice to the property owners affected thereby of the time and

1 place when and where all parties interested may meet and be
2 heard. Witnesses may be summoned and examined by the supervisors
3 and by the parties interested at such meeting or any adjournment
4 thereof.

5 (b) After such hearing, should the supervisors, or a
6 majority thereof, decide in favor of exercising the power, so
7 conferred, they shall enact the necessary ordinance and file a
8 copy of such ordinance, together with a draft or survey of the
9 road showing the location and width thereof, in the office of
10 the clerk of court of quarter sessions.

11 (c) Any citizen or free holder of the township may, within
12 thirty days after the filing of the ordinance of the
13 supervisors, upon entering in the court sufficient surety to
14 indemnify them for all costs incurred in the proceedings, file
15 exceptions to the ordinance together with a petition for a
16 review. Thereupon, the court of quarter sessions shall appoint
17 viewers from the county board of viewers for the purpose of
18 reviewing the ordinance and exceptions thereto.

19 (d) After the expiration of the term allowed for filing
20 exceptions, or upon the order of the court upon the disposition
21 of any exceptions, in case the compensation for the damages or
22 benefits accruing therefrom have not been agreed upon, the court
23 of common pleas, or any law judge thereof in vacation, on
24 application by petition by the supervisors, or any person
25 interested, shall appoint three viewers from the county board of
26 viewers to assess the damages and benefits occasioned by the
27 proceeding.

28 (e) All ordinances enacted under the provisions of this
29 section shall be advertised in the same manner as provided for
30 in Article VII., section 702, clause XLI.

1 (f) All petitions shall be acted on within sixty (60) days
2 after the hearing thereon. Within such period, the supervisors
3 shall notify the person designated in the petition of their
4 action thereon. If the prayer of the petition is refused, the
5 petitioners, or a majority of them, may, within thirty days
6 after receipt of the notice, petition the court of quarter
7 sessions for the appointment of viewers and proceedings shall be
8 had thereon in accordance with the general road law.]

9 Section 2305. Hearing; Report; Exceptions Thereto; View and
10 Notice.--(a) Before the passage of any ordinance for the laying
11 out, opening, changing or vacating of any road or highway or
12 section thereof, the board of supervisors shall give ten days'
13 written notice to the owners of property adjacent to the road or
14 portions thereof involved of the time and place set for a
15 hearing on the proposed ordinance.

16 (b) If the board of supervisors votes in favor of exercising
17 the power, it shall enact the necessary ordinance and file a
18 copy of the ordinance, together with a draft or survey of the
19 road showing the location and width thereof, in the office of
20 the clerk of the court of common pleas.

21 (c) Any resident or property owner affected by the ordinance
22 may, within thirty days after the enactment of the ordinance of
23 the board of supervisors, upon entering in the court sufficient
24 surety to indemnify the board of supervisors for all costs
25 incurred in the proceedings, file exceptions to the ordinance
26 together with a petition for a review. Upon receipt of the
27 exception and surety, the court of common pleas shall appoint
28 viewers from the county board of viewers for the purpose of
29 reviewing the ordinance and exceptions thereto.

30 (d) After the expiration of the term allowed for filing

exceptions or upon the order of the court upon disposition of any exceptions, the court of common pleas, on application by petition by the board of supervisors or any person interested, shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding unless the damages and benefits are otherwise agreed upon.

[Section 1103. Width of Public Roads.--The width of a public road in townships of the second class shall not be less than thirty-three feet or more than one hundred and twenty feet: Provided, That when the public road desired to be opened is in a built up section of any township of the second class, of the type commonly known as an alley, and is not an integral part of a through route, the minimum width may be fifteen feet: And, provided, That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified.]

Section 2306. Width of Public Roads.--The width of the right-of-way of a public road in townships shall not be less than thirty-three feet or more than one hundred and twenty feet, and the width of the right-of-way of alleys opened by the township as public roads shall not be less than fifteen feet. The minimum required width shall be in addition to any width required for necessary slopes in cuts or fills.

[Section 1104. Laying Out Roads Under the General Road Law.--All roads may be laid out, widened, changed or vacated by the courts of quarter sessions, as heretofore in the manner provided by the general road law and the amendments, additions, and supplements thereto. All damages and benefits occasioned by such laying out, and the subsequent opening thereof, or by any

1 such widening, changing or vacation shall be assessed, collected
2 and paid in the manner provided by the general road law and the
3 amendments, additions and supplements thereto.

4 (b) Certain Roads Declared to Be Public Roads

5 Section 1105. Certain Roads Declared Public Roads.--Every
6 road not of record which has been used for public travel and
7 maintained and kept in repair by the expenditure of township
8 funds for a period of at least twenty-one years and upwards
9 shall be deemed to be a public road of the width of thirty-three
10 feet notwithstanding the fact that there is no public record of
11 the laying out of such road or a dedication thereof for public
12 use. In all such cases the lawful laying out and opening or
13 dedication of such roads of the width hereinbefore specified
14 shall be conclusively presumed.]

15 Section 2307. Certain Roads Declared Public Roads.--Every
16 road which has been used for public travel and maintained and
17 kept in repair by the township for a period of at least twenty-
18 one years is a public road having a right-of-way of thirty-three
19 feet even though there is no public record of the laying out or
20 dedication for public use of the road.

21 [(c) Opening and Repairing Roads, Detours, Et Cetera

22 Section 1110. Opening, Repairing and Closing Roads.--Public
23 roads in townships shall, as soon as may be practicable, be
24 effectually opened and constantly kept in repair. All public
25 roads shall at all seasons be kept reasonably clear of all
26 impediments to easy and convenient traveling at the expense of
27 the township.

28 The supervisors of any township may temporarily close any
29 township road when, in their opinion, excessive or unusual
30 conditions have rendered such road unfit or unsafe for travel

1 and immediate repair, because of the time of year or other
2 conditions, is impracticable. The road or portion of road so
3 closed shall be properly marked at its extremities and a means
4 of passage for the customary users of such road shall, whenever
5 possible, be provided.

6 Anyone using such road or portion thereof after the same has
7 been properly closed and marked, without a permit from the
8 supervisors, shall upon conviction thereof in a summary
9 proceeding, pay a fine of not more than one hundred dollars, and
10 in default of the payment of such fine and costs, shall be
11 sentenced to imprisonment of not more than ten days. All fines
12 so recovered shall be payable to the general township fund.]

13 Section 2308. Opening, Repairing and Closing Roads.--(a)
14 Public roads in townships shall, as soon as practicable, be
15 effectually opened. All public roads shall at all seasons be
16 kept in repair and reasonably clear of all impediments to easy
17 and convenient traveling at the expense of the township.

18 (b) The board of supervisors may temporarily close any
19 township road when it determines that conditions have rendered
20 that road unfit or unsafe for travel and immediate repair or
21 maintenance, because of the time of year or other conditions, is
22 impracticable. The road or portion of road closed shall be
23 properly marked at its extremities, and a means of passage for
24 the customary users of the road shall, when possible, be
25 provided.

26 (c) Anyone using the road or portion thereof after the road
27 has been properly closed and marked, without a permit from the
28 board of supervisors, commits a summary offense. All fines
29 recovered are payable to the general township fund. Persons who
30 have no outlet due to the closing of a road may drive on, over

1 or across the road with the written consent of, and subject to
2 conditions imposed by, the board of supervisors or their agents
3 or contractors without being subject to the penalties imposed by
4 this section.

5 [Section 1111. Time Within Which Roads to Be Opened.--

6 Whenever proceedings have been heretofore or may hereafter be
7 begun for the opening and laying out of any public road in any
8 township, such public road shall be physically opened upon the
9 ground for use by the public within a period of five years next
10 after the completion of such proceeding, and if not so opened,
11 or if no proceedings have been commenced to compel such opening
12 in five years, then such proceedings shall be deemed to be void
13 and of no effect, and the land proposed to be taken shall revert
14 to the owners of the land, as in the case of the vacation of a
15 public road free of any easement or right of the public to use
16 the same.]

17 Section 2309. Time Within Which Roads to be Opened.--When
18 proceedings have been initiated under this act for the opening
19 and laying out of any public road in the township, the road
20 shall be physically opened for use by the public within a period
21 of five years after completion of the proceeding. If the road is
22 not opened or if no proceedings have been commenced to compel
23 the opening in five years, then the proceedings are void and the
24 land proposed to be taken shall revert to the owners of the land
25 free of any easement or right of the public to use the land.

26 [Section 1112. Detours.--Except in the case of emergencies
27 wherein the safety of the public would be endangered, no public
28 road of any township shall be closed to vehicular traffic,
29 except upon order of the supervisors having charge of the
30 maintenance of such public road, nor for a longer period than is

1 necessary for the purpose for which such order is issued:
2 Provided, however, That no public road shall be closed to
3 vehicular traffic when the same has been designated as a detour
4 by the State Department of Highways, unless the written consent
5 of the State Department of Highways has first been obtained, or
6 unless the supervisors having jurisdiction over said road shall,
7 by resolution duly recorded on their minutes, declare such
8 closing necessary for the protection of the public safety.

9 When any public road shall be closed, as hereinbefore
10 provided, it shall be the duty of the supervisors authorizing
11 the closing immediately to designate or lay out a detour, on
12 which they shall erect or cause to be erected and maintained
13 while such detour is in use legible direction signs at each
14 public road intersection throughout its entire length. During
15 the period when such detour is in use, it shall be the duty of
16 the supervisors closing the road to maintain such detour in safe
17 and passable condition, except in the case of State and county
18 highways. It shall also be the duty of the supervisors closing
19 the road and maintaining the detour immediately to remove all
20 detour signs when the road originally closed is open for
21 traffic. Except in the case of State and county highways, said
22 supervisors shall, as soon as possible, repair the road
23 designated as a detour, and place same in a condition at least
24 equal to its condition when designated as a detour. Whenever
25 necessary in the creation of a detour, as aforesaid, the
26 supervisors responsible for laying out the detour may acquire by
27 agreement, or right of eminent domain, right-of-way privileges
28 over private property for the period when the road shall be
29 closed to traffic. In the exercise of the rights conferred by
30 this section, the supervisors are hereby empowered to pay for

1 the necessary maintenance, subsequent repair, and land rental
2 out of such funds as are available for the construction and
3 maintenance of the roads in their charge.

4 Any person who shall wilfully remove, deface, destroy or
5 disregard any barricade, light, danger sign, detour sign, or
6 warning of any other character whatsoever, erected or placed
7 under authority of this section, or who shall drive on, over or
8 across any road which has been properly closed, shall, upon
9 conviction thereof in a summary proceeding before a justice of
10 the peace, be sentenced to pay a fine of not more than one
11 hundred dollars, and the costs of prosecution, and, in default
12 of the payment thereof, shall be imprisoned one day for each
13 dollar of fine and costs unpaid: Provided, however, That persons
14 who have no outlet due to the closing of a road may drive on,
15 over or across such road with the consent in writing of, and
16 subject to such conditions as may be prescribed by, the
17 supervisors or their agents or contractors, without being
18 subject to the penalties imposed by this section.

19 In addition to the penalties imposed by this section, the
20 supervisors responsible for the maintenance of a road which has
21 been closed to vehicular traffic, or their agents or
22 contractors, may in an action at law, recover damages from any
23 person or persons who have damaged a road by driving on, over or
24 across same when it is closed to vehicular traffic in accordance
25 with the provisions of this act.

26 All fines and moneys collected under the provisions of this
27 section shall be paid by the officer receiving the same to the
28 treasurer of the township in which the offense was committed and
29 credited to the general township fund.]

30 Section 2310. Detours.--(a) Except for emergencies, no

1 public road shall be closed to traffic except upon order of the
2 board of supervisors, and no public road shall be closed to
3 traffic when it has been designated as a detour by the
4 Department of Transportation unless the written consent of the
5 Department of Transportation is first obtained or unless the
6 board of supervisors, by resolution, declares the closing
7 necessary for the protection of the public safety.

8 (b) When any public road is closed, the board of supervisors
9 shall designate a detour on which shall be erected and
10 maintained while the detour is in use legible direction signs at
11 each public road intersection through the length of the detour.
12 When the detour is in use, the board of supervisors shall
13 maintain the detour in safe and passable condition, except for
14 State and county highways. The board of supervisors shall
15 immediately remove all detour signs when the road that was
16 originally closed is open for traffic. Except for State and
17 county highways, the board of supervisors may acquire, by
18 agreement or right of eminent domain, right-of-way privileges
19 over private property for the period when the road is closed to
20 traffic. In the exercise of the rights conferred by this
21 section, the board of supervisors may pay for the necessary
22 maintenance, subsequent repair and land rental.

23 (c) Any person who removes, defaces, destroys or disregards
24 any barricade, light, danger sign, detour sign or warning of any
25 other character whatsoever erected or placed under authority of
26 this section or who drives on, over or across any road which has
27 been properly closed commits a summary offense.

28 (d) In addition to the penalties imposed by this section,
29 the board of supervisors may, in an action at law, recover
30 damages from any person or persons who have damaged a road by

1 driving on the road when it is closed to vehicular traffic under
2 this act.

3 (e) All fines and moneys collected under this section shall
4 be paid to the township treasurer.

5 [(d) Relocating or Vacating Roads by Agreement
6 with Property Owners

7 Section 1115. Relocating or Vacating Roads by Agreement.--
8 Whenever the supervisors of any township deem it advisable to
9 relocate any part of any public road under their supervision, or
10 to vacate any abandoned portion of a State highway not vacated
11 by the Department of Highways, and can agree with the property
12 owners affected by such relocation or vacation, they may
13 relocate or vacate such part of such public road, as
14 contemplated in such agreement, without the formality of a view.

15 A petition setting forth the facts regarding such relocation
16 or vacation accompanied by a map or draft of the same, shall be
17 presented to the court of quarter sessions for approval before
18 such actual relocation or vacation is made; whereupon the new
19 location, approved by the court, shall be taken to be the public
20 road and the old location shall be vacated, or the abandoned
21 State highway shall be vacated, as the case may be.]

22 Section 2311. Relocating or Vacating Roads by Agreement.--

23 (a) When the board of supervisors relocates or vacates any part
24 of any public road under its supervision and can agree with the
25 property owners affected by the relocation or vacation, it may
26 relocate or vacate the public road without the formality of a
27 view.

28 (b) A copy of the agreement setting forth the facts
29 regarding the relocation or vacation, accompanied by a map or
30 draft of the road agreed to be relocated or vacated, shall be

1 presented and recorded in the office of the recorder of deeds or
2 similar office in home rule counties after which the new
3 location is the public road or the old location is vacated.

4 [(e) Elimination of Curves

5 Section 1120. Elimination of Curves.--Any township may
6 acquire, by purchase or by the right of eminent domain, any such
7 property and lands situate along or adjacent to any township
8 road, as, in the opinion of the supervisors of such township,
9 may be necessary to eliminate dangerous curves and widen narrow
10 roads for the better protection and safety to the traveling
11 public.

12 Upon any such purchase or condemnation the supervisors may,
13 from time to time, abate or remove, or cause to be abated or
14 removed, any such dangerous curve or curves, or widen such
15 narrow road to the extent of the property and land so acquired.

16 The proceedings for the condemnation of such property or land
17 under the provisions of this section, and for the assessment of
18 damages for property or land taken, injured or destroyed, shall
19 be taken in the manner provided by this act for the condemnation
20 of land by townships.]

21 Section 2312. Elimination of Curves; Acquisition of Views.--

22 (a) Any township may acquire, by purchase or by the right of
23 eminent domain, any property and lands along or adjacent to any
24 township road that may be necessary to eliminate dangerous
25 curves and widen roads and provide a free and unobstructed view
26 over lands located at or near the intersection of any two roads
27 or highways, or a road and a railroad or railway, or at any
28 curve in any road, for the better protection and safety to the
29 traveling public.

30 (b) The proceedings for the condemnation of the property or

1 land and for the assessment of damages for property or land
2 taken, injured or destroyed shall be taken under Article XXXIV.

3 [(f) Acquisition of Unobstructed Views at

4 Curves and Intersections

5 Section 1125. Acquisition of Views.--Any township may
6 acquire, by purchase or by the right of eminent domain, a free
7 and unobstructed view down and across such lands located at or
8 near the intersection of any two roads or highways, or a road
9 and a railroad or railway, or at any curve in any road, as may
10 be necessary to assure a free and unobstructed view in all
11 directions at such crossings or curves, and to so prevent the
12 use of such lands for any purpose or in any manner which may
13 interfere with or obstruct the vision of persons traveling upon
14 any such highways.

15 Upon any such condemnation, the township, having had such
16 view condemned may, from time to time, abate or remove, or cause
17 to be abated or removed, any obstruction to such view over and
18 across such lands.

19 The proceedings for the condemnation of such view over and
20 across such lands and for the assessment of damages for property
21 taken, injured or destroyed shall be taken in the manner
22 provided in this act.

23 Upon the condemnation of such a view, the owner of such lands
24 may make every such use thereof as will not interfere with a
25 free and unobstructed view at such dangerous crossing or curve,
26 and, unless specially provided for in such condemnation
27 proceedings, such condemnation shall not be construed to prevent
28 the owner thereof from using such land for pasture or the
29 growing of grass, oats, wheat, or other crops which will not
30 obstruct the vision more than wheat.

1 (g) Relocation, Alteration and Vacation of Roads

2 in or near State Parks

3 Section 1130. Agreements to Relocate, Alter and Vacate Roads
4 in or near State Parks.--Whenever a public road or highway
5 within a park or public grounds, title to which park or public
6 grounds is vested in the State of Pennsylvania, is laid out,
7 located, relocated, altered or vacated in such manner that a
8 public road approaching, leading into, or contiguous to such
9 park or public grounds shall become either useless,
10 inconvenient, or burdensome, such public road approaching,
11 leading into, or contiguous to such park or public grounds may
12 be altered, relocated, or vacated by the township supervisors
13 charged with the duty of maintaining such road, in whole or in
14 part, for the purpose of making it convenient and suitable as an
15 approach to the roads and highways within said park or public
16 grounds, upon the consent and agreement of (a) the commissioners
17 or officials charged with the care and management of said park
18 or public grounds; (b) the township supervisors charged with the
19 duty of maintaining said roads approaching, leading into, or
20 contiguous to said park or public grounds; and (c) the property
21 owners owning the majority of the frontage of land abutting upon
22 the relocated portion of the road approaching, leading into, or
23 contiguous to said park or public grounds.

24 Section 1131. Agreement to Be Filed in Court; Effect of
25 Filing.--The filing of such consent and agreement in the court
26 of quarter sessions of the county or counties in which the
27 altered, relocated or vacated road is situate, shall have the
28 same force and effect as the filing and the approval and
29 absolute confirmation by the court of quarter sessions of a
30 report of viewers appointed in accordance with the general road

1 law, and shall have the same force and effect as though said
2 viewers had laid out, located, relocated, altered or vacated
3 such road in accordance with the agreement filed as aforesaid,
4 and the report of said viewers had been filed, approved and
5 absolutely confirmed by the court.

6 The filing of said agreement in the court of quarter sessions
7 shall be conclusive as to the question of the necessity for the
8 laying out, location, relocation, alteration or vacation of said
9 road as contained in the said agreement, and that the portion or
10 portions of said road abandoned or vacated were useless,
11 inconvenient and burdensome.

12 Section 1132. Altered and Relocated Roads Declared Township
13 Roads.--Such road, when altered or relocated, shall be
14 maintained and repaired in the same manner as other township
15 roads are maintained and repaired.

16 Section 1133. Assessment of Damages.--The owner of any land,
17 through which any public road may be so located, may apply by
18 petition to the court of quarter sessions of the proper county,
19 setting forth the injury which has been sustained by reason of
20 the relocation of the said public road, and the proceedings
21 relative to the assessment and payment of damages of said
22 landowner shall be in accordance with the provisions of this act
23 for eminent domain proceedings.]

24 Section 2313. Roads in or Near Public Parks.--(a) The board
25 of supervisors may contract with the Commonwealth, a county or a
26 municipal corporation owning and operating parks inside the
27 township to establish, relocate, alter or vacate public roads
28 inside or contiguous to those parks. The board of supervisors
29 shall take no action with respect to the public roads without
30 the written consent and agreement of the Commonwealth, county or

1 municipal corporation owning and operating the parks. Any road,
2 when altered or relocated under this section, shall be
3 maintained and repaired the same as other township roads.

4 (b) The agreement shall be adopted by ordinance, and, within
5 thirty days, the road shall be a public road of the township.

6 (c) The owner of any land through which any public road may
7 be located or relocated may apply by petition to the court of
8 common pleas, setting forth the injury which has been sustained
9 by reason of the relocation of the public road, and the
10 proceedings relative to the assessment and payment of damages of
11 the landowner shall be under this act for eminent domain.

12 [(h) Grading or Paving Streets or Roads Upon Petition
13 of Property Owners

14 Section 1135. Petition of Property Owners.--Any township may
15 grade, curb, gutter, pave or otherwise improve, with brick,
16 stone or any suitable materials, any public street or road, or
17 part thereof, laid out and opened in the township. Such work may
18 be done by employes of the township or by contract, as the board
19 of supervisors shall determine. No street or road, or any part
20 thereof, shall be improved under the provisions of this section,
21 except upon the petitions of owners of property representing a
22 majority in number of feet front of the properties abutting on
23 the street or road, or part thereof, proposed to be improved.

24 Section 1136. Assessment of Cost by Foot Front Rule.--The
25 cost and expense of such improvement may be collected from the
26 owners of the real estate abutting on such street or highway, or
27 part thereof, by an equal assessment on the feet front. Such
28 assessment shall be estimated by the township engineer, or if
29 there be no engineer, by other competent authority designated by
30 the township supervisors.

1 Section 1137. Collection of Assessments.--All such
2 assessments for improvement shall be filed with the secretary of
3 the board of supervisors. The secretary shall give thirty days'
4 written or printed notice that the assessments are due and
5 payable to each party assessed, either by service on the owner
6 or agent or left on the assessed premises. If the assessments,
7 or any of them, remain unpaid at the expiration of said thirty
8 days, they shall be placed in the hands of the township
9 solicitor for collection. The solicitor shall collect the same,
10 together with five per centum additional as attorney's
11 commission and interest from the completion of the improvement,
12 by a municipal claim filed against the delinquent owner in like
13 manner as municipal claims are now collected. When an owner has
14 two or more lots against which there is an assessment for the
15 same improvements, all such lots shall be embraced in one claim.

16 Section 1138. Owner Defined.--The term "owner," as used in
17 subdivision (h) of this act, means all individuals,
18 corporations, public or private, copartnerships, and
19 associations, having title in the property assessed. If the
20 owner to whom notice is required to be given is a non-resident
21 of the township, and his, her, or their place of residence is
22 unknown, or if the ownership of the property cannot be
23 ascertained, the notice shall be posted on the premises and a
24 copy left with the occupant, if there be one.]

25 Section 2314. Petition of Property Owners for
26 Improvements.--(a) Any township may improve any public street
27 in the township upon the petition of property owners
28 representing a majority in number of feet front of the
29 properties abutting on the street proposed to be improved at the
30 expense of the property owners.

1 (b) The cost of the improvement may be collected from the
2 owners of the real estate abutting on the street or highway, or
3 part thereof, by an equal assessment on the foot-front basis.

4 (c) The assessments for improvement shall be filed with the
5 township treasurer under section 3302(a).

6 (d) The term "owner," as used in this section, means all
7 individuals and public or private corporations, copartnerships
8 and associations having title in the assessed property. If the
9 owner is a nonresident of the township and the place of
10 residence is unknown or if the ownership of the property cannot
11 be ascertained, the notice shall be posted on the premises and a
12 copy shall be left with the occupant, if any.

13 Section 2315. Improvements Without Petition.--(a) The board
14 of supervisors may, by ordinance, provide for the construction,
15 reconstruction, repair or other improvements to any public
16 street in the township.

17 (b) The cost of improvements may be collected from the
18 owners of the real estate abutting on the street or highway, or
19 part thereof, by an equal assessment on the foot-front basis;
20 but in no instance shall any abutting property owner be liable
21 for the cost of improvements in an amount greater than fifteen
22 percent of the assessed valuation of the abutting property:
23 Provided, further, with respect to any property used exclusively
24 for forestry purposes, for agricultural purposes, or for both as
25 of the time of the assessment, That the assessment shall be
26 based upon the actual foot frontage of such property or one
27 hundred and fifty feet, whichever is less. Any expense above the
28 maximum liability of abutting property owners shall be paid by
29 the township.

30 (c) All assessments for improvements shall be filed with the

1 township treasurer under section 3302(a).

2 (d) If abutting property owners fail to pay the expenses of
3 the improvements for which they are liable, the board of
4 supervisors may recover the amount by action of assumpsit or may
5 file municipal liens therefor against the abutting properties
6 under law for the filing and collection of municipal liens.

7 [(i) Deeds of Dedication; Dedicated Roads, Streets and
8 Drainage Facilities

9 Section 1140. Acceptance of Land Dedicated by Deed for Road
10 Purposes.--The supervisors of any township may accept by
11 resolution in the name of the township, any land dedicated by
12 deed to the township to be used as a road, street or alley. A
13 copy of such resolution, together with a draft or survey of the
14 road, street or alley, showing location and width thereof, shall
15 be filed in the office with the clerk of quarter sessions
16 court.]

17 Section 2316. Acceptance of Land for Road Purposes.--(a)
18 The board of supervisors may, by resolution, accept any land
19 dedicated by deed to the township to be used as a road, street
20 or alley. A copy of the resolution, together with a draft or
21 survey of the road, street or alley, showing location and width
22 thereof, shall be filed with the clerk of the court of common
23 pleas.

24 (b) When plans of dedicated roads, streets or alleys located
25 in townships have been approved and recorded under this article,
26 the board of supervisors may, by resolution, accept any roads,
27 streets or alleys as public roads if shown in the plans as
28 dedicated to that use and if the roads or streets are not less
29 than thirty-three feet in width and the alleys are not less than
30 fifteen feet in width.

1 (c) Upon the filing with the clerk of court of common pleas
2 of the county a certified and attested copy of the resolution,
3 the roads, streets or alleys become a part of the public road
4 system of the township and shall be so recorded in the court.

5 [Section 1140.1. Plans of Dedicated Roads and Streets.--No
6 person shall construct, open, or dedicate any road, or any
7 drainage facilities in connection therewith, for public use or
8 travel in any township, without first submitting plans thereof
9 to the township supervisors for their approval. Such plans shall
10 be prepared in duplicate in accordance with such rules and
11 regulations as may be prescribed by the supervisors, and shall
12 show the profiles of such roads, the course, structure, and
13 capacity of any drainage facilities, and the method of drainage
14 of the adjacent or contiguous territory, and also any other
15 further details that may be required under the rules or
16 regulations adopted by the township supervisors. Before acting
17 upon any such plans, the supervisors may, in their discretion,
18 arrange for a public hearing, after giving such notice as they
19 may deem desirable in each case. The township supervisors are
20 authorized to alter such plans, and to specify any changes or
21 modifications of any kind, which they, in their discretion, may
22 deem necessary with respect thereto, and may make their approval
23 of such plans subject to any such alterations, changes or
24 modifications. Any plans when so approved shall be signed in
25 duplicate on behalf of the township by the supervisors and an
26 approved duplicate copy shall be filed with the secretary of the
27 township, who shall make the same available to public
28 inspection. No road or drainage facilities in connection
29 therewith, shall be opened, constructed, or dedicated for public
30 use or travel, except in strict accordance with plans so

1 approved by the supervisors, or with further plans subsequently
2 approved by them in the same manner, and until such plan and the
3 approval thereof has been recorded as hereinafter provided.

4 Section 1141. Appeals Where Supervisors Refuse Approval;
5 Recording of Approval and Plans.--(a) In any case where the
6 township supervisors shall refuse to approve any plans submitted
7 to them in accordance with this subdivision, any person
8 aggrieved by the action of the supervisors may, within thirty
9 days after such action, appeal therefrom by petition to the
10 court of quarter sessions of the county, which court shall hear
11 the matter de novo, and, after hearing, may enter a decree
12 affirming, reversing, or modifying the action of the supervisors
13 as may appear just in the premises. The court shall designate
14 the manner in which notices of the hearing of any such appeal
15 shall be given to all parties interested. The decision of the
16 court shall be final.

17 (b) The action of the township supervisors, or of the court
18 on appeal, in approving any such plans, and an approved
19 duplicate copy of such plans, shall be recorded by the person
20 applying for such approval in the office of the recorder of
21 deeds of the county.

22 It shall be unlawful for any person to present to the
23 recorder of deeds, or any employe thereof, any such plan which
24 has not been approved by the township supervisors. Such approval
25 shall be so indicated on the plan presented for recording. No
26 recorder of deeds, or any employe thereof, shall record any such
27 plan unless it has been so approved.

28 Section 1142. No Responsibility on Township Where Plans Not
29 Approved.--If any road or any drainage facilities in connection
30 therewith, shall be opened, constructed, or dedicated for public

1 use or travel, except in strict accordance with plans approved
2 and recorded as herein provided, neither the township
3 supervisors nor any public authorities shall place, construct,
4 or operate any sewer, drain, water pipe or other facilities, or
5 do any work of any kind, in or upon such road; and neither the
6 township supervisors nor any other public authorities, shall
7 have any responsibility of any kind with respect to any such
8 road or drainage facilities, notwithstanding any use of the same
9 by the public: Provided, however, That nothing herein contained
10 shall prevent the laying of trunk sewers, drains, water or gas
11 mains, if required by engineering necessity for the
12 accommodation of other territory.

13 Section 1143. Entry on Lands by Supervisors.--The township
14 supervisors and their representatives and workmen may enter upon
15 any land and property, and maintain marks and monuments, so far
16 as the supervisors deem necessary in carrying out their powers
17 and duties under this subdivision.

18 Section 1144. Penalty.--Any person, copartnership or
19 corporation who or which shall construct, open or dedicate any
20 road or any drainage facilities in connection therewith, for
21 public use or travel in any township, without having first
22 complied with the provisions of section 1140 of this act, and of
23 any resolutions of the township authorities adopted pursuant
24 hereto, shall be guilty of a misdemeanor, and, upon conviction
25 thereof, such person or the members of such copartnership or the
26 officers of such corporation, responsible for such violation,
27 shall be sentenced to suffer imprisonment not exceeding two
28 years, or pay a fine not exceeding one thousand dollars, or
29 both, in the discretion of the court.

30 Section 1145. Effect of Approval of Plans.--No approval of

1 plans by a township shall obligate or require any such township
2 to construct, reconstruct, maintain, repair, or grade such
3 roads, until and unless authorized and ordered so to do by the
4 proper court pursuant to the provisions of this subdivision.]

5 Section 2317. Approval of Plans.--(a) No person shall
6 construct, open or dedicate any road or any drainage facilities
7 for public use or travel without first submitting plans thereof
8 to the board of supervisors for its approval. The plans shall be
9 prepared under rules and regulations adopted by the board of
10 supervisors and shall show the profiles of the roads, the
11 course, structure and capacity of any drainage facilities, the
12 method of drainage of the adjacent or contiguous territory and
13 any other details that may be required under the rules or
14 regulations adopted by the board of supervisors. The board of
15 supervisors may alter the plans and specify any changes or
16 modifications of any kind and may make its approval of the plans
17 subject to those alterations, changes or modifications. The
18 plans when so approved shall be signed by the board of
19 supervisors and a copy shall be filed with the secretary of the
20 township. No road or drainage facilities shall be opened,
21 constructed or dedicated for public use or travel except in
22 compliance with plans approved by the board of supervisors and
23 until the approved plan is recorded as required in this section.

24 (b) If the board of supervisors refuses to approve any plans
25 submitted to it under this section, any person aggrieved by the
26 action of the board of supervisors may, within thirty days,
27 appeal to the court of common pleas. The court shall hear the
28 matter de novo and, after hearing, may enter a decree affirming,
29 reversing or modifying the action of the board of supervisors.

30 (c) The action of the board of supervisors, or of the court

1 on appeal, in approving any plans shall be recorded by the
2 person applying for the approval in the office of the recorder
3 of deeds of the county.

4 (d) No person shall present to the recorder of deeds any
5 plan which has not been approved by the board of supervisors.
6 Approval shall be so indicated on the plan presented for
7 recording.

8 (e) If any road or any drainage facilities are opened,
9 constructed or dedicated for public use or travel, except in
10 compliance with plans approved and recorded, neither the board
11 of supervisors nor any public authorities shall be required to
12 place, construct or operate any sewer, drain, water pipe or
13 other facilities, or do any work of any kind, in or upon that
14 road; and neither the board of supervisors nor any other public
15 authorities have any responsibility of any kind with respect to
16 the road or drainage facilities even if they are in use by the
17 public. Nothing in this act shall prevent the laying of trunk
18 sewers, drains or water or gas mains if required by engineering
19 necessity for the accommodation of other territory.

20 (f) Any person who constructs, opens or dedicates any road
21 or any drainage facilities in connection therewith for public
22 use or travel in any township without having first complied with
23 this section and any resolutions of the board of supervisors
24 commits a misdemeanor of the third degree and is subject to a
25 suit for all costs and damages incurred by the township or
26 property owners in the course of correcting all substantive
27 violations of State or municipal law or regulations resulting
28 from or arising out of the unlawfully recorded plan. All fines
29 and moneys so recovered shall be paid to the township treasurer.

30 (g) No approval of plans by the board of supervisors shall

1 obligate or require the township to construct, reconstruct,
2 maintain, repair or grade the roads.

3 Section 2318. Markers and Monuments.--The board of
4 supervisors and its agents may enter any land and property and
5 maintain marks and monuments in carrying out its powers and
6 duties under this article.

7 [Section 1146. Powers of State and Counties Preserved.--
8 Nothing contained in this subdivision shall be held to restrict
9 or limit the State Department of Highways, or any county, in the
10 exercise of any of its duties, powers and functions under the
11 provisions of any act of Assembly now in force or hereafter to
12 be enacted.]

13 Section 2319. Powers of State and Counties Preserved.--
14 Nothing contained in this article shall be held to restrict or
15 limit the Department of Transportation or any county in the
16 exercise of any of its duties, powers and functions under any
17 State law.

18 [Section 1147. Taking Over of Roads, Streets, and Alleys
19 Heretofore Dedicated as Public Roads.--Whenever plans of
20 dedicated roads, streets, or alleys located in second class
21 townships have been approved, and recorded, as provided in
22 section 1140.1 and 1411 the board of supervisors of any such
23 township may accept by resolution any roads, streets, or alleys,
24 as public roads, if shown in said plans as dedicated to such
25 use; and provided the roads or streets shall be not less than
26 thirty-three feet in width, and the alleys not less than fifteen
27 feet in width, said acceptance to be evidenced by a resolution
28 of the said board of supervisors, properly describing said
29 roads, streets, or alleys and adopted by a majority thereof by a
30 vote duly recorded and entered upon the minutes of said board.

1 Upon the filing with the clerk of courts of quarter sessions of
2 the county, in which said township shall be situate, a certified
3 and attested copy of said resolution, such roads, streets, or
4 alleys shall be and become a part of the public road system of
5 said township, and shall be so recorded in said court of quarter
6 sessions.

7 Section 1148. Scope of Subdivision (i).--The provisions of
8 this subdivision (i) of Article XI shall be applicable only in
9 cases where a township shall fail to adopt and enforce land
10 subdivision regulations as provided in Article XII-A of this
11 act, and to situations not covered by such regulations.

12 (j) Entry on Private Property to Secure Road Material
13 and to Open Ditches and Drains

14 Section 1150. Power to Enter on Lands.--When road material
15 cannot be conveniently obtained by contract at reasonable
16 prices, the supervisors of a township may enter upon any land or
17 enclosure within their township lying near the road, and dig,
18 gather, and carry upon the road any stones, sand, gravel or
19 other road material which they think necessary to make,
20 maintain, or repair the road. In exercising such right, they
21 shall do no unnecessary damage to the land, and shall repair any
22 breaches of fences which they make.

23 Section 1151. Viewers to Fix Damages.--Whenever the
24 supervisors and the owners of the land cannot agree upon the
25 damages, the same shall be assessed by viewers to be appointed
26 and to make report as provided in this act in the case of
27 eminent domain proceedings.

28 Section 1152. Power to Open Drains and Ditches.--The
29 township supervisors may enter upon any lands or enclosures, and
30 cut, open, maintain, and repair such drains or ditches through

1 the same as, in their judgment, are necessary to carry the water
2 from the roads.

3 Any person who shall stop, fill up, or injure any such drain
4 or ditch, or shall divert or change the course thereof, without
5 the authority of the supervisors, shall, upon conviction thereof
6 in a summary proceeding, pay a fine of not more than twenty-five
7 dollars for each such offense, together with the cost of
8 restoring such drain or ditch, and, in default of the payment of
9 such fine and costs, shall be sentenced to imprisonment of not
10 more than ten days. All fines and moneys so recovered shall be
11 paid to the township treasurer.]

12 Section 2320. Power to Open Drains and Ditches.--(a) The
13 board of supervisors or its agents may enter any lands or
14 enclosures and cut, open, maintain and repair drains or ditches
15 through the property when necessary to carry the water from the
16 roads.

17 (b) Any person who damages or diverts any drain or ditch
18 without the authority of the board of supervisors commits a
19 summary offense and is liable for the cost of restoring the
20 drain or ditch. All fines and moneys so recovered shall be paid
21 to the township treasurer.

22 [(k) Roads Crossing Railroads; Special Uses of Roads

23 Section 1155. Railroad Crossings.--Every township
24 constructing a road across a railroad shall construct the same
25 above or below the grade thereof, unless permitted by the Public
26 Utility Commission to construct the same at grade.

27 Any such crossing of a railroad by a road, or any vacation of
28 any road crossing a railroad, shall be constructed only in the
29 manner prescribed by and under the jurisdiction of the Public
30 Utility Commission. In such cases compensation for damages to

1 the owners of adjacent property taken, injured or destroyed,
2 shall be ascertained, fixed and paid in the manner prescribed in
3 the Public Utility Law.]

4 Section 2321. Railroad Crossings.--(a) Every township
5 constructing a road across a railroad shall construct the road
6 above or below the grade thereof unless permitted by the
7 Pennsylvania Public Utility Commission to construct the road at
8 grade.

9 (b) Any crossing of a railroad by a road or any vacation of
10 any road crossing a railroad shall be made only under the
11 jurisdiction of the Pennsylvania Public Utility Commission.
12 Compensation for damages to the owners of adjacent property
13 taken, injured or destroyed shall be determined under 66 Pa.C.S.
14 (relating to public utilities).

15 [Section 1156. Permits.--No railroad or street railway shall
16 hereafter be constructed upon any township road, nor shall any
17 railroad or street railway crossings, nor any gas pipe, water
18 pipe, electric conduits, or other piping, be laid upon or in,
19 nor shall any telephone, telegraph, or electric light or power
20 poles, or any coal tipples or any other obstructions be erected
21 upon or in, any portion of a township road except under such
22 conditions, restrictions and regulations relating to the
23 installation and maintenance thereof, as may be prescribed in
24 permits granted by the township for such purpose. Each
25 application shall be submitted to the township, in duplicate, or
26 such larger number as the township may require. The township
27 shall prescribe a fee as determined by the Department of
28 Transportation payable to the township not exceeding the
29 approximate reasonable cost of processing the application, and
30 another fee payable to the township not exceeding the

1 approximate reasonable cost of making the first inspection
2 hereafter described. Each application shall be accompanied by
3 both fees. When the township shall grant the permit applied for,
4 the township supervisors shall inspect the work authorized by
5 the permit upon the completion thereof, and when necessary,
6 enforce compliance with the conditions, restrictions and
7 regulations prescribed by the township. In addition to such
8 inspection, the township supervisors may reinspect the work not
9 more than two years after its completion, and if any settlement
10 of the road surface or other defect shall appear in the work
11 contrary to the conditions, restrictions and regulations of the
12 township, it may enforce compliance therewith. If the applicant
13 shall fail to rectify any such settlement or other defect,
14 within sixty days after written notice from the township
15 supervisors to do so, the township supervisors may do the work
16 and impose upon the applicant the cost thereof, together with an
17 additional twenty per centum (20%) of such cost, which may be
18 recovered by an action in assumpsit in the court of common pleas
19 of the county. All fees received by the township shall be paid
20 into the township treasury. Nothing in this section shall be
21 construed to require a permit in advance for emergency repairs
22 necessary for the safety of the public or the restoration or
23 continuance of public utility or other public service, but
24 application for such permit and the fees shall be submitted as
25 herein prescribed within five days after completion of the work,
26 and thereafter the remaining provisions of this section shall
27 apply. Further, nothing in this section shall be construed to
28 authorize or empower a township to regulate or control the
29 operations of any permittee, except as provided for in this
30 section.]

1 Section 2322. Permits.--No railroad or street railway shall
2 be constructed upon any township road, nor shall any railroad or
3 street railway crossings, driveway connections, gas pipe, water
4 pipe, electric conduits or other piping be laid upon or in, nor
5 shall any telephone, telegraph or electric light or power poles
6 or any coal tipples or any other obstructions be erected upon or
7 in, any portion of a township road except under conditions,
8 restrictions and regulations specified in permits granted by the
9 township for that purpose. Each application shall be submitted
10 to the township in duplicate. The township shall collect a fee
11 as determined by the Department of Transportation for processing
12 the application and another fee for making the inspection. Each
13 application shall be accompanied by both fees. When the township
14 grants the permit, the board of supervisors or its agents shall
15 inspect the work authorized by the permit upon the completion
16 thereof and, when necessary, enforce compliance with the
17 conditions, restrictions and regulations specified by the
18 township. In addition to that inspection, the board of
19 supervisors or its agents may reinspect the work not more than
20 two years after its completion, and if any settlement of the
21 road surface or other defect appears in the work contrary to the
22 conditions, restrictions and regulations of the township, it may
23 enforce compliance therewith. If the applicant fails to rectify
24 the A DEFECT WHICH PRESENTS AN IMMEDIATE OR IMMINENT SAFETY OR
25 HEALTH PROBLEM WITHIN FORTY-EIGHT HOURS OR ANY OTHER defect
26 within sixty days after written notice from the board of
27 supervisors to do so, the board of supervisors or its agents may
28 do the work and impose upon the applicant the cost thereof,
29 together with an additional twenty percent of the cost, which
30 may be recovered by an action in assumpsit in the court of

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1 common pleas of the county. All fees received by the township
2 shall be paid into the township treasury. Nothing in this
3 section shall be construed to require a permit in advance for
4 emergency repairs necessary for the safety of the public or the
5 restoration or continuance of public utility service or other
6 public service, but application for the permit and the fees
7 shall be submitted within five days after completion of the
8 work, after which time the remaining provisions of this section
9 apply. Nothing in this section authorizes a township to regulate
10 or control the operations of any permittee except under this
11 section.

12 [(1) Guideposts and Index Boards

13 Section 1160. Duty of Supervisors to Erect.--The supervisors
14 of the township shall erect posts at the intersection of all
15 public roads and at one of the angles where any public road
16 crosses another public road, and shall firmly fix thereon boards
17 or metal signs, with index hands pointing to the direction of
18 such roads, but if a building, tree, trolley pole, telephone
19 pole, or telegraph pole is so erected that it can be used in
20 place of a post, and permission has been secured from the owner
21 thereof, such building, tree or pole may be used in place of a
22 post. On such boards and signs shall be inscribed, in large and
23 legible characters, the name of the town, village, or place to
24 which such roads lead, and the distance thereto computed in
25 miles. Where any such public road intersects or crosses a State
26 highway, application for a permit shall be made by the
27 supervisors to the Department of Highways for the erecting of
28 such signs.

29 Section 1161. Penalty for Destroying, Et Cetera.--It shall
30 be unlawful for any person to wilfully destroy, remove, injure,

1 or deface any guidepost or sign or index board legally erected
2 upon or near any public street, road, or bridge by the
3 supervisors, or by any club, association, or other organized
4 body for the direction, guidance, or safety of travelers. It
5 shall also be unlawful for any person to wilfully destroy,
6 remove, injure or deface any temporary traffic-control device
7 legally erected for the purpose of enhancing traffic or worker
8 safety in a construction or maintenance work zone, including,
9 but not limited to, cones, batons, barrels, barricades, signs,
10 sign trucks, arrow boards or other devices specified in a
11 traffic safety plan approved by the township or the Department
12 of Transportation. Any person violating this section shall, upon
13 conviction in a summary proceeding, be sentenced to pay a fine
14 of not less than two hundred dollars nor more than five hundred
15 dollars for the first offense, and a mandatory fine of five
16 hundred dollars for the second or any subsequent offense, with
17 costs of prosecution, together with the value of such sign so
18 destroyed, removed or defaced, and in default of such payment,
19 shall be sentenced to imprisonment of not more than ten days.
20 All fines and moneys so imposed and collected shall be paid to
21 the township treasurer.]

22 Section 2323. Penalty for Destroying Signs.--A person shall
23 not destroy, remove, injure or deface any sign or index board <—
24 legally erected upon or near any public street, road or bridge
25 by the board of supervisors, or by any club, association or
26 other organized body, for the direction, guidance or safety of
27 travelers. A person shall not destroy, remove, injure or deface
28 any temporary traffic-control device legally erected to enhance
29 traffic or worker safety in a construction or maintenance work
30 zone, including, but not limited to, cones, batons, barrels,

1 barricades, signs, sign trucks, arrow boards or other devices
2 specified in a traffic safety plan approved by the township or
3 the Department of Transportation. Any person who violates this
4 section commits a summary offense and shall, upon conviction, be
5 sentenced to pay a fine of not less than two hundred dollars
6 (\$200) nor more than five hundred dollars (\$500) for the first
7 offense and a mandatory fine of five hundred dollars (\$500) for
8 the second or any subsequent offense, with costs of prosecution,
9 together with the value of the destroyed, removed or defaced
10 sign. All fines and moneys imposed and collected shall be paid
11 to the township treasurer.

12 [(m) Protection of Roads from Snowdrifts

13 Section 1165. Protection of Highways from Snowdrifts.--Any
14 township which is responsible for the maintenance of any public
15 road shall have authority to enter upon private property
16 adjacent to such public road or highway and place thereon a snow
17 fence, at any point which may be deemed necessary, to within a
18 limit of one hundred feet from the right-of-way line of such
19 public road, in order to eliminate snow drifting on the traveled
20 portion of the public road.

21 No such snow fence shall be placed prior to November first,
22 nor shall the same remain in place after April first of the
23 succeeding year, unless the written consent of the owner is
24 obtained, agreeing to an extension of time for the removal of
25 said snow fence.

26 If the supervisors shall not be able to enter into an
27 agreement with the owner of adjacent property occupied by such
28 snow fence as to the amount of damages sustained as a result of
29 said fence being placed and removed, the owner may petition the
30 court of common pleas of the county for the appointment of

1 viewers to ascertain the amount of damage incurred in such case
2 in the manner provided in this act for eminent domain
3 proceedings. Such damages, if any, when ascertained, shall be
4 paid by the township from the general township fund.

5 Whenever any roads in townships are so located as to render
6 them liable, on account of high wind during the winter season,
7 to be so filled with snow as to make them impassable, and, in
8 the judgment of the supervisors, such drifts of snow can be
9 avoided by the removal of any fence erected along either side of
10 such road and replacing the same by a fence constructed of
11 posts, wire, and boards or rail combined, the supervisors may
12 agree with the owners of such fences upon a plan for the
13 erection of such a fence. The township may pay the owners of
14 such fences a sum not to exceed the first cost of the wire used
15 in the construction of such fences. The wire used in the
16 construction of such fences shall be without barbs. This section
17 shall not apply to any stone wall, hedge, or ornamental fence.]

18 Section 2324. Protection of Highways from Snowdrifts.--(a)
19 The board of supervisors may enter private property adjacent to
20 any public road or highway and place thereon a snow fence, to
21 within a limit of one hundred feet from the right-of-way line of
22 the public road, in order to eliminate snow drifting on the
23 traveled portion of the public road.

24 (b) A snow fence may not be placed before the first day of
25 November, or remain in place after the first day of April of the
26 succeeding year, unless the written consent of the owner is
27 obtained, agreeing to an extension of time for the removal of
28 the snow fence.

29 (c) If the board of supervisors and the owner of the
30 property upon which a snow fence is placed and removed under

this section cannot agree to the amount of compensation, if any,
to be paid to the owner for placing the fence, including the
amount of damages, if any, to be paid for injury to the property
resulting from placing and removing the fence, the owner may
petition the court of common pleas of the county for the
appointment of viewers to ascertain the amount of damage
incurred in the manner provided in this act for eminent domain
proceedings. Damages, if any, when ascertained, shall be paid by
the township from the general township fund.

[(n) Grades of Highways

Section 1170. Grades of Highways.--In the construction or repair of any highway in any township, it shall be unlawful to raise such highway above the ordinary grade thereof when a drain or culvert shall be constructed under such highway, or when such highway shall be constructed or repaired over such drain or culvert. This section shall not be construed in any manner to interfere with the work of the State Department of Highways, in the reconstruction or improvement of any State highway or State-aid highway, or when a township improves a township road, under the direction, plans, and specifications of the State Department of Highways.

(o) Trees and Shrubbery within Limits of Road

Section 1175. Saving Trees and Shrubbery.--Where any road of any township passes through or along forested lands, wild lands, or uncultivated lands, no trees growing within the limits of such road at a distance beyond fifteen feet on either side of the center line thereof, and which measure four inches or over in diameter at a point two feet from the surface of the ground, shall be cut down or destroyed by the supervisors or roadmasters employed by them, or any other person, without first obtaining

1 the consent of the abutting owners.

2 Whenever any road running through improved or cultivated
3 lands has been opened, and there are growing, along the
4 roadsides and within the road limits, shrubs or trees not in the
5 opinion of the supervisors interfering with public travel, no
6 supervisors or roadmasters, or other persons in their employ,
7 shall remove, cut, injure, or destroy, or in any other manner
8 interfere with such shrubs or trees. If such removal or cutting
9 is deemed necessary for the purpose of maintaining the road, the
10 supervisors or roadmasters, or other persons in their employ,
11 may cut or remove such shrubs or trees, after notifying the
12 abutting property owners of the contemplated removal, cutting of
13 said shrubs or trees.

14 Section 1177. Logs and Cordwood Property of Owner.--All
15 logs, cordwood, branch wood, or other forms of wood, which shall
16 be derived from the destruction or removal of any trees growing
17 along the highways, shall be surrendered to and remain the
18 property of the abutting owners.

19 Section 1178. Brush and Refuse.--The supervisors may clear
20 out brush and other refuse from along the sides of the road to
21 the legal width thereof. All such clearing and removal of brush
22 and refuse shall be confined to growth that is within the limits
23 hereinabove described, and to the removal of branches that in
24 any way interfere with public travel. No other injury, by fire,
25 cutting, abrasion, or otherwise, shall be done to the standing
26 timber.

27 Section 1179. Penalty.--Any supervisors, roadmaster, or
28 person in their employ, or any other person, who shall cut down,
29 kill, or injure any living tree, growing at a distance beyond
30 fifteen feet on either side of the center line thereof, and of a

1 size four inches in diameter or greater at a point two feet from
2 the surface of the ground, except as provided in this
3 subdivision, or who shall violate any other provision of this
4 subdivision, shall, upon conviction thereof in a summary
5 proceeding, be sentenced to pay a fine, of not more than five
6 dollars for every tree so cut, injured or destroyed, with costs
7 of suit, and in default of the payment of such fine and costs
8 shall be sentenced to imprisonment of not more than ten days.
9 Such fines shall be paid into the General Township Fund.

10 Section 1180. Removal of Obstruction.--Nothing in this
11 subdivision shall be so construed as to prevent the supervisors
12 or roadmasters, or other persons in their employ, from removing
13 such roadside trees which may be thrown down by wind or lodged
14 in such position as to be a menace to public travel, or which,
15 by reason of any other cause, may become a source of danger to
16 the public. Every such act of removal shall be made with due
17 regard to the circumstances of the case, so as to preserve the
18 true intent and purpose of this subdivision.]

19 Section 2325. Saving Trees and Shrubbery.--(a) The board of
20 supervisors or its agents shall not remove any shrub or tree
21 growing within the right-of-way of any township road or street
22 except those shrubs and trees the board of supervisors finds to
23 constitute a hazardous or dangerous condition to the use of the
24 highway or those which impair the use or maintenance of the
25 public road or street. No tree having a trunk diameter in excess
26 of six inches shall be removed without notice of the proposed
27 removal having first been given to the abutting property owner.
28 The township supervisors shall determine, by resolution, the
29 form of notice to property owners.

30 (b) All logs, cordwood, branch wood or other forms of wood

1 derived from the destruction or removal of any trees growing
2 along the highways shall be surrendered to, and remain the
3 property of, the abutting owners.

4 (c) The board of supervisors may clear out brush and other
5 refuse along the sides of the road to the legal width thereof.
6 All clearing and removal of brush and refuse shall be confined
7 to growth that is within the right-of-way and to the removal of
8 branches that in any way interfere with public travel. No other
9 injury, by fire, cutting, abrasion or otherwise, shall be done
10 to the standing timber.

11 (d) Any person who violates the provisions of this section
12 commits a summary offense. All fines shall be paid into the
13 general township fund.

14 (e) Nothing in this section prevents the board of
15 supervisors or roadmasters, or other persons in their employ,
16 from removing roadside trees which may be thrown down by wind or
17 lodged in a position as to be a menace to public travel or
18 which, by reason of any other cause, may become a source of
19 danger to the public.

20 [(p) Obstructions and Nuisances

21 Section 1185. Obstructions and Nuisances.--Any person who
22 shall stop or obstruct any public road in any township, or
23 commit any nuisance thereon by felling trees, making fences,
24 turning the road, or in any other way, and who shall not, on
25 notice given by the township supervisors, forthwith remove the
26 obstruction or nuisance and repair the damages done to such
27 road, upon conviction in a summary proceeding, shall, for every
28 such offense, pay a penalty of not more than twenty-five
29 dollars, and in default of the payment of such fine and costs,
30 shall be sentenced to imprisonment of not more than ten days.

1 Nothing in this section shall debar an indictment for any such
2 nuisance as in case of misdemeanor at common law.]

3 Section 2326. Obstructions and Nuisances.--Any person who
4 obstructs any public road or commits any nuisance thereon by
5 felling trees, making fences, turning the road, diverting water
6 onto or in any other way and who does not, on notice given by
7 the board of supervisors, immediately remove the obstruction or
8 nuisance and repair the damages done to the road commits a
9 summary offense. Nothing in this section shall debar a
10 prosecution for any nuisance as in case of misdemeanor at common
11 law.

12 Section 2327. Traffic Lights and Signals.--The board of
13 supervisors may provide for the erection, maintenance and
14 operation of traffic lights and traffic signals under IN <—
15 ACCORDANCE WITH 75 Pa.C.S. (relating to vehicles) whenever <—
16 deemed necessary for the protection of the traveling public.

17 Section 2328. Regulation of Parking.--(a) The board of
18 supervisors may, by ordinance, regulate parking, provide parking
19 accommodations to promote the convenience and protection of the
20 public, post signs regulating parking in areas established or
21 designated for handicapped OR SEVERELY DISABLED VETERAN parking <—
22 and impose penalties for the violation of those regulations.

23 (b) The board of supervisors may provide for the erection,
24 maintenance and regulation of parking meters, and it may, by
25 ordinance, establish parking meter charges and impose penalties
26 for the violation of those regulations.

27 Section 2329. Naming of Streets.--The board of supervisors
28 may provide for and regulate the naming of streets, roads and
29 highways. WHEN THE NAMING OF A STREET, ROAD OR HIGHWAY WILL <—
30 AFFECT SIGNING MAINTAINED BY THE DEPARTMENT OF TRANSPORTATION,

1 THE BOARD OF SUPERVISORS SHALL NOTIFY THE DEPARTMENT.

2 Section 2330. Bike Paths.--The board of supervisors may
3 provide for the construction and maintenance of bike paths for
4 the protection or convenience of the traveling public.

5 Section 2331. County Bridges.--When the cost of construction
6 or maintenance of a bridge located within the township is paid
7 in whole or in part by the county, the board of supervisors may
8 make agreements for the maintenance and repair of the bridge.

9 [ARTICLE XII

10 BOUNDARY ROADS

11 (a) Opening, Repairing, and Improving Roads on

12 Division Line of Townships

13 Section 1201. Roads Between Townships of the First Class and
14 Townships of the Second Class.--Roads laid out on a line which
15 divides a township of the first class from a township of the
16 second class shall be opened, made, kept clear and in repair, at
17 the joint and equal charge of such townships. Any township
18 necessarily incurring more than its due proportion of such
19 charge may recover the excess so incurred from the other
20 township.

21 Whenever any public road is laid out on the line of two
22 townships, if the commissioners or supervisors of an adjoining
23 township neglect or refuse to join with the supervisors of the
24 township in opening or repairing such road, the supervisors of
25 the township shall open, and repair the road, and are authorized
26 to collect a just proportion of the cost of the opening and
27 repairing of such road from the township so neglecting or
28 refusing to join in such opening, or repairing. The
29 commissioners or supervisors so neglecting or refusing shall be
30 liable to a penalty of not exceeding fifty dollars, to be

1 recovered in a summary proceeding. All such penalties when
2 recovered shall be paid into the township road fund.

3 Section 1202. Roads Between Two Townships of the Second
4 Class.--Whenever any road is on the boundary line between two
5 townships of the second class, such road shall be constructed,
6 improved, repaired and maintained jointly by said townships. For
7 the purpose of constructing, improving, repairing or maintaining
8 any such road, the supervisors of such townships are hereby
9 directed to enter into an agreement providing the manner in
10 which the same shall be constructed, improved, repaired or
11 maintained, and providing for the division of the cost of
12 maintenance between said townships. Such agreement shall be
13 filed with the clerk or clerks of the court or courts of quarter
14 sessions of the county or counties in which such townships are
15 located. If any such township shall fail or refuse to enter into
16 any such agreement, or if the townships cannot agree, any
17 taxpayer or the supervisors of either township may present a
18 petition to the court of quarter sessions of the county, or if
19 said townships are in different counties to the court of quarter
20 sessions of either county, setting forth the facts, and the
21 court, after hearing of which such notice shall be given to all
22 parties interested as the court may direct, shall make an order
23 directing the manner of such construction, improvement, repair
24 or maintenance and the division of the cost thereof between such
25 townships. The action of the court shall be final.

26 (b) Maintenance of Roads Between Townships and
27 Cities or Boroughs

28 Section 1205. Roads Between Townships and Cities and
29 Boroughs.--Whenever any road or street is on the boundary line
30 between any township and a city or borough, such road or street

1 shall be maintained jointly by the township and the city or
2 borough. For the purpose of maintaining any such road or street,
3 the authorities of any such township are hereby directed to
4 enter into agreements with such city or borough providing the
5 manner in which the same shall be maintained, and providing for
6 the division of the cost of maintenance between the city or
7 borough and township. If any such city or borough and township
8 shall fail or refuse to enter into any such contract, or if the
9 city or borough and township cannot agree, any taxpayer or the
10 corporate authorities of the township may present a petition to
11 the court of quarter sessions of the county, setting forth the
12 facts, and the court, after hearing, of which such notice shall
13 be given to all parties interested as the court may direct,
14 shall make an order directing the manner of such maintenance and
15 the division of the cost of maintenance between the city or
16 borough and the township. The action of the court shall be
17 final.

18 (c) Road, the Centre Line of Which is the Dividing Line Between
19 Townships and Boroughs or Cities in the Same County

20 Section 1210. Roads Between Townships and Municipalities in
21 the Same County.--Whenever the centre line of any road or street
22 constitutes the dividing line between a township and any city or
23 borough located in the same county, the supervisors of the
24 township may, jointly with the county, enter into a contract
25 with the city or borough providing for the grading, curbing, and
26 macadamizing or paving of such road.

27 Such alteration or improvement shall be constructed, and
28 subsequent repairs shall be made, under the supervision of the
29 proper authorities of the city or borough, in compliance with
30 the laws governing the construction of such alterations or

1 improvements in such city or borough and with plans and
2 specifications to be agreed upon in writing between the
3 supervisors of the township and the city or borough and the
4 commissioners of the county.

5 The cost of any alteration or improvement shall be borne one-
6 half by the city or borough and one-half by the county and
7 township in equal portions.

8 The cost of repairs shall be borne one-half by the city or
9 borough and one-half by the township, or by the county and
10 township in equal portions, or such other portions as are agreed
11 upon in the joint contract of the township with the county.

12 (d) Road, the Centre Line of Which Is the Dividing Line Between
13 Townships and Cities in Adjacent Counties

14 Section 1215. Roads Between Townships and Cities in Adjacent
15 Counties.--Whenever the centre line of any road constitutes a
16 dividing line between a township and a city located in an
17 adjacent county, it shall be lawful for the township supervisors
18 to enter into a contract with the county in which it is located
19 and the city providing for the grading, curbing, macadamizing or
20 paving of the roadway of said road, the cost thereof to be borne
21 one-half by the city and one-half by the township and the county
22 in which such township shall be situated in equal portions.

23 The said alteration or improvement shall be constructed, and
24 subsequent repair shall be made, under the supervision of the
25 proper authorities of the said city, in compliance with existing
26 laws governing such construction or improvement in such city,
27 and in further compliance with plans and specifications to be
28 agreed upon in writing between such city and the commissioners
29 of the county and the township supervisors of the said township.
30 The cost of repairs shall be borne one-half by the city and one-

1 half by the township or by the county and township in equal
2 portions, or such other proportions as may be agreed upon by the
3 county and township.

4 In all cases in which it shall be found impossible to enter
5 into such contract or agreement as is provided for in this
6 section, or where either the city or the township or the county
7 in which such township is situated shall refuse to enter into
8 such contract or agreement, it shall be lawful for the township
9 to present its petition to the court of common pleas of either
10 county, setting forth the facts and circumstances, including the
11 condition of the road from which the necessity or desirability
12 for the grading, curbing, macadamizing or paving of the roadway
13 appears, and the estimated cost thereof, and that the terms of
14 the said contract as provided for in this section cannot be
15 agreed upon by the said city and the county or township, or
16 either or any of them, or that either such city or the county or
17 township, or any or either of them, refuses to enter into such
18 contract. Such petition may pray that such court may, after
19 hearing all the parties concerned, make its order or decree,
20 defining the nature and character of the improvement reasonably
21 necessary or desirable to be made to the roadway, and requiring
22 the parties hereinabove specified to enter into a contract or
23 contracts for the making and constructing of the same as herein
24 provided for. A copy of the said petition, duly certified, shall
25 be served upon the city or the county and township concerned,
26 other than the petitioner, with notice of such day as may be
27 fixed by the court for a hearing. Thereupon either or both of
28 the parties served with such notice shall be entitled, on or
29 before such date, to file in the said court its answer to the
30 said petition, setting forth its version of the facts or such

1 other matters in relation thereto as may be deemed necessary or
2 proper by it. The said court upon the date so fixed, or at such
3 other times as it may appoint, shall hear the evidence of the
4 parties, or it may refer the matter to a master, who shall hear
5 the testimony of the parties and report his findings, in the
6 same manner and under the same procedure as provided by the
7 rules in equity in similar cases, to the said court, which may
8 reject, confirm, or modify the same, and may make its decree or
9 order directing the making of such alterations or improvements
10 to the roadway as may be deemed reasonably necessary or
11 desirable and providing for the sharing of the cost of such
12 improvements, one-half by the city and one-half by the county
13 and township in equal portions. The said order or decree may
14 further provide that the repairs to such alterations and
15 improvements subsequently required shall be borne one-half by
16 the city and one-half by the county or township in equal
17 portions, or such other proportions as between the county and
18 the township as such court may find to be legal and proper; and
19 thereupon the said grading, curbing, macadamizing or paving of
20 the roadway of such road shall proceed in accordance with the
21 decree or order of the said court in the same manner as if the
22 contract or agreement in this section had been entered into and
23 duly executed.

24 (e) Improvement of Roads or Streets Where More Than One-half of
25 Width Is in Township; Assessment of Property Outside Limits
26 Section 1220. Roads More Than One-half in Townships.--
27 Whenever any road or street, more than one-half of the width of
28 which is within the limits of any township shall divide the said
29 township from any other municipality or township located within
30 the same county, such road or street, may be improved by the

1 township within which the greater width is located in the same
2 manner as if the said road or street were entirely located
3 within the limits of said township.

4 The property abutting on the side of said road or street,
5 which is located outside the limits of the township making such
6 improvements shall, for a depth of one hundred and fifty feet
7 plus one-half the width of said road or street, from its center
8 line, be assessed for any and all municipal improvements to or
9 on the said road or street, in the same manner as such property
10 would be assessed under the laws of the Commonwealth if it were
11 entirely located within the limits of such city, borough, or
12 township.

13 (f) Assessment of Property Outside Limits for Street

14 Improvement Where Street Entirely Within Township

15 Section 1225. Roads Within Township along Division Line.--
16 Whenever any road or street entirely within the limits of any
17 township, shall divide such township from any other municipality
18 or township located in the same county, the property on the side
19 of the road or street, opposite the line of such township,
20 shall, for a depth of one hundred and fifty feet, be assessed
21 for municipal improvements on such road or street on which
22 property shall abut. Such assessment shall be made in the same
23 manner and in the same proceeding as is used for the assessment
24 of property within such township for such improvement.

25 (g) Agreements for Improving Roads or Streets Forming

26 Boundaries Between Townships and Boroughs

27 Section 1230. Agreement for Improving Roads or Streets
28 Forming Boundaries Between Townships and Boroughs.--Townships
29 may enter into agreements with adjoining boroughs for the
30 grading, paving and curbing or macadamizing of roads or streets

1 which may be boundaries between such townships and boroughs, and
2 may provide in such contract that the damages, costs and
3 expenses of such improvement shall be divided between such
4 townships and boroughs in proportions agreed upon. Such
5 agreements shall be filed with the clerk or clerks of the court
6 or courts of quarter sessions in the county or counties in which
7 such townships and boroughs are located.

8 In grading, paving and curbing or macadamizing any such roads
9 or streets, townships shall exercise such power, only upon
10 petition of a majority of the property owners in interest and
11 number, abutting the line of the proposed improvement within the
12 township limits, to be verified by the affidavit of one of the
13 petitions, a majority in interest of owners of undivided
14 interest in any piece of property to be treated as one person,
15 asking that such improvement be made.

16 The portion of the damages, costs and expenses agreed to be
17 paid by any township shall be ascertained, and the benefits
18 incident thereto, shall be assessed and collected in the manner
19 provided in this act for the assessment of damages and benefits
20 by viewers.]

21 Section 2332. Boundary Roads and Bridges.--(a) When any
22 road or bridge, other than a State or county road or bridge, is
23 created or located along, on or over boundaries between
24 townships and any other municipal corporation, the creation,
25 location, construction, maintenance and repair of the road or
26 bridge shall be the joint responsibility of the township and the
27 municipal corporation with which the common boundary is shared.

28 (b) The board of supervisors may make agreements with any
29 adjacent municipal corporation to provide for the apportionment
30 of the cost of construction, repair and maintenance of boundary

1 roads or bridges.

2 (c) If an amicable agreement on the proportionate share of
3 costs of construction, repair and maintenance of boundary roads
4 or bridges cannot be executed, the board of supervisors or the
5 governing body of the other municipal corporation involved may
6 petition the court of common pleas of the county or counties for
7 a determination of the rights and responsibilities of the
8 respective municipal corporations involved.

9 [ARTICLE XIII

10 BRIDGES

11 (a) Over Streams, Gullies, Canals and Railroads

12 Section 1301. Power to Make and Maintain Bridges.--The
13 supervisors of townships, in making and repairing the roads,
14 shall make and maintain within their township sufficient bridges
15 over all streams, gullies, canals, and railroads, where such
16 bridges are necessary for the ease and safety of travelers. Such
17 bridges shall be deemed to be a part of the road.

18 Section 1302. Damages.--All damages in the construction and
19 maintenance of such bridges shall be awarded and benefits
20 assessed as part of the proceeding to lay out, open, make, or
21 repair the road of which the bridge is a part.

22 Section 1303. Where Bridge Is Over Railroad or Canal.--If a
23 bridge is built over a railroad or canal, such bridge shall not
24 obstruct the same. Nothing in this article shall release any
25 railroad or other companies from the requirements of existing
26 law.

27 (b) Over Streams, Railroads and Canals

28 on Township Boundaries

29 Section 1305. Bridges on Division Line of Townships.--Where
30 a stream, a gully, a railroad or a canal, over which a bridge is

1 necessary, is on the boundary line of two townships, or of a
2 township and a municipality, the bridge shall be built and
3 maintained in the manner directed by this act in the case of
4 public roads which are on the division line between townships,
5 or townships and municipalities.

6 (c) Maintenance, Repair, and Rebuilding of Bridges

7 Built by County

8 Section 1310. County Bridges.--Whenever a bridge or part
9 thereof has been built by the county, or the whole or part of
10 the money necessary to build it has been furnished by the
11 county, and the bridge has not been entered on record as a
12 county bridge, such bridge shall be maintained, kept in repair,
13 and rebuilt, when necessary, by the township or townships in
14 which, or on the boundary line of which, it is located, without
15 rendering the county liable for the same.]

16 ARTICLE [XIV] XXIV

17 SIDEWALKS [AND], FOOTPATHS AND CURBS

18 [Section 1401. Power of Supervisors to Establish Width and
19 Location of Sidewalks; Consents in Certain Cases.--The
20 supervisors of any township, upon the request of any landowner
21 whose land fronts upon a public road or highway within such
22 township, may establish the width, grade and location for a
23 sidewalk along one or both sides of said road or highway along
24 the lands of such owner. When said sidewalks are so established,
25 such landowner shall pay for and keep the same in repair.

26 In case the highway is a State or county highway, the written
27 consent of the Department of Highways or the county
28 commissioners, as the case may be, shall first be obtained.

29 Section 1402. Construction of Sidewalks or Sidewalks and
30 Curbs Upon Petition of Property Owners or Pursuant to

1 Ordinance.--(a) The township supervisors may construct
2 sidewalks or curbs, or sidewalks and curbs, of suitable
3 material, along the roads or highways, in such townships, upon
4 the petition of owners of property representing a majority in
5 number of feet front of the properties abutting on the roads or
6 highways where such sidewalks or sidewalks and curbs are to be
7 constructed. Whenever any such petition is filed with the
8 supervisors, the owner of the property shall be given notice by
9 the supervisors to construct such sidewalk or sidewalk and curb;
10 and in case of the failure of the owner to complete such
11 sidewalk or sidewalk and curb within a period of sixty days
12 after the receipt of such notice, the supervisors may construct
13 such sidewalk or sidewalk and curb as herein provided. Whenever
14 any sidewalks or sidewalks and curbs are constructed by the
15 supervisors, the expense of the construction of such sidewalk or
16 sidewalk and curb shall be paid by the abutting property owners
17 in proportion to their frontage. If such owners fail to so pay
18 the expenses of the construction of such sidewalk or sidewalk
19 and curb, the township supervisors may recover the amount by
20 action of assumpsit, or may file municipal liens therefor
21 against the abutting properties, in the manner provided by law
22 for the filing and collection of municipal liens.

23 (b) The township supervisors may also construct sidewalks
24 and curbs of suitable material along the roads or highways in
25 such townships pursuant to an ordinance authorizing such
26 construction. All reconstruction, repaving and recurbing may be
27 provided for in the ordinance providing for the original
28 construction, paving and curbing, without the necessity for
29 adopting a new ordinance for such reconstruction, repaving and
30 recurbing. Whenever any sidewalks or curbs are constructed by

1 the supervisors pursuant to such ordinance, the expense of the
2 construction of such sidewalks or curbs shall be paid by the
3 abutting property owners in proportion to their frontage, but in
4 no such instance shall any abutting property owner be liable for
5 the construction of such sidewalk in an amount greater than ten
6 percent, nor for the construction of such curb in an amount
7 greater than ten percent, of the assessed valuation of the
8 abutting property owned by him. Any expense above such maximum
9 liability of abutting property owners shall be paid by the
10 townships. If abutting property owners fail to so pay the
11 expenses of the construction of such sidewalks or curbs for
12 which they are liable, the township supervisors may recover the
13 amount by action of assumpsit or may file municipal liens
14 therefor against the abutting properties in the manner provided
15 by law for the filing and collection of municipal liens.

16 Section 1403. Power to Establish Lines, Grades and Width of
17 Curbs, Sidewalks or Footpaths.--Supervisors of townships may
18 regulate by ordinance, the line, grade and width of curbs,
19 sidewalks or footpaths constructed along the roads or highways
20 in such townships, and shall have general supervision over the
21 same and may establish a grade or grades for curbs, sidewalks or
22 footpaths, which grade or grades may be separate and apart from
23 the grade or grades established for the cartway or roadway. In
24 case the highway is a State or county highway, the written
25 consent of the Department of Highways or the county
26 commissioners, as the case may be, shall first be obtained.

27 Section 1404. Sidewalks or Footpaths by Township.--Whenever
28 it shall appear to the supervisors that any part or portion of
29 any road or highway is dangerous to the traveling public and
30 such danger could be materially reduced or lessened by the

1 construction of a sidewalk or footpath, the supervisors shall
2 have the right to lay out and construct a sidewalk or footpath
3 along such dangerous portion of said road or highway of such
4 materials as they shall deem advisable, and to expend moneys
5 from the general fund of the township therefor. In case the
6 highway is a State or county highway, the written consent of the
7 Department of Highways or the county commissioners, as the case
8 may be, shall first be obtained.]

9 Section 2401. Location, Lines, Grades and Width of Curbs,
10 Sidewalks or Footpaths; Costs.--(a) The board of supervisors
11 may, by ordinance, regulate the line, grade and width of curbs,
12 sidewalks or footpaths constructed along the roads or highways
13 in the township, shall have general supervision over them and
14 may establish a grade or grades for curbs, sidewalks or
15 footpaths, which grade or grades may be separate and apart from
16 the grade or grades established for the cartway or roadway.

17 (b) If the highway is a State or county highway, the written
18 consent of the Department of Transportation or the county
19 commissioners shall first be obtained.

20 (c) The costs of construction of sidewalks, footpaths or
21 curbs may be paid by one of the following methods:

22 (1) The board of supervisors, upon the request of any
23 landowner whose land fronts upon a public road or highway within
24 the township, may establish a sidewalk or curbs along one or
25 both sides of the road or highway along the lands of the owner.
26 When the sidewalks or curbs are established, the landowner shall
27 pay for the construction of the sidewalks or curbs and keep them
28 in repair.

29 (2) The board of supervisors may construct sidewalks or
30 curbs along the roads or highways, upon the petition of property

owners representing a majority in number of feet front of the properties abutting on the roads or highways where the sidewalks or curbs are to be constructed. When a petition is filed with the board of supervisors, the property owner shall be given notice by the board of supervisors to construct the sidewalk or curb. If the owner fails to complete the sidewalk or curb within a period of sixty days after the receipt of the notice, the board of supervisors may construct the sidewalk or curb. When any sidewalk or curb is constructed by the board of supervisors, the expense of the construction of the sidewalk or curb shall be paid by the abutting property owners in proportion to their frontage. If the owners fail to pay the expenses of the construction of the sidewalk or curb, the board of supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties under law for the filing and collection of municipal liens.

(3) The board of supervisors may, by ordinance, in absence of a petition, provide for the construction, reconstruction and repair of sidewalks and curbs within the township. When any sidewalks or curbs are constructed, reconstructed or repaired by the board of supervisors under the ordinance, the expense of the construction of the sidewalks or curbs shall be paid by the abutting property owners in proportion to their frontage, but no owner shall be liable for the cost of construction of the sidewalk or curb in an amount greater than fifteen percent of the assessed valuation of the abutting property. Any expense above the maximum liability of abutting property owners shall be paid by the township. If abutting property owners fail to pay the expenses of the construction of the sidewalks or curbs for which they are liable, the board of supervisors may recover the

1 amount by action of assumpsit or may file municipal liens
2 therefor against the abutting properties under law for the
3 filing and collection of municipal liens.

4 (4) When the board of supervisors establishes that any part
5 of any road or highway is dangerous to the traveling public and
6 the danger could be materially reduced or lessened by the
7 construction of a sidewalk, curb or footpath, the board of
8 supervisors may lay out and construct a sidewalk, curb or
9 footpath along the dangerous portion of the road or highway at
10 township expense.

11 (d) All assessments for costs levied under this article
12 shall be filed with the township treasurer and collected under
13 section 3302(a).

14 ARTICLE [XV] XXV

15 SANITARY SEWERS [AND DRAINS

16 (a) Establishing and Constructing Sewer and Drainage Systems;
17 Sewer Connections and Charges; Disposal of Sewage;

18 Assessment of Cost of Construction

19 Section 1501. Power to Establish and Construct Sewers and
20 Drains.--(a) Townships may establish and construct a system of
21 sewers and drainage, locating the same as far as practicable
22 along and within the lines of the public roads of the townships
23 as seems advisable to the board of supervisors. The supervisors
24 may permit and, where necessary for the public health, require
25 adjoining and adjacent property owners to connect with and use
26 the same. In case any owner of property adjoining or adjacent to
27 such sewer shall neglect or refuse to connect with and use said
28 sewer for a period of sixty days after notice to do so has been
29 served upon him by the supervisors, either by personal service
30 or by registered mail, said supervisors or their agents, may

1 enter upon such property and construct such connection. In such
2 case the supervisors shall forthwith, upon completion of the
3 work, send an itemized bill of the cost of construction of such
4 connection to the owner of the property to which connection has
5 been so made, which bill shall be payable forthwith. In case of
6 neglect or refusal by the owner of such property to pay said
7 bill, it shall be the duty of the township supervisors to file
8 municipal liens for said construction within six months of the
9 date of completion of the construction of said connection, the
10 same to be subject in all respects to the general law providing
11 for the filing and recovery of municipal liens.

12 (b) Whenever an existing sewer system owned by or leased to
13 a township of the second class is extended or altered at the
14 expense of a developer or other private person or corporation
15 under the supervision of such township or a municipal authority
16 of such township, the township supervisors may, by ordinance or
17 resolution, take over said extension or alteration and compel
18 all owners of property which is not already connected to an
19 existing public sewer system and which is accessible to and
20 whose principal building is within one hundred fifty feet from
21 such sewer extension to pay a tapping fee and make connection
22 therewith and use such sewer system in such manner as they may
23 order.

24 (c) The supervisors may refund all or part of said tapping
25 fee or fees to the developer or other private person or
26 corporation who or which paid for said construction. Said
27 tapping fees may be based upon front foot construction costs,
28 however, the total of said refunds shall never exceed the cost
29 of said extension or alterations. Once said extension or
30 alteration is taken over it shall become part of the existing

1 sewer system.

2 (d) Notwithstanding the powers granted pursuant to
3 subsection (a), (b) or (c), no township shall have the power to
4 require any commercial or industrial business to connect to the
5 township sewer system when such commercial or industrial
6 business is operating a sewer treatment plant under mandate of
7 any agency of the Federal or State Government. This exemption
8 shall last as long as such sewer treatment plant continues to
9 meet the specifications and standards mandated by such Federal
10 or State agency and for forty-five days thereafter. If, during
11 the days immediately subsequent to the day a business' sewer
12 treatment plant is determined to be below Federal or State
13 mandates, repairs cannot be made to bring the system back up to
14 satisfactory condition, the township may require such business
15 to connect to its sewage treatment system. In such case, the
16 full costs of connection to, and any necessary refurbishing of,
17 the township sewer system shall be borne by such business.

18 (e) The exemption provided for in subsection (d) shall not
19 be available in any situation where the business seeking to use
20 it had notice, either actual or constructive, prior to
21 construction of its sewer treatment plant, of the township's
22 intention to construct a sewage treatment plant and to require
23 that business to connect with its system.

24 (f) The Department of Environmental Resources shall not,
25 subsequent to the effective date of this amendatory act, issue
26 any permit to allow a commercial or industrial business to
27 construct its own permanent sewer treatment plant without the
28 written consent of the township supervisors of the township
29 wherein such treatment plant is proposed to be located.]

30 Section 2501. Sanitary Sewers.--The board of supervisors may

establish and construct sanitary sewer systems which shall, if possible, be constructed along and within the lines of the rights-of-way of public roads. If the board of supervisors determines that the systems shall be located on or through private property, the board of supervisors may acquire the land by gift, purchase or eminent domain.

Section 2502. Sanitary Sewer Connections.--(a) The board of supervisors may, by ordinance, require adjoining and adjacent property owners to connect with and use the sanitary sewer system, whether constructed by the township or a municipality authority or a joint sanitary sewer board. In the case of a sanitary sewer system constructed by the township pursuant to either section 2501 or 2516, the board of supervisors may impose and charge to property owners who desire to or are required to connect to the township's sewer system a connection fee, a customer facilities fee, a tapping fee and other similar fees, as enumerated and defined by clause (t) of subsection B of section 4 of the act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945," as a condition of connection to a township-owned sewer collection, treatment or disposal facility. If any owner of property adjoining or adjacent to or whose principal building is within one hundred and fifty feet from the sanitary sewer fails to connect with and use the sanitary sewer for a period of sixty days after notice to do so has been served by the board of supervisors, either by personal service or by registered mail, the board of supervisors or their agents may enter the property and construct the connection. The board of supervisors shall send an itemized bill of the cost of construction to the owner of the property to which connection has been made, which bill is payable

1 immediately. If the owner fails to pay the bill, the board of
2 supervisors shall file a municipal lien for the cost of the
3 construction within six months of the date of completion of the
4 connection.

5 (b) When an existing sanitary sewer system owned by or
6 leased to a township is extended or altered at the expense of a
7 developer or other private person or corporation under the
8 supervision of the township or a municipality authority of the
9 township, the board of supervisors may, by ordinance or
10 resolution, take over the extension or alteration and compel all
11 owners of property which is not already connected to an existing
12 public sanitary sewer system and which is accessible to and
13 whose principal building is within one hundred and fifty feet
14 from the sanitary sewer extension to make connection therewith
15 and use the sanitary sewer system as the board of supervisors
16 may order.

17 (c) Whenever a sewer system or any part or extension thereof
18 owned by a township has been constructed by the township at the
19 expense of a private person or corporation or has been
20 constructed by a private person or corporation under the
21 supervision of the township at the expense of the private person
22 or corporation, the board of supervisors shall have the right to
23 charge a tapping fee, including a reimbursement component, and
24 refund said reimbursement component to the person or corporation
25 who has paid for the construction of said sewer system or any
26 part or extension thereof.

27 (d) The board of supervisors shall not require any
28 commercial or industrial business to connect to the township
29 sanitary sewer system when the commercial or industrial business
30 is operating a private sanitary sewage treatment plant under

1 mandate of any agency of the Federal or State Government. This
2 exemption shall last as long as the private sanitary sewage
3 treatment plant continues to meet the specifications and
4 standards mandated by the Federal or State agency and for forty-
5 five days after that. If, during the days immediately after the
6 day a business' private sanitary sewage treatment plant is
7 determined to be below Federal or State mandates, repairs cannot
8 be made to bring the private sewage treatment system back up to
9 satisfactory condition, the board of supervisors may require the
10 business to connect to the township sanitary sewer system. The
11 full costs of connection to, and any necessary refurbishing of,
12 the township sanitary sewer system shall be paid by the
13 business.

14 (e) The exemption in subsection (d) is not available in any
15 situation where the business seeking to use it had notice,
16 either actual or constructive, before construction of its sewage
17 treatment plant, of the township's intention to construct a
18 sanitary sewer system and to require that business to connect
19 with its system.

20 (f) The Department of Environmental Resources PROTECTION <—
21 shall not issue any permit to allow a commercial or industrial
22 business to construct its own private sewage treatment plant
23 without the written consent of the board of supervisors of the
24 township in which the private sewage treatment plant is proposed
25 to be located.

26 [Section 1501.1. Sewer System Established or Constructed by
27 Municipality Authorities; Connection and Use by Owners;
28 Enforcement.--Whenever a sewer system is or shall have been
29 established or constructed by a municipality authority within a
30 township of the second class, the township supervisors shall be

1 empowered, by ordinance, to compel all owners of property
2 accessible to and whose principal building is within one hundred
3 fifty feet from such sewer system to make connection therewith
4 and use such sewer system in such manner as they may order. The
5 township supervisors may, by ordinance, impose penalties to
6 enforce any regulation or order they may ordain with reference
7 to any sewer connections. In case any owner of property
8 accessible to and whose principal building is within one hundred
9 fifty feet from a sewer system established or constructed by a
10 municipality authority shall neglect or refuse to connect with
11 said sewer system for a period of sixty days after notice to do
12 so has been served upon him by the township supervisors, either
13 by personal service or by registered mail, the township
14 supervisors or their agents may enter upon such property and
15 construct such connection. In such case, the township
16 supervisors shall forthwith, upon completion of the work, send
17 an itemized bill of the cost of the construction of such
18 connection to the owner of the property to which connection has
19 been so made, which bill shall be payable forthwith. In case of
20 neglect or refusal by the owner of such property to pay said
21 bill, it shall be the duty of the township supervisors to file
22 municipal liens for said construction within six months of the
23 date of the completion of the construction of said connection,
24 the same to be subject in all respects to the general law
25 provided for the filing and recovery of municipal liens.

26 Section 1502. Notice of Contemplated Construction; Protests
27 by Property Owners.--No sewer, drain or system thereof shall be
28 constructed under the provisions of this article unless a
29 resolution or ordinance of the board of supervisors authorizing
30 the same shall be published in a newspaper of general

1 circulation published in the county in which the township is
2 situated, once a week for three successive weeks. If, before the
3 expiration of twenty days after the last publication, sixty per
4 centum of the total property owners of the township or the
5 affected sewer district, if such district has been constituted,
6 as the case may be, shall sign and file, in the office of the
7 prothonotary of the court of common pleas of the county in which
8 the township is located, a written protest against the
9 construction of such sewer, drain or system thereof, then the
10 construction authorized by such resolution or ordinance shall
11 not be undertaken or proceeded with.]

12 Section 2503. Notice of Contemplated Construction.--No
13 sanitary sewer system shall be constructed under this article
14 unless a resolution of the board of supervisors authorizing the
15 construction is published in a newspaper of general circulation
16 in the township once a week for three successive weeks.

17 [Section 1503. Location of Sewers on Private Property.--
18 Where it is reasonably impracticable in the judgment of the
19 supervisors in any part of such system to carry such sewers or
20 drains along the lines of public roads, they may locate and
21 construct so much of the same as is necessary through private
22 lands and acquire the necessary land or right of way for such
23 purpose, by gift or by the exercise of the right of eminent
24 domain.

25 Section 1504. Treatment Works and Facilities Therefor;
26 Eminent Domain.--The supervisors shall make the necessary
27 provision for the disposition of the sewage and drainage within,
28 or for carrying the same beyond, the limits of the township,
29 and, to this end, they are hereby authorized to enter into
30 contracts with other municipalities and other corporations or

1 persons to purchase, acquire, enter upon, take, appropriate,
2 occupy and use such lands, rights, and interests therein within
3 the corporate limits of other townships or boroughs as shall be
4 necessary for the proper location, construction, maintenance,
5 use, and operation of sewer mains, drains, or treatment works,
6 including such lands, rights, and interests therein as shall be
7 necessary for future additions to and enlargements of such
8 sewerage or drainage facilities, and as may be necessary to
9 carry out the plans and specifications upon which a permit has
10 been issued by the Secretary of Health in accordance with law.

11 Section 1505. Entry on Lands to Mark Sewer Routes;

12 Damages.--In the event of inability to agree with the owners,
13 either for the land necessary for so much of the line of sewers
14 and drains as are not located upon public roads, or for so much
15 land as is required for the disposition of the sewage, the
16 supervisors may enter upon said land and mark thereon the route
17 and width necessary for the construction of the line of sewers
18 or drains or the boundaries of so much land as is necessary for
19 disposition of such sewage, and occupy the said land for such
20 purposes. For all damage done or suffered or which accrues to
21 the owner or owners of such land by reason of the taking of the
22 same, the general fund of the township shall be pledged and
23 deemed as security. Such damages shall be determined by viewers
24 in the manner provided in this act for eminent domain
25 proceedings.]

26 Section 2504. Entering Lands to Mark Sanitary Sewer Routes;

27 Damages.--In the absence of an agreement with the owners of land
28 required for sanitary sewer systems or for the marking of the
29 route of the systems, the board of supervisors or its agents
30 have the right to enter the lands for that purpose. For all

1 damage done by entering the land under this section, the general
2 fund of the township shall be pledged as security. Damages shall
3 be determined by viewers under this act for eminent domain
4 proceedings.

5 Section 2505. Sanitary Sewer Systems; Acquisition of Land
6 and Facilities; Damages.--The board of supervisors may acquire
7 by eminent domain or make contracts with other municipal
8 corporations, corporations or persons for the acquisition of
9 lands or facilities for the location, construction, maintenance,
10 reconstruction and enlargement of sanitary sewer systems and
11 treatment facilities. Acquisitions may be made for the purpose
12 of future construction or additions to existing systems. The
13 acquired land may be located either inside or outside the
14 boundaries of the township. For all damage done to owners of
15 land by reason of the taking of the land, the general fund of
16 the township shall be pledged as security. Damages shall be
17 determined by viewers under this act for eminent domain
18 proceedings.

19 [Section 1507. Cost of Construction; How Paid.--All or any
20 portion of the cost of construction of any such system of sewers
21 or drains, constructed by the authority of this subdivision, may
22 be charged upon the properties accommodated or benefited thereby
23 in the manner hereinafter provided.

24 The township supervisors may finance the cost of construction
25 of any such system of sewers or drains, by the incurring of debt
26 by the township, within the limitations and pursuant to the
27 provisions of the act of July 12, 1972 (P.L.781, No.185), known
28 as the "Local Government Unit Debt Act." Where debt is so
29 incurred, the supervisors at their sole discretion may assess
30 all or any portion of the cost of the construction of such

1 sewers or drains, as permitted by law, against the properties
2 accommodated or benefited by such improvements as hereinafter
3 provided, and to deposit the net proceeds of such assessments in
4 a sinking or analogous fund established in connection with the
5 incurring of such debt.

6 Nothing in this section shall be construed to prevent the
7 financing of the cost of such construction under the provisions
8 of the "Municipality Authorities Act of 1945," and any
9 amendments thereto.]

10 Section 2506. Cost of Construction; How Paid.--All or part
11 of the cost of construction of a sanitary sewer system
12 constructed under this article may be charged upon the
13 properties accommodated or benefited by the construction.

14 [Section 1508. Sewer Districts; Township to Pay Non-
15 Assessable Portion of Cost.--Whenever a sewer or drainage system
16 is constructed by a township for the accommodation of a certain
17 portion of the township, the supervisors of such township may,
18 at any time before or after said construction, constitute the
19 territory accommodated into a sewer district or divide it into
20 several sewer districts. In every such case of division into
21 several districts, the supervisors shall make an estimate of the
22 proportion of the cost of the sewer system which should
23 equitably be charged on each of said districts, and declare and
24 establish such apportionment by resolution.

25 In all cases where a sewer or drainage system is constructed
26 by a township for the benefit of a certain portion only of the
27 township, and the cost of main sewers, pumping stations,
28 pressure lines, et cetera, is charged against the sewer district
29 or sewer districts, as herein provided, the total amount charged
30 to each district may be assessed to the district by an

1 assessment upon each lot or piece of land in said district, in
2 proportion to its frontage abutting on the sewer, or by an
3 assessment upon the several properties abutting on the sewer, in
4 proportion to benefits, or upon the properties connected with
5 and using said sewers, as sewer rentals, in the manner provided
6 by law for the assessment of sewer rentals, or each lot or piece
7 of ground abutting upon said sewer may be assessed, in
8 proportion to its frontage or according to benefits, the cost of
9 a local sewer, and the balance of the amount charged against the
10 district may be assessed upon the properties connected with and
11 using said sewer, as sewer rentals in the manner provided by law
12 for assessment of sewer rentals. No district shall be charged
13 with more than its due proportion of the cost of the main
14 sewers, pumping stations, et cetera, used jointly by more than
15 one district. Where the whole of the township is accommodated by
16 the system it may also be treated as a single district, or
17 divided into districts and be subject to the foregoing
18 provisions.]

19 Section 2507. Sanitary Sewer Districts.--(a) When a
20 sanitary sewer system is constructed by a township for the
21 accommodation of a certain portion of the township, the board of
22 supervisors may, before or after the construction, designate the
23 territory accommodated as one sanitary sewer district or divide
24 it into several sanitary sewer districts. The board of
25 supervisors shall estimate the proportion of the cost of the
26 sanitary sewer system to be charged on each of the districts and
27 declare and establish the apportionment by resolution.

28 (b) When a sanitary sewer system is constructed by a
29 township for the benefit only of a certain portion of the
30 township and the cost of main sanitary sewers, pumping stations,

1 pressure lines, et cetera, is charged against the sanitary sewer
2 district or sanitary sewer districts, all or part of the amount
3 charged to each district may be assessed to the district by an
4 assessment upon each lot or piece of land in the district, in
5 proportion to its frontage abutting on the sanitary sewer, or by
6 an assessment upon the several properties abutting on the
7 sanitary sewer, in proportion to benefits, or upon the
8 properties connected with and using the sanitary sewers as
9 rental fees, or each lot or piece of ground abutting upon the
10 sanitary sewer may be assessed, in proportion to its frontage or
11 according to benefits, the cost of a local sanitary sewer, and
12 the balance of the amount charged against the district may be
13 assessed upon the properties connected with and using the
14 sanitary sewer, as rental fees. No district shall be charged
15 with more than its due proportion of the cost of the main
16 sanitary sewers, pumping stations, et cetera, used jointly by
17 more than one district. If the whole of the township is
18 accommodated by the sanitary sewer system, it may be treated as
19 a single district.

20 [Section 1509. Manner of Assessment.--The charge for any
21 such sewer or drain construction in any township shall be
22 assessed upon the properties accommodated or benefited, in
23 either of the following methods:

24 (a) By an assessment, pursuant to a resolution or ordinance
25 of the board of supervisors, of each lot or piece of land in
26 proportion to its frontage abutting on the sewer or drain,
27 allowing such equitable reduction in the case of corner
28 properties and unusually shaped properties or those properties
29 abutting on more than one sewer or drain as the resolution or
30 ordinance may specify, however, when the lot or piece of land is

1 on a corner it shall be assessed for its entire frontage
2 abutting on any sewer or drain except when such property is a
3 vacant lot or contains only a single family dwelling in which
4 case it shall be assessed along the shorter frontage and
5 assessed along the longer frontage abutting on a sewer or drain,
6 commencing at a point no closer to the corner than one hundred
7 twenty-five feet. No assessment by frontage shall be made on
8 properties of such a character as not to be lawfully subject to
9 such manner of assessment, and each abutting property shall be
10 assessed with not less than the whole amount of the benefit
11 accruing to it and legally assessable; or

12 (b) By an assessment upon the several properties abutting on
13 the sewer or drain in proportion to benefits. The amount of the
14 charge on each property shall be ascertained as hereinafter
15 provided.

16 When a township is divided into sewer districts, the
17 assessment in each district may be by different methods.]

18 Section 2508. Manner of Assessment.--When a township is
19 divided into sanitary sewer districts, the assessment in each
20 district may be by different methods. The assessment, if any,
21 for sanitary sewer system construction shall be charged upon the
22 properties accommodated or benefited by one of the following
23 methods:

24 (1) By an assessment, under a resolution or ordinance of the
25 board of supervisors, of each lot or piece of land in proportion
26 to its frontage abutting on the sanitary sewer system, allowing
27 an equitable reduction in the case of corner properties and
28 unusually shaped properties or those properties abutting on more
29 than one collector line of the sanitary sewer as the resolution
30 or ordinance may specify. When the lot or piece of land is on a

1 corner, it shall be assessed for its entire frontage abutting on
2 any sanitary sewer system.

3 (2) By an equal assessment on all properties abutting on the
4 sanitary sewer system in proportion to the total cost of
5 construction of the sanitary sewer system. The amount of the
6 charge on each property shall be determined by the board of
7 supervisors.

8 [Section 1510. Procedure for Assessment of Benefits.--In all
9 cases where the board of supervisors shall select the method
10 provided by subdivision (b) of the foregoing section, they shall
11 petition the court of common pleas for appointment of viewers to
12 assess benefits. In all cases where they shall neglect, for a
13 period of three months after the completion of the sewer or
14 drainage system, to either make assessments by frontage or
15 present petition for appointment of viewers, taxpayers of the
16 township whose property valuation as assessed for taxable
17 purposes within the township shall amount to fifty per centum of
18 the total property valuation so assessed may present a petition
19 to the court of common pleas of the county for the appointment
20 of viewers to assess benefits; and in all cases where such
21 taxpayer shall, within three months of the adoption of a
22 resolution or ordinance levying an assessment under the method
23 provided by subsection (a) of said foregoing section, by
24 petition, state to said court that such assessment
25 insufficiently represents the benefits accruing to abutting
26 properties, they may include in such petition a prayer for the
27 appointment of viewers to assess benefits. In either case the
28 court shall thereupon appoint three disinterested persons from
29 the board of county viewers, none of whom shall be a resident of
30 that portion of the township which is accommodated by the sewer

1 or drainage system in question, and the viewers so appointed
2 shall proceed as provided in this act for proceedings for the
3 assessment of damages and benefits by viewers. The aggregate of
4 the assessments in any sewer district shall not exceed the
5 amount charged to such district for its share of the cost of the
6 sewer or drain construction unless the same shall, by petition
7 of taxpayers, whose property valuation as aforesaid shall amount
8 to fifty per centum of the total property valuation as assessed
9 for taxable purposes within the township, presented within three
10 months after the adoption of a resolution or ordinance providing
11 for an assessment by frontage, be stated to insufficiently
12 represent the amount of benefits to such properties, in which
13 case the proceedings by taxpayers authorized above shall be
14 applicable. Upon the filing of such a petition by taxpayers as
15 aforesaid for appointment of viewers, any assessment made by the
16 supervisors and any proceedings thereunder shall be stayed
17 pending the disposition of the petition by the court.]

18 Section 2509. Procedure for Assessments.--If any taxpayer
19 states, by petition, within three months of the adoption of a
20 resolution or ordinance levying an assessment under section 2508
21 to the court of common pleas that the assessment insufficiently
22 represents the benefits accruing to abutting properties, they
23 may include in the petition a request for the appointment of
24 viewers to assess benefits. The court shall appoint three
25 viewers, none of whom shall be a resident of that portion of the
26 township which is accommodated by the sanitary sewer system in
27 question, and the viewers shall proceed under this act for the
28 assessment of damages and benefits. Upon the filing of a
29 petition by taxpayers for appointment of viewers, any assessment
30 made by the board of supervisors and any proceedings shall be

1 stayed pending the disposition of the petition by the court.

2 [Section 1511. Liens for Assessments; Costs of
3 Proceedings.--After the amount of the assessment charged upon
4 the several properties has been established, either by
5 resolution or ordinance making assessments according to
6 frontage, or by confirmation of any report of viewers, in whole
7 or in part, the amounts of all assessments shall be payable to
8 the township treasurer for the use of the sewer district or
9 districts or the township, as the case may be, in which they are
10 assessed. The supervisors shall make out bills for the amounts
11 charged against each property, which shall be forthwith sent to
12 all property owners residing in the township, and mailed to all
13 such owners residing elsewhere whose address is known. If any
14 such assessment is not paid within sixty days after the mailing
15 of a bill therefor, the supervisors shall cause it to be
16 collected by action of assumpsit, or such assessment shall be
17 collected in the manner provided for the filing and recovery of
18 municipal claims.

19 The costs of publication of notices in proceedings before
20 viewers shall be paid by the township upon presentation of bills
21 approved by the court.]

22 Section 2510. Liens for Assessments; Costs of Proceedings.--
23 After the amount of the assessment charged upon the several
24 properties has been established by resolution making assessments
25 according to frontage or by confirmation of any report of
26 viewers, in whole or in part, the amounts of all assessments are
27 payable to the township treasurer for the use of the sanitary
28 sewer district or districts or the township in which they are
29 assessed. The board of supervisors shall make out bills for the
30 amounts charged against each property, which shall be sent to

1 all property owners whose property will be served by the
2 sanitary sewer system. If the assessment is not paid within
3 sixty days after the mailing of a bill therefor, the board of
4 supervisors shall collect it by action of assumpsit or under law
5 for the filing and recovery of municipal claims.

6 [Section 1512. Sewer Rentals.--All persons whose property
7 connects with a system of sewers or drains shall pay to the
8 township treasurer, in addition to the cost of making such
9 connection, a monthly, quarterly, semi-annual or annual charge
10 prescribed by a resolution of the board of supervisors. Such
11 monthly, quarterly, semi-annual or annual charge or charges
12 shall constitute a lien until paid against the property so
13 connecting with such system, and the amount thereof may be
14 recovered by due process of law. All water utilities supplying
15 water to users within the boundaries of any township shall, at
16 the request of the board of supervisors, furnish to the
17 township, on or before the fifteenth day of the month following
18 the month during which bills are issued, a list of all water
19 meter readings and flat-rate water bills and the basis for each
20 flat-rate water charge, so that the data may be used in
21 calculating such charges. The township is authorized and
22 empowered to pay to such utilities reasonable amounts for
23 necessary clerical and other expenses incurred in the
24 preparation of such lists.

25 Nothing in this section shall be construed to repeal or
26 modify any of the provisions of the Public Utility Law.]

27 Section 2511. Rental Fees.--(a) All persons whose property
28 is connected to a sanitary sewer system shall pay to the
29 township treasurer, in addition to the cost of making the
30 connection, a monthly, quarterly, semi-annual or annual charge

1 adopted by a resolution of the board of supervisors. The charges
2 constitute a lien until paid against the property connected to
3 the sanitary sewer system, and the amount thereof may be
4 recovered by due process of law. All water utilities supplying
5 water to users within the boundaries of any township shall, at
6 the request of the board of supervisors, furnish to the
7 township, on or before the fifteenth day of the month following
8 the month during which bills are issued, a list of all water
9 meter readings and flat-rate water bills and the basis for each
10 flat-rate water charge so that the data may be used in
11 calculating rental fees. The township may pay to the utilities
12 clerical and other expenses incurred in the preparation of the
13 lists.

14 (b) Nothing in this section shall be construed to repeal or
15 modify any of the provisions of 66 Pa.C.S. (relating to public
16 utilities).

17 (c) All sewer rentals received shall be deposited in a
18 special fund to be used only for the payment of the cost of
19 construction, reconstruction, repair, operation and maintenance
20 of the sanitary sewer system.

21 [(b) Sewers Under State and County Highways

22 Section 1525. Consents Necessary.--Townships may construct
23 sewers and drains in or under any county or State highway within
24 the township boundaries. In case of the construction of sewers
25 or drains in or under county highways, the consent of the county
26 commissioners of the county shall first be obtained, and in case
27 of the construction of sewers or drains in or under any State
28 highway, the consent of the Secretary of Highways shall first be
29 obtained.]

30 Section 2512. State and County Highways; Consents

1 Necessary.--Sanitary sewers may be constructed in or under any
2 State or county highway. If the construction of sanitary sewers
3 is in or under county highways, the consent of the county
4 commissioners of the county shall first be obtained and, if the
5 construction of sanitary sewers is in or under any State
6 highway, the consent of the Department of Transportation shall
7 first be obtained.

8 [Section 1526. Assessment of Cost.--Whenever sewers or
9 drains have been or shall be laid or constructed by any township
10 in or under State or county highways, the township, unless the
11 same can be agreed upon, may ascertain, levy, and collect the
12 costs and expenses of the construction thereof from the abutting
13 property holders by viewers in accordance with the provisions of
14 this act relating to the assessment of damages and benefits by
15 viewers.

16 (c) Connecting with Sewer of Adjoining Municipality

17 Section 1530. Agreements for Connections; Appointment of
18 Viewers.--Any township may, by agreement, connect with an
19 existing sewer owned by any adjacent municipality, for sewage
20 purposes.

21 Whenever any township desires to connect with the existing
22 sewer of any adjacent municipality and no agreement has been
23 reached between such township and the adjacent municipality, a
24 petition shall be presented by the board of supervisors to the
25 court of quarter sessions setting forth the facts. The court
26 shall fix a day for hearing upon such petition and shall direct
27 such public notice to all parties interested therein as to it
28 shall seem desirable. If, after hearing, the court shall be of
29 the opinion that such connection can be made without impairing
30 the usefulness of the existing sewer, it shall appoint three

1 viewers who shall view the premises, and investigate the facts
2 of the case and shall assess the necessary costs and expenses of
3 making the connection, and the proportionate part of the expense
4 of building the original sewer upon such township, and shall fix
5 the proportion of the expense for repairs which the municipality
6 and the township shall thereafter bear, and determine all other
7 questions liable to arise in connection therewith.]

8 Section 2513. Municipal Corporation; Municipality Authority;
9 Agreements for Connections; Appointment of Viewers.--(a) Any
10 township may, by agreement, connect with an existing sanitary
11 sewer owned by any municipal corporation or municipality
12 authority for either sewage collection or treatment purposes.

13 (b) When any township desires to connect with the existing
14 sewer of any municipal corporation or municipality authority, a
15 petition shall be presented by the board of supervisors to the
16 court of common pleas setting forth the facts. The court shall
17 fix a day for hearing upon the petition and direct public notice
18 be given to all interested parties. If the court is of the
19 opinion that the connection can be made without impairing the
20 usefulness of the existing sanitary sewer system, it shall
21 appoint three viewers to view the premises, investigate the
22 facts of the case, assess the necessary costs and expenses of
23 making the connection and the proportionate part of the expense
24 of building the original sanitary sewer system upon the
25 township, determine the proportion of the expense for repairs
26 which the municipal corporation or municipality authority and
27 the township shall bear and determine all other questions liable
28 to arise in connection therewith.

29 [Section 1531. Report of Viewers.--The viewers shall report
30 to the court the result of their investigation, which report

1 shall be confirmed within thirty days unless exceptions thereto
2 are filed, the disposal of which exceptions, any party
3 interested may appeal.]

4 Section 2514. Report of Viewers.--The viewers shall report
5 the results of their investigation to the court, and the court
6 shall confirm the report within thirty days of its submission
7 unless exceptions are filed. Any interested party may appeal the
8 disposition of filed exceptions.

9 [(d) Acquisition of Sewer Systems

10 Section 1535. Acquisition.--(a) Any township, in which any
11 person is maintaining sewers and culverts with the necessary
12 inlet and appliances for surface and under-surface and sewage
13 drainage, or in which any person or persons are maintaining a
14 community sewage collection or disposal system as herein
15 defined, may become the owner of such sewers, culverts, inlet
16 and appliances, or the owner of such community sewage collection
17 or disposal system, by paying therefor not more than the actual
18 value of the same at the time of the taking by the township, or
19 by gift from the owner or owners thereof.

20 (b) In case the supervisors of the township cannot agree
21 with the owners of such sewers or sewage collection or disposal
22 system as to the price to be paid therefor, the supervisors may
23 enter upon and take possession of such sewers, culverts, inlets
24 and appliances or of such sewage collection or disposal system.
25 For all damage done or suffered or which accrues to the owner of
26 the sewer or collection or disposal system by reason of the
27 taking of the same, the general fund of the township shall be
28 pledged and deemed as security; such damages to be determined by
29 viewers in the manner provided by this act for eminent domain
30 proceedings. If any sewer, sewer system of sewage collection or

1 disposal system is acquired by purchase under the provisions of
2 this section, the cost of such acquisition may be distributed or
3 assessed in the same manner as provided by this act in cases
4 where a sewer or drainage system is constructed by the township.

5 (c) For the purpose of this section, a community sewage
6 collection or disposal system is all or part of a device or
7 devices, installed on any privately or publicly owned parcel of
8 land, intended to treat or dispose of the sewage or equivalent
9 volume of domestic sewage from two or more residences, buildings
10 or occupied parcels of land, or any system of piping used in
11 collection and conveyance of sewage on private or public
12 property.

13 (d) After a community sewage collection or disposal system
14 has been acquired under the provisions of this section by the
15 township, the supervisors shall have the power to enlarge such
16 system if they deem it advisable. In such cases, the cost and
17 expenses of such enlargement may be distributed or assessed in
18 the same manner as if the enlargement was a regular sewer
19 constructed by the township under other provisions of this act.

20 (e) Whenever a community sewage collection or disposal
21 system is or shall have been established or constructed within a
22 township by a private owner or owners, and the township
23 supervisors are thereafter empowered by ordinance to acquire the
24 ownership of the sewage disposal system so established, or when
25 any such system has been enlarged by the township, such
26 acquisition and ownership shall be subject to the following
27 provisions of this subsection:

28 (1) When the person or persons having established or
29 constructed a community sewage collection or disposal system, or
30 when more than one-half the number of the owners of properties

1 which are connected with, have a right to use and are using a
2 community collection or disposal system, enter into an agreement
3 with the township for the acquisition of the system by the
4 township, such agreement shall be considered a valid agreement
5 by the owners of the sewage collection or disposal system and a
6 transfer of ownership to the township.

7 (2) The township shall operate and maintain any sewage
8 collection or disposal system acquired, and any enlargement or
9 addition thereto, for the use of persons having acquired from
10 the township or from the former owner or owners the right to use
11 the system and for the use of other owners of property
12 accessible thereto up to the capacity of the sewage collection
13 or disposal system.

14 (3) All persons whose property connects with the sewage
15 collection or disposal system, acquired or constructed by the
16 township, shall pay to the township treasurer a monthly,
17 quarterly, semi-annual or annual charge prescribed by a
18 resolution of the supervisors. The amount of the charges shall
19 not be in excess of the estimated amount necessary to maintain
20 and operate the system and to establish a reserve fund
21 sufficient for its future replacement.

22 (4) All sewer rentals or charges imposed by the supervisors
23 against properties connected with a community sewage collection
24 or disposal system under the provisions of this section shall
25 constitute liens against the properties and may be collected in
26 the same manner as other sewer charges.

27 (5) All moneys received from the sewer charges shall be
28 deposited as a special reserve fund and shall be used only for
29 the payment of the cost of operating and maintaining the sewage
30 collection or disposal system, and the replacement thereof if

1 necessary and economically desirable. If, at any time after the
2 acquisition or enlargement of the sewage system, a regular sewer
3 system is made available by the township for connection with the
4 properties using the community sewage collection or disposal
5 system, the owners of such properties shall be subject to the
6 other provisions of this act relating to sewers, and all money,
7 at that time in the reserve fund, which was received from
8 charges for the use of that particular sewage collection or
9 disposal system and which is over and above the amount expended
10 for the operation and maintenance of that particular sewage
11 collection or disposal system, shall be used towards the payment
12 of any sewer assessments charged against such properties under
13 other sections of this act.]

14 Section 2515. Acquisition of Existing Sanitary Sewer
15 Systems.--(a) The board of supervisors of the township in which
16 the facilities are located may acquire all or part of an
17 existing sanitary sewer system or community subsurface sewage
18 collection and treatment system.

19 (b) Acquisition may be by either purchase, when the board of
20 supervisors and the owner can agree on a price not exceeding the
21 actual value of the sanitary sewer system or part thereof to be
22 transferred, or by deed of dedication to the township by the
23 owners of the sanitary sewer system or part thereof or by the
24 exercise of eminent domain.

25 (c) If any sanitary sewer system or community subsurface
26 disposal collection and treatment system is acquired by purchase
27 or taking under this section, the cost of acquisition may be
28 distributed or assessed under this act as when a sanitary sewer
29 system is constructed by the township.

30 (d) The rights, powers and duties of the board of

1 supervisors with respect to acquired systems are the same as
2 exist with respect to sanitary sewer systems constructed by the
3 township.

4 [(e) Joint Sewers and Drains

5 Section 1540. Joint Sewers.--(a) Townships may jointly with
6 cities, boroughs or other townships build and construct sewers,
7 including trunk-line sewers or drains and sewage treatment
8 works, and may connect into such system existing sewers, and may
9 assess their respective portions of the cost thereof, or so much
10 thereof as may be legally assessable, upon property benefited by
11 the improvement as is provided in the case of townships by
12 sections one thousand five hundred and nine, one thousand five
13 hundred and ten, and one thousand five hundred and eleven of
14 this act. Any portion of the cost of such an improvement not
15 assessed or not assessable shall be paid by the respective
16 townships, cities, and boroughs joining as may be agreed upon.

17 (b) The townships, cities, and boroughs joining or
18 contemplating joining in any such improvement, in order to
19 facilitate the building of the same and in securing preliminary
20 surveys and estimates, may by ordinance provide for the
21 appointment of a joint sewer board composed of one
22 representative from each of the townships, cities, and boroughs
23 joining which shall act generally as the advisory and
24 administrative agency in the construction of such improvement,
25 and its subsequent operation and maintenance. The members of
26 such board shall serve for terms of six years each from the
27 dates of their respective appointments, and until their
28 successors are appointed. The board shall organize by the
29 election of a chairman, vice-chairman, secretary, and treasurer.
30 The several townships, cities, and boroughs may, in the

1 ordinances creating the board, authorize it to appoint an
2 engineer, a solicitor, and such other assistants as are deemed
3 necessary; and agree to the share of the compensation of such
4 persons each township, city, and borough is to pay. The members
5 of the board shall receive such compensation for attending its
6 meetings as shall be fixed in the budget, prepared by the board
7 and submitted to, and adopted by, the several townships, cities,
8 and boroughs as hereinafter provided. The budget item providing
9 for the compensation to members for attending meetings shall not
10 exceed a total of two hundred and fifty dollars per year, but
11 the members in addition thereto, shall be entitled to actual
12 expenses to be paid by the respective townships, cities, and
13 boroughs which such members represent. The fee for each
14 attendance at meetings shall be stipulated and no member shall
15 be paid such fee for any meeting which he does not attend.

16 (c) The joint sewer board shall have power to adopt rules
17 and regulations to govern its proceedings, and shall prepare and
18 suggest any practical measures and plans by means of which the
19 joint improvement may be carried to successful completion; and
20 the future development of the system, so as to conform to a
21 general plan, assured and safeguarded. It shall have power to
22 prepare a joint agreement or agreements for submission to and
23 adoption by the several townships, cities and boroughs defining
24 the advisory and administrative powers of the board; setting
25 forth the consents of the several townships, cities, and
26 boroughs to the proposed improvement; the manner, which shall
27 not be inconsistent with the provisions of this act, in which
28 preliminary and final plans, specifications, and estimates for
29 the proposed improvement shall be prepared and adopted; and in
30 which proposals for bids shall be advertised, and contracts let;

1 the manner in which the costs of the improvement and other
2 incidental and preliminary expenses in connection therewith, and
3 the future cost of operation and maintenance shall be equitably
4 shared, apportioned, and paid; and all such other matters,
5 including the preparation and submission of annual and other
6 budgets, as may be deemed necessary or required by law to carry
7 the proposed improvement to completion and to assure future
8 maintenance and operation thereof. But nothing herein contained
9 shall authorize the board to make any improvement or expend any
10 public moneys which has not first been authorized by all of the
11 townships, cities, and boroughs proceeding with the improvement.

12 (d) In any case where it shall be necessary to acquire,
13 appropriate, damage, or destroy private property to build any
14 such joint sewer improvement, and the same cannot be acquired by
15 purchase or gift, the right of eminent domain shall vest in the
16 township, city, or borough where such property is located. In
17 any such case where it shall be necessary to acquire, damage, or
18 destroy property in any territory not within the limits of any
19 of the townships, cities, or boroughs joining in the
20 improvement; then the right of eminent domain shall be vested in
21 any township, city, or borough adjacent to such territory where
22 such property is located. Damages for any property taken,
23 damaged, or destroyed shall be assessed as provided by the
24 general laws relating to the townships, cities, and boroughs
25 exercising the right of eminent domain; and shall be paid by the
26 several townships, cities, and boroughs joining in the same
27 proportion as other costs of the improvements.]

28 Section 2516. Joint Sanitary Sewer Systems.--(a) Townships
29 may contract with other municipal corporations AND MUNICIPAL
30 AUTHORITIES providing for the joint construction or maintenance

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of sanitary sewer systems and for the connection onto existing sanitary sewer systems. The agreements shall provide for the apportionment of costs among the municipal corporations. The board of supervisors may assess the township's respective portions of the costs, as may be legally assessable, upon property benefited by the facilities. Any portion of the cost not assessed or assessable shall be paid by the respective municipal corporations under the agreement.

(b) The municipal corporations joining or contemplating joining in the project in order to facilitate the building of the sanitary sewer system and in securing preliminary surveys and estimates may, by ordinance, provide for the appointment of a joint sanitary sewer board composed of one representative from each of the municipal corporations joining which shall act generally as the advisory and administrative agency in the construction of the improvement and its subsequent operation and maintenance. Members of the joint sanitary sewer board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed. The joint sanitary sewer board shall organize by the election of a chairman, vice-chairman, secretary and treasurer. The municipal corporations may, in the ordinances creating the joint sanitary sewer board, authorize it to appoint an engineer, a solicitor and other necessary assistants and agree to the share of the compensation of those persons each municipal corporation is to pay. The members of the joint sanitary sewer board shall receive compensation for attending board meetings as established in the budget that is prepared by the joint sanitary sewer board and submitted to and adopted by the municipal corporations. The budget item providing for the compensation to

members for attending meetings shall not exceed a total of two hundred and fifty dollars (\$250) for each member in each year, but the members shall be entitled to actual expenses to be paid by the respective municipal corporations the members represent.

(c) The joint sanitary sewer board may adopt rules and regulations to govern its proceedings and prepare and suggest measures and plans under which the joint improvement may be completed and for the future development of the system. It may prepare a joint agreement or agreements for submission to and adoption by the municipal corporations defining the advisory and administrative powers of the joint sanitary sewer board and setting forth: the consents of the municipal corporations to the proposed improvement; the manner in which preliminary and final plans, specifications and estimates for the proposed improvement shall be prepared and adopted and in which proposals for bids shall be advertised and contracts let; the manner in which the costs of the improvement and other incidental and preliminary expenses in connection therewith, and the future cost of operation and maintenance, shall be equitably shared, apportioned and paid; and all other matters, including the preparation and submission of annual and other budgets, that are necessary or required by law to complete the proposed improvement and to assure future maintenance and operation thereof. The board may not make any improvement or spend any public moneys which have not first been authorized by all of the municipal corporations proceeding with the improvement.

(d) When it is necessary to acquire, appropriate, damage or destroy private property to build any joint sanitary sewer system or improvement and the property cannot be acquired by purchase or gift, the right of eminent domain shall vest in the

1 municipal corporation where the property is located. When it is
2 necessary to acquire, damage or destroy property in any
3 territory not within the limits of any of the municipal
4 corporations joining in the improvement, the right of eminent
5 domain shall be vested in the municipal corporation adjacent to
6 the territory where the property is located. Damages for any
7 property that is taken, damaged or destroyed shall be assessed
8 under laws relating to the municipal corporations exercising the
9 right of eminent domain and shall be paid by the municipal
10 corporations joining in the same proportion as other costs of
11 the improvements.

12 [Section 1541. State Permit.--No such sewer or plant shall
13 be constructed until plans and specifications have been
14 submitted to the State Department of Health and approved, in
15 accordance with law.]

16 Section 2517. State Permit.--No sanitary sewer or plant may
17 be constructed until plans and specifications are submitted to
18 the Department of Environmental Resources PROTECTION and
19 approved.

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20 [(f) Non-debt Revenue Sewer Bonds

21 ARTICLE XV-A

22 COLLECTION BY INSTALLMENT OF STREET, SEWER,

23 CURBING AND SIDEWALK ASSESSMENTS

24 Section 1501-A. Authority for Installment Payments.--
25 Whenever any township shall authorize the construction or
26 acquisition of any sanitary sewer or system of sanitary sewers,
27 or the improvement of any street or portion thereof, or the
28 installation of curbing or sidewalks, and the entire cost, or
29 any part thereof, shall be assessed against the properties
30 benefited, improved or accommodated by such sewer or system of

1 sewers, or curbing or sidewalks, or abutting, upon such street
2 or portion thereof, the township supervisors may authorize the
3 payment of such assessment in equal annual, or more frequent
4 installments. Every such ordinance shall specify the length of
5 time over which such installments may be extended and whether
6 payments are to be made by annual or more frequent installments.
7 All such installments shall bear interest, as provided in the
8 applicable ordinance, at a rate not to exceed six per cent,
9 commencing at such time as may be fixed or regulated by
10 ordinance: Provided, That where bonds shall have been issued and
11 sold in the manner provided by law, to provide for the payment
12 of any street improvement, such assessments in equal
13 installments shall not be payable beyond the term for which such
14 bonds are issued, and the expenditures for such improvements,
15 and interest thereon to the first day when interest is payable
16 on such bonds, shall be taken as the cost of such improvement to
17 be assessed on the property benefited.

18 Section 1502-A. Entry of Liens.--Claims to secure the
19 assessments shall be entered in the prothonotary's office of the
20 county at the same time and in the same form and shall be
21 collected in the same manner as municipal claims are filed and
22 collected, notwithstanding the provisions of this article on
23 installment payments.

24 Section 1503-A. Assessments; Where Payable.--Such
25 assessments shall be payable at the office of the township
26 treasurer, or such other place as the ordinance shall provide,
27 in semi-annual or annual installments, with interest at the rate
28 provided from the date from which interest is computed on the
29 amount of the assessments.

30 Section 1504-A. Default in Payment of Installment.--In case

1 of default in the payment of any installment and interest for a
2 period of sixty days after the same shall become due, the entire
3 assessment and accrued interest shall become due; and the
4 township solicitor shall proceed to collect the same under the
5 general laws relating to the collection of municipal claims.

6 Section 1505-A. Payments in Full.--Any owner of property,
7 against whom any such assessment shall have been made, may pay
8 the same in full, at any time, with interest and costs thereon
9 to the due date of the next installment, and such payment shall
10 discharge the lien.]

11 ARTICLE [XVI] XXVI

12 WATER SUPPLY [AND WATERWORKS]

13 Section 1601. Contracts With Water Companies and
14 Municipalities and Acquisition of Waterworks Systems.--(a) The
15 supervisors of any township may, by contract with any private
16 corporation or any adjacent municipality owning a waterworks
17 system, provide for a supply of water for public and private
18 uses, to be delivered through lines owned by such company or
19 municipality within such township, or any part thereof. The
20 contract shall provide how and in what manner the cost of such
21 water service shall be paid by the consumers thereof.

22 (b) In addition to the provisions of subsection (a), the
23 supervisors of any township may purchase or acquire a privately
24 owned waterworks system to provide for a supply of water for
25 public and private uses. If a privately owned water company
26 fails to render service as required by the Pennsylvania Public
27 Utility Commission, the supervisors of the township in which
28 such water company is located may, with the approval of the
29 Pennsylvania Public Utility Commission, exercise the right of
30 eminent domain to acquire the waterworks system of such water

company so as to provide a supply of water for public and private uses.]

Section 2601. Contracts With Water Companies and Municipal Corporations and Acquisition of Water Systems.--(a) The board of supervisors may, by contract with any private corporation or any adjacent municipal corporation owning a waterworks system, provide water for public and private uses, to be delivered through lines owned by that company or municipal corporation within the township. The contract shall provide the manner by which the cost of the water service shall be paid by the consumers.

(b) The board of supervisors may purchase or acquire a privately owned water system to provide water for public and private uses. If a privately owned water company fails to render service as required by the Pennsylvania Public Utility Commission, the board of supervisors may, with the approval of the Pennsylvania Public Utility Commission, exercise the right of eminent domain to acquire the water system of the water company to provide water for public and private uses.

(c) Any township may, by agreement, connect with an existing water system owned by any adjacent municipal corporation. When any township desires to connect with the existing water system of any adjacent municipal corporation and no agreement has been reached between the township and the adjacent municipal corporation, a petition seeking approval of the connection shall be presented by the board of supervisors to the court of common pleas. The court shall set a day for hearing upon the petition and shall direct public notice be given to all interested parties. If the court is of the opinion that the connection can be made without impairing the usefulness of the existing water

1 system, it shall appoint three viewers to view the premises,
2 investigate the facts of the case, assess the necessary costs
3 and expenses of making the connection and the proportionate part
4 of the expense of building the original water system upon the
5 township, determine the proportion of the expense for repairs
6 which the municipal corporation and the township shall bear and
7 determine all other questions likely to arise in connection
8 therewith.

9 [Section 1602. Water Lines and Connections.--Township
10 supervisors shall have full power to contract with any private
11 corporation, or any adjacent municipality owning a waterworks
12 system, to provide for a supply of water for public and private
13 uses to be delivered into the lines of the township at or near
14 the boundary thereof. In such case the supervisors shall have
15 the power, by contract, to lay water lines, and to provide for
16 extensions thereof, and to regulate the making of connections
17 therewith.]

18 Section 2602. Water Lines and Connections.--The board of
19 supervisors may contract with any private corporation or any
20 adjacent municipal corporation owning a water system to provide
21 water for public and private uses to be delivered into the lines
22 of the township at or near the boundary thereof. The board of
23 supervisors may, by contract, lay water lines and extensions and
24 regulate the making of connections therewith.

25 [Section 1602.1. Connection to Water Supply System.--The
26 supervisors may require that abutting property owners of a water
27 supply system connect with and use the same except those
28 industries and farms who have their own supply of water for uses
29 other than human consumption. In case any owner of property
30 except those previously excepted abutting such water system

1 shall neglect or refuse to connect with and use said system for
2 a period of ninety days after notice to do so has been served
3 upon him by the supervisors, either by personal service or
4 registered mail, said supervisors or their agents, may enter
5 upon such property and construct such connection. In such case
6 the supervisors shall forthwith, upon completion of the work,
7 send an itemized bill of the cost of construction of such
8 connection to the owner of the property to which connection has
9 been made, which bill shall be payable forthwith, or the
10 supervisors may authorize the payment of the cost of
11 construction of connections in equal monthly installments, said
12 installments shall bear interest at a rate not to exceed seven
13 per centum per annum.]

14 Section 2603. Connection to Water System.--The board of
15 supervisors may, by ordinance, require that abutting property
16 owners of a water system provided by the township or a
17 municipality authority or a joint water board connect with and
18 use the system. Those industries and farms which have their own
19 supply of water for uses other than human consumption may
20 continue to use their own water for that purpose but are
21 required to use the township water system to provide water for
22 human consumption. In the case of a water system provided by the
23 township or a joint water board, the board of supervisors may
24 impose and charge to property owners who desire to or are
25 required to connect to the water system a connection fee, a
26 customer facilities fee, a tapping fee, and other similar fees
27 as enumerated and defined by clause (t) of subsection B of
28 section 4 of the act of May 2, 1945 (P.L.382, No.164), known as
29 the "Municipality Authorities Act of 1945." Whenever a water
30 system or any part or extension thereof owned by a township has

1 been constructed by the township at the expense of a private
2 person or corporation or has been constructed by a private
3 person or corporation under the supervision of the township at
4 the expense of the private person or corporation, the board of
5 supervisors shall have the right to charge a tapping fee,
6 including a reimbursement component, and refund said
7 reimbursement component to the person or corporation who has
8 paid for the construction of said water system or any part or
9 extension thereof. If any owner of property abutting the water
10 system fails to connect with and use the system within ninety
11 days after notice to do so has been served by the board of
12 supervisors, the board of supervisors or their agents may enter
13 the property and construct the connection. The board of
14 supervisors shall send an itemized bill of the cost of
15 construction of connection to the owner of the property to which
16 connection has been made, which bill is payable immediately, or
17 the board of supervisors may authorize the payment of the cost
18 of construction of connections in equal installments under
19 Article XXXIII.

20 [Section 1602.2. Connection to Water Supply System of
21 Municipality Authorities.--Whenever a water supply system is or
22 shall have been established or constructed by a municipality
23 authority within a township of the second class, the township
24 supervisors shall be empowered by ordinance, to compel all
25 owners of property abutting thereto to make connection
26 therewith. The supervisors may, by ordinance, impose penalties
27 to enforce any regulation or order they may ordain with
28 reference to any water connections. In case any owner of
29 property other than those excepted in section 1602.1 of this
30 act, shall neglect or refuse to connect with said water system

1 for a period of ninety days after notice to do so has been
2 served upon him by the supervisors, either by personal service
3 or by registered mail, the supervisors or their agents may enter
4 upon such property and construct such connection. In such case,
5 the supervisors shall forthwith, upon completion of the work,
6 send an itemized bill of the cost of the construction of such
7 connection to the owner of the property to which connection has
8 been made, which bill shall be payable forthwith or the
9 supervisors may authorize the payment of the cost of
10 construction of connections in equal monthly installments, to
11 bear interest at a rate not exceeding seven per centum per
12 annum.

13 Section 1602.3. Cost of Connections; Where Payable.--Such
14 cost of construction of connections shall be payable at the
15 office designated by the township supervisors, in monthly
16 installments, with interest from the date of completion of
17 construction of the connection.

18 Section 1602.4. Default in Payment of Installment.--In case
19 of default in the payment of any installment and interest for a
20 period of sixty days after the same shall become due, the entire
21 cost of construction of connection and accrued interest shall
22 become due; and, the township solicitor shall proceed to collect
23 the same under the general laws relating to the collection of
24 municipal claims.

25 Section 1602.5. Entry of Liens.--In case of neglect or
26 refusal by the owner of such property to pay said bill or in
27 case of installment payment, it shall be the duty of the
28 township supervisors to file municipal liens for said
29 construction within six months of the date of completion of the
30 construction of such connection, the same to be subject in all

1 respects to the general law providing for the filing and
2 recovery of municipal liens.

3 Section 1603. Water Rents.--The township supervisors are
4 authorized to provide for the collection of water rents from
5 users of water, supplied by the township.]

6 Section 2604. Water Rents.--The board of supervisors may
7 provide for the collection of water rents from users of water
8 supplied by the township.

9 [Section 1604. Distribution System; State Permit.--The
10 supervisors of any township may, by ordinance provide, acquire,
11 establish, regulate, and protect any system of distribution of
12 water for private and public use after a certified copy of the
13 plans and surveys for such system, with a description of the
14 sources from which it is proposed to derive the supply, are
15 filed with the Department of Health, and a written permit for
16 the construction of such system obtained from the Secretary of
17 Health, in accordance with law.]

18 Section 2605. Distribution System; State Permit.--The board
19 of supervisors may, by ordinance, provide, acquire, establish,
20 regulate and protect any system of distribution of water for
21 private and public use after a certified copy of the plans and
22 surveys for the system, with a description of the sources from
23 which it is proposed to derive the supply, are filed with the
24 Department of Environmental Resources PROTECTION and a written <—
25 permit for the construction of the system is obtained from the
26 Department of Environmental Resources PROTECTION. <—

27 [Section 1605. Occupation of Highways.--In providing for
28 regulating, protecting, and extending its system of distribution
29 of water, the township may occupy public highways, but no
30 highway under the jurisdiction of the Department of Highways

1 shall be occupied until a permit therefor has been obtained from
2 such department nor any highway under the jurisdiction of the
3 county until a permit therefor has been obtained from the county
4 commissioners.]

5 Section 2606. Occupation of Highways.--In regulating,
6 protecting and extending its system of distribution of water,
7 the township may occupy public highways, but no highway under
8 the jurisdiction of the Department of Transportation shall be
9 occupied until a permit therefor has been obtained from the
10 department nor any highway under the jurisdiction of the county
11 until a permit therefor has been obtained from the county
12 commissioners.

13 [Section 1606. Joint Construction, Acquisition or
14 Maintenance of Works.--Any township may join with a city,
15 borough or another township of either the first or second class
16 in the construction or acquisition and maintenance of works for
17 the supply of water. The construction of such waterworks shall
18 be commenced only after plans for such waterworks have been
19 filed with the Department of Health, and the Water and Power
20 Resources Board, and permits issued in accordance with law.]

21 Section 2607. Joint Construction, Acquisition or Maintenance
22 of Water Systems.--Any township may join with any other
23 municipal corporation in the construction or acquisition and
24 maintenance of water systems. The construction of water systems
25 shall be commenced only after plans for the systems have been
26 filed with the Department of Environmental Resources PROTECTION <—
27 and permits have been issued.

28 [Section 1607. Commission of Waterworks.--The townships,
29 cities and boroughs joining in any such improvement, in order to
30 facilitate the building of the same and in securing preliminary

1 surveys and estimates, may, by ordinance, provide for the
2 appointment of a joint commission of waterworks composed of one
3 representative from each of the townships, cities and boroughs
4 joining which shall act generally as the advisory and
5 administrative agency in the construction of such improvement
6 and its subsequent operation and maintenance. The members of
7 such board shall serve for terms of six years each, from the
8 dates of their respective appointments and until their
9 successors are appointed. The commission shall organize by the
10 election of a chairman, a vice chairman, secretary and
11 treasurer. The several townships, cities and boroughs may, in
12 the ordinances creating the commission, authorize it to appoint
13 an engineer, a solicitor and such other assistants as are deemed
14 necessary, and agree to the share of the compensation of such
15 persons each township, city and borough is to pay. The members
16 of the commission shall receive such compensation for attending
17 its meetings as shall be fixed in the budget prepared by the
18 commission and submitted to and adopted by the several
19 townships, cities and boroughs, as hereinafter provided. The
20 budget item providing for the compensation to members for
21 attending meetings shall not exceed two hundred and fifty
22 dollars per year, but members in addition thereto shall be
23 entitled to actual expenses to be paid by the respective
24 townships, cities and boroughs which such members represent. The
25 fee for each attendance at meetings shall be stipulated and no
26 member shall be paid such fee for any meeting which he does not
27 attend.]

28 Section 2608. Joint Water Board.--The municipal corporations
29 joining in the improvement, in order to facilitate the building
30 of the water system and in securing preliminary surveys and

1 estimates, may, by ordinance, provide for the appointment of a
2 joint water board composed of one representative from each of
3 the municipal corporations joining to act generally as the
4 advisory and administrative agency in the construction of the
5 improvement and its subsequent operation and maintenance.
6 Members of the joint water board shall serve for terms of six
7 years each from the dates of their respective appointments and
8 until their successors are appointed. The joint water board
9 shall organize by the election of a chairman, vice-chairman,
10 secretary and treasurer. The municipal corporations may, in the
11 ordinances creating the joint water board, authorize it to
12 appoint an engineer, a solicitor and other necessary assistants
13 and agree to the share of the compensation of those persons each
14 municipal corporation is to pay. The members of the joint water
15 board shall receive compensation for attending board meetings as
16 established in the budget that is prepared by the joint water
17 board and submitted to and adopted by the municipal
18 corporations. The compensation to members for attending meetings
19 shall not exceed a total of two hundred and fifty dollars (\$250)
20 for each member in each year, but the members shall be entitled
21 to actual expenses to be paid by the respective municipal
22 corporations the members represent.

23 [Section 1608. Public Utility Law Saved.--Nothing contained
24 in this article shall be construed to repeal or to supersede any
25 of the provisions of the Public Utility Law.]

26 Section 2609. Public Utility Law Saved.--Nothing contained
27 in this article shall be construed to repeal or to supersede any
28 of the provisions of 66 Pa.C.S. (relating to public utilities).

29 Section 2610. Cost of Construction; How Paid.--All or part
30 of the cost of construction of any water system constructed by

1 the authority of this article may be charged upon the properties
2 accommodated or benefited thereby.

3 [Section 1609. Water Districts; Application of Taxpayers.--
4 Whenever the taxpayers of any section of a township whose
5 property valuation, as assessed for taxable purposes within such
6 section, shall amount to fifty per centum of the total property
7 valuation, as assessed for taxable purposes within such section,
8 shall, by petition, so request, the supervisors of such township
9 shall constitute such section into a water district or divide it
10 into several water districts. In every such case of division
11 into several districts, the supervisors shall determine the
12 proportion of the cost of the water system which should
13 equitably be charged on each of said districts and declare and
14 establish such apportionment by resolution. No district shall be
15 charged with more than its due proportion of the cost of the
16 main pipe lines, pumping stations, et cetera, used jointly by
17 more than one district.]

18 Section 2611. Water Districts.--The board of supervisors may
19 designate, define and create one or more water districts within
20 the township, and the board of supervisors shall determine the
21 proportion of the cost of the water system which shall be
22 equitably charged on each district and declare and establish the
23 apportionment by resolution. No district shall be charged with
24 more than its due proportion of the cost of the main pipe lines,
25 pumping stations, et cetera, used jointly by more than one
26 district.

27 [Section 1610. Assessment.--In lieu of issuing and selling
28 non-debt revenue bonds, as provided in section one thousand six
29 hundred nine point one of the act, the township supervisors may
30 provide for the payment of the cost of water lines or water

1 system in the township or in districts thereof by an assessment
2 upon the properties accommodated or benefited in either of the
3 following methods:

4 (a) By an assessment, pursuant to a resolution or ordinance
5 of the board of supervisors, of each lot or piece of land in
6 proportion to its frontage abutting on the mains, allowing such
7 reduction in the case of properties abutting on more than one
8 main as the resolution or ordinance may specify. No assessment
9 by frontage shall be made on properties of such a character as
10 not to be lawfully subject to such manner of assessment, and
11 each abutting property shall be assessed with not less than the
12 whole amount of the benefit accruing to it and legally
13 assessable; or

14 (b) By an assessment upon the several properties abutting on
15 the mains in proportion to benefits. The amount of the charge on
16 each property shall be ascertained as hereinafter provided.

17 When there is more than one district, the assessment in each
18 district may be by different methods.]

19 Section 2612. Assessment.--The board of supervisors may
20 provide for the payment of the cost of water lines or water
21 systems in the township or in districts thereof by an assessment
22 upon the properties accommodated or benefited by one of the
23 following methods:

24 (1) By an assessment, under a resolution or ordinance of the
25 board of supervisors, of each lot or piece of land in proportion
26 to its frontage abutting on the water mains, allowing an
27 equitable reduction in the case of corner properties and
28 unusually shaped properties or in the case of properties
29 abutting on more than one main as the resolution or ordinance
30 may specify.

1 (2) By an equal assessment on all properties abutting on the
2 mains in proportion to the total cost of construction. The
3 amount of the charge on each property shall be determined by the
4 board of supervisors.

5 [Section 1611. Procedure for Assessment of Benefits.--In all
6 cases where the board of supervisors shall select the method
7 provided in subsection (b) of the foregoing section, they shall
8 petition the court of common pleas for appointment of viewers to
9 assess benefits. In all cases where they shall neglect for a
10 period of three months after the completion of the water system
11 to either ordain assessments by frontage or present petition for
12 appointment of viewers, taxpayers of the district or districts
13 affected whose property valuation, as assessed for taxable
14 purposes within the district, shall amount to fifty per centum
15 of the total property valuation, so assessed may present a
16 petition to the court of common pleas of the proper county for
17 the appointment of viewers to assess benefits; and, in all
18 cases, where such taxpayers shall, within three months of the
19 adoption of a resolution levying an assessment under the method
20 provided by subsection (a) of said foregoing section, by
21 petition, state to said court that such assessment
22 insufficiently represents the benefits accruing to abutting
23 properties, they may include in such petition a prayer for the
24 appointment of viewers to assess benefits. In either case, the
25 court shall thereupon appoint three disinterested persons from
26 the board of county viewers, none of whom shall be a resident of
27 that portion of the township which is accommodated by the water
28 system in question, and the viewers so appointed shall proceed
29 as provided in this act for proceedings for the assessment of
30 damages and benefits by viewers. The aggregate of the

1 assessments in any water district shall not exceed the amount
2 charged to such district for its share of the cost of the water
3 system construction unless the same shall, by petition of
4 taxpayers whose property valuation as aforesaid shall amount to
5 fifty per centum of the total property valuation, as assessed
6 for taxable purposes within the districts affected, presented
7 within three months after the adoption of a resolution or
8 ordinance providing for an assessment by frontage, be stated to
9 insufficiently represent the amount of benefits to such
10 properties, in which case the proceedings by taxpayers
11 authorized above shall be applicable. Upon the filing of such a
12 petition by taxpayers, as aforesaid, for appointment of viewers,
13 any assessment made by the supervisors and any proceedings
14 thereunder shall be stayed pending the disposition of the
15 petition by the court.]

16 Section 2613. Procedure for Assessment.--If any taxpayer or
17 taxpayers, by petition, within three months of the adoption of a
18 resolution or ordinance levying an assessment under section
19 2612, state to the court of common pleas that the assessment
20 insufficiently represents the benefits accruing to abutting
21 properties, they may include in the petition a request for the
22 appointment of viewers to assess benefits. The court shall
23 appoint three disinterested persons from the board of county
24 viewers, none of whom shall be a resident of that portion of the
25 township which is accommodated by the water system in question,
26 and the viewers shall proceed under this act for the assessment
27 of damages and benefits by viewers. Upon the filing of the
28 petition by taxpayers, any assessment made by the board of
29 supervisors and any proceedings shall be stayed pending the
30 disposition of the petition by the court.

1 [Section 1612. Liens for Assessments; Costs of
2 Proceedings.--After the amount of the assessment charged upon
3 the several properties has been established, either by
4 resolution or ordinance making assessments according to
5 frontage, or by confirmation of any report of viewers in whole
6 or in part, it shall be the duty of the township supervisors to
7 file municipal liens for the assessments covered by such
8 resolution, ordinance or confirmation within the time and in the
9 manner provided by law, the same to be subject in all respects
10 to the general law providing for the filing and recovery of
11 municipal liens. The amounts of all assessments shall be payable
12 to the township treasurer for the use of the township. The
13 supervisors shall also make out bills for the amount charged
14 against each property, which shall be forthwith sent to all
15 property owners affected residing in the township, and mailed to
16 all such owners residing elsewhere whose address is known.
17 The costs of publication of notices in proceedings before
18 viewers shall be paid by the township upon presentation of bills
19 approved by the court.]

20 Section 2614. Liens for Assessments; Costs of Proceedings.--
21 After the amount of the assessment charged upon the several
22 properties has been established by resolution making assessments
23 according to frontage or by confirmation of any report of
24 viewers, in whole or in part, the board of supervisors shall
25 file municipal liens for the assessments covered by the
26 resolution or confirmation. The amounts of all assessments are
27 payable to the township treasurer. The board of supervisors
28 shall also make out bills for the amount charged against each
29 property, which shall be sent to all property owners.

30 ARTICLE XXVII

1 STORM WATER MANAGEMENT PLANS AND FACILITIES

2 Section 2701. Storm Water Management Systems Authorized.--

3 The board of supervisors may plan, design, construct, assemble,
4 install and alter facilities, including, but not limited to,
5 inlets, outlets, systems of piping, diversion terraces, grass
6 waterways, energy dissipaters, storm water retention devices and
7 natural or artificial infiltration areas, to manage surface
8 water runoff.

9 Section 2702. Construction of Storm Water Management

10 Facilities.--(a) The board of supervisors may acquire, by
11 purchase, deed of dedication or eminent domain proceedings, all
12 or part of any existing system or facility for the management of
13 surface water runoff which may have been established or
14 constructed by any property owner in the township or establish,
15 construct and maintain systems or facilities in the best
16 interest of the township.

17 (b) If the board of supervisors and the owners of systems
18 can agree upon a price to be paid by the township, the purchase
19 may be consummated if the amount to be paid does not exceed the
20 actual value of the facilities to be transferred.

21 (c) If the board of supervisors acquires the system by the
22 exercise of eminent domain, the damages shall be determined by
23 viewers under this act for eminent domain proceedings.

24 Section 2703. System Management.--(a) When exercising the
25 powers under this article, the board of supervisors shall manage
26 storm water originating in or passing through the township in a
27 manner which is consistent with the requirements of the act of
28 October 4, 1978 (P.L.864, No.167), known as the "Storm Water
29 Management Act," and the storm water management guidelines and
30 any regulations which may be adopted by the Department of

Environmental Resources PROTECTION.

(b) All storm water management activities undertaken must be consistent with any watershed storm water management plan when the plan has been approved by the Department of Environmental Resources PROTECTION.

(c) When storm water management activities are undertaken in watersheds for which there is no approved storm water management plan, all drawings, documents, profiles and designs and descriptions of the proposed activities to be undertaken by the township shall be submitted to the county conservation district for review and comment before the initiation of earthmoving activities. The conservation district shall have thirty days to review and respond with comments to the board of supervisors. Failure to respond within that time constitutes favorable comment by the conservation district.

Section 2704. Ordinances.--The board of supervisors may enact storm water management ordinances and require persons conducting earthmoving activities to obtain approval from the board of supervisors for those activities. Ordinances must be consistent with watershed storm water management plans where they exist and in all cases must be consistent with the act of October 4, 1978 (P.L.864, No.167), known as the "Storm Water Management Act."

ARTICLE [XVI-A] XXVIII

MANUFACTURE AND SALE OF ELECTRICITY

[Section 1601-A. Manufacture and Sale of Electricity.--Any township may manufacture electricity by means of a hydroelectric generating facility owned or operated by the township for the use of the inhabitants of such township. Any township owning or operating a hydroelectric generating facility may make contracts

1 for the sale of electricity to persons engaged in the business
2 of the manufacture or sale of electricity.]

3 Section 2801. Manufacture and Sale of Electricity.--Any
4 township may manufacture electricity by means of a hydroelectric
5 generating facility owned or operated by the township for the
6 use of the inhabitants of the township. Any township owning or
7 operating a hydroelectric generating facility may make contracts
8 for the sale of electricity to persons engaged in the business
9 of the manufacture or sale of electricity.

10 [Section 1602-A. May Regulate Use and Prices.--Any township
11 furnishing electricity pursuant to this article may regulate the
12 use of said electricity in dwellings, business places, and other
13 places in such township, and the rate to be charged for the
14 same.]

15 Section 2802. Regulation of Use and Prices.--Any township
16 furnishing electricity under this article may regulate the use
17 of electricity in dwellings, business places and other places in
18 the township and the rate to be charged for the electricity.

19 [Section 1603-A. Sale of Hydroelectric Generating
20 Facilities.--By ordinance, a township may sell all or part of
21 its hydroelectric generating facilities to a purchaser for such
22 sale price as the parties may agree upon, and thereafter for all
23 purposes that price shall be deemed to be the purchaser's
24 original cost less accrued depreciation of the plant at the date
25 of purchase.]

26 Section 2803. Sale of Hydroelectric Generating Facilities.--
27 A township may, by ordinance, sell all or part of its
28 hydroelectric generating facilities to a purchaser for that sale
29 price as the parties may agree upon.

30 [Section 1604-A. Construction or Purchase of Hydroelectric

1 Generating Facilities.--Any township may construct or purchase
2 facilities for the purpose of manufacturing electricity by
3 hydroelectric generation. Any township may purchase a
4 hydroelectric generating facility at such price as may be agreed
5 upon by the township and the person, copartnership or a majority
6 of the stockholders of a corporation that owns such facilities.]

7 Section 2804. Construction or Purchase of Hydroelectric
8 Generating Facilities.--Any township may construct or purchase
9 facilities to manufacture electricity by hydroelectric
10 generation. Any township may purchase a hydroelectric generating
11 facility at that price as may be agreed upon by the township and
12 the person, partnership or a majority of the stockholders of a
13 corporation that owns the facilities.

14 [Section 1605-A. Submission to Electors.--Before any
15 township shall construct or purchase a hydroelectric generating
16 facility, the question of the increase of the debt of the
17 township shall first be submitted to the qualified voters of the
18 township in the manner provided by law for the increase of
19 indebtedness of municipal corporations.]

20 Section 2805. Submission to Electors.--Before any township
21 constructs or purchases a hydroelectric generating facility, the
22 question of the increase of the debt of the township shall first
23 be submitted to the qualified voters of the township in the
24 manner provided by law for the increase in indebtedness of
25 municipal corporations.

26 [Section 1606-A. Limitation on Indebtedness.--No township
27 which constructs or purchases a hydroelectric generating
28 facility shall incur any indebtedness for the construction or
29 enlargement of a new or existing dam or impoundment structure
30 but may incur indebtedness for repairs or reconstructions of an

1 existing dam or impoundment in connection with the hydroelectric
2 project.]

3 Section 2806. Limitation on Indebtedness.--No township which
4 constructs or purchases a hydroelectric generating facility
5 shall incur any indebtedness for the construction or enlargement
6 of a new or existing dam or impoundment structure but may incur
7 indebtedness for repairs or reconstruction of an existing dam or
8 impoundment in connection with the hydroelectric project.

9 [ARTICLE XVII

10 PUBLIC BUILDINGS

11 Section 1702. Town Hall.--The supervisors of townships may
12 procure a suitable lot of ground, and erect or use a suitable
13 building thereon for a town hall for township purposes. For the
14 purpose of procuring a lot of ground and erecting a town hall,
15 the supervisors may borrow money at a rate of interest not
16 exceeding six per centum and issue bonds therefor.

17 Section 1703. Unloaders and Warehouses.--Townships may
18 purchase or lease land within or without the limits of such
19 townships, and erect thereon suitable unloaders, warehouses, or
20 other buildings as may be necessary for unloading, handling, and
21 storing road materials and supplies.

22 Section 1704. Appropriation of Property.--Townships may
23 enter upon and appropriate private property for the erection
24 thereon of a town hall, and such other public buildings as are
25 necessary for public purposes. No land or property used for any
26 cemetery, burying ground, public or parochial school,
27 educational or charitable institution, seminary, or place of
28 public worship shall be taken or appropriated by virtue of any
29 power contained in this section.

30 Section 1705. Resolution of Supervisors.--Whenever the

1 supervisors desire to acquire, enter upon, take, use, and
2 appropriate private property or lands for public buildings, they
3 shall declare such intention by an ordinance.

4 Section 1706. How Damages Are Assessed.--The compensation
5 and damages arising from such taking, using, and appropriating
6 of private property for such purposes shall be ascertained,
7 determined, awarded, and paid in the manner provided in this act
8 for eminent domain proceedings.

9 Section 1707. Use of Public Land Acquired for Other
10 Purposes.--Whenever the supervisors desire to take any lands
11 heretofore granted or dedicated to a use or purpose for which
12 they are no longer used, they shall pass an ordinance declaring
13 such intention and shall thereupon petition the court of common
14 pleas for leave to file the bond of the township for the purpose
15 of securing any person or persons who may be entitled to
16 compensation for such taking. The court shall thereupon direct
17 notice to be given by publication in at least two newspapers
18 circulating generally in the county. The court may increase the
19 amount of the bond, and shall hear all exceptions that are filed
20 against the petition and the sufficiency of the bond, and may
21 grant or deny the prayer of the petition. Upon the granting of
22 the petition and the approval of the bond, the supervisors may
23 enter upon and take such lands for the purposes of erecting
24 public buildings. The bond, which shall be in the name of the
25 Commonwealth, for the use of any person or persons who are
26 entitled to damage by reason of the taking of the lands, shall
27 remain on file for their use and benefit.

28 In case the compensation for damages, accruing from any such
29 appropriations, has not been agreed upon by the parties in
30 interest, the same may be assessed by viewers in accordance with

1 the provisions of this act for the assessment of damages in
2 eminent domain proceedings.

3 ARTICLE XVIII

4 LICENSES AND LICENSE FEES

5 (a) Transient Retail Merchants

6 Section 1801. Transient Retail Merchants to Be Licensed.--

7 Every person, whether principal or agent, entering into,
8 beginning, or desiring to begin, a transient retail business in
9 any township for the sale of any goods, wares, or merchandise
10 whatsoever, and who hires, leases, occupies, or uses any room,
11 apartment, store, shop, building, railway car, or other place or
12 structure for the exhibition and sale of such goods, wares, or
13 merchandise, shall, when ordained by the board of supervisors,
14 take out a license for the same from the supervisors of the said
15 township: Provided, however, That nothing herein contained shall
16 apply to farmers selling their own produce, or to any sale of
17 goods, wares, or merchandise, donated by the owners thereof, the
18 proceeds whereof are to be applied to any charitable or
19 philanthropic purpose.

20 Section 1802. Amount and Payment of License Fee; Penalty.--

21 The amount of such license in any township shall, when ordained
22 by the board of supervisors, be the sum of twenty-five dollars
23 per month, or fractional part thereof, to be paid to the
24 township treasurer. Said license shall be renewed monthly during
25 the continuance of said sale, and upon failure of any person so
26 to secure such license, he shall, upon conviction in a summary
27 proceeding, be fined not more than two hundred dollars, and, in
28 default of payment of said fines, shall be imprisoned in the
29 jail of the county for a period not exceeding thirty (30) days.

30 (b) Restrictions

1 Section 1811. Agents for Licensed Dealers Not to Be
2 Licensed.--It shall be unlawful for any township to levy any
3 license fee or mercantile tax upon any persons taking orders for
4 merchandise, by sample, from dealers or merchants. Nothing in
5 this section shall authorize any person to sell by retail to
6 others than dealers or merchants.

7 Section 1812. Insurance Agents and Brokers Not to Be
8 Licensed.--It shall be unlawful for any township to impose or
9 collect any license fee upon insurance companies, or their
10 agents, or insurance brokers, authorized to transact business
11 under the Insurance Laws of the Commonwealth.

12 Section 1813. License Fees on Residents Not to Exceed Those
13 on Nonresidents.--It shall be unlawful for any township to
14 impose, exact or collect, any license tax or fee upon or from
15 any manufacturer, or the agent, representative, or employe or
16 any manufacturer, who is a resident of the Commonwealth, for
17 soliciting orders for or for selling any goods, merchandise, or
18 wares manufactured within this Commonwealth that is not or
19 cannot legally be imposed upon or exacted or collected from any
20 manufacturer or dealer, or the agent, representative, or employe
21 of any manufacturer, who is a nonresident of the Commonwealth,
22 for soliciting orders for or for selling any goods, merchandise,
23 or wares manufactured without the Commonwealth.

24 ARTICLE XIX

25 PARKS, PLAYGROUNDS, GYMNASIUMS, PUBLIC BATHS,

26 SWIMMING POOLS, INDOOR RECREATION

27 CENTERS AND FORESTS

28 Section 1901. Acquisition of Lands and Buildings.--The
29 supervisors of any township may by ordinance separately or
30 jointly designate and set apart for use as parks, playgrounds,

1 playfields, gymnasiums, public baths, swimming pools, or indoor
2 recreation centers, hereinafter called public parks, recreation
3 areas and facilities, any lands or buildings, owned by such
4 township, and not dedicated or devoted to other public use. Such
5 township may acquire lands or buildings for such purposes by
6 gift, devise or purchase or by the exercise of the right of
7 eminent domain, or may lease lands or buildings in such township
8 for temporary use for such purposes. Whenever the supervisors
9 designate or acquire any lands, with or without buildings, under
10 the provisions of this section, except when the acquisition is
11 under a lease for temporary use, they may construct buildings
12 and facilities thereon for the purposes herein indicated.

13 Section 1902. Creation of Park and Recreation Boards.--The
14 authority to equip, supervise and maintain parks, recreation
15 areas and facilities and to conduct recreation programs may be
16 vested in any existing body or board or in a park board or
17 recreation board as the township supervisors may determine. The
18 supervisors may equip, operate, and maintain such parks,
19 recreation areas and facilities as authorized by this article.
20 Such supervisors may, for the purpose of carrying out the
21 provisions of this article, employ play leaders, recreation
22 directors, supervisors, superintendents, or any other officers
23 or employees as they deem proper. If the supervisors shall
24 determine that the power to equip, operate and maintain parks,
25 recreation areas and facilities shall be placed in a recreation
26 board, such board shall possess all the powers and be subject to
27 all the responsibilities of the board of supervisors under this
28 article. In such case the recreation board shall exercise its
29 powers and duties in establishing standards, qualifications and
30 salary schedules, to be approved by the supervisors, for all

1 classifications of recreation employees. Whenever boroughs,
2 cities, counties, townships, school districts, or any of them,
3 develop a cooperative plan of recreation service with a
4 township, the township recreation board shall have the power to
5 adjust its established personnel standards, qualifications and
6 salary schedules, to be approved by the supervisors, to meet the
7 terms of a joint operation agreed upon.

8 Section 1903. Composition of Park or Recreation Boards.--

9 Park or recreation boards, when established, shall consist of
10 five or seven persons, and when established in a township having
11 a school board, two of the members shall be members or
12 appointees of the school board. The other members of such boards
13 shall be appointed by the supervisors, and shall serve for terms
14 of five years or until their successors are appointed, except
15 that the members of such board first appointed shall be
16 appointed for such terms that the term of not more than two
17 members shall expire annually thereafter. Members of such board
18 shall serve without pay. All persons appointed shall serve their
19 full terms unless voluntarily resigned or removed by the
20 supervisors for dereliction or neglect of duty. Vacancies in
21 such board occurring otherwise than by expiration of term shall
22 be for the unexpired term, and shall be filled in the same
23 manner as original appointments.

24 Section 1904. Organization of Park or Recreation Board;

25 Powers and Duties Delegated to the Board by the Supervisors.--

26 The members of a park board or recreation board, established
27 pursuant to this article, shall elect their own chairman and
28 secretary and select all other necessary officers, to serve for
29 a period of one year. Such boards shall have power to adopt
30 rules and regulations for the conduct of all business within

1 their jurisdiction. Their jurisdiction shall include the right
2 to select, employ and discharge all recreation personnel used to
3 carry out the provisions of this article. It shall be the duty
4 of the recreation board and its executive to submit an annual
5 report to the township supervisors, including an analysis of the
6 community recreation areas, facilities and leadership, with
7 particular reference to the extent and adequacy of the program
8 and its effectiveness in view of the public expenditure involved
9 and the public needs to be met.

10 Section 1905. Joint Ownership and Maintenance.--Any township
11 may, jointly with anyone or more townships, boroughs and cities,
12 acquire property for and operate and maintain any parks and
13 public recreation areas and facilities. Any school district may
14 join with the township in equipping, operating and maintaining
15 parks, public recreation areas and facilities, and may
16 appropriate money therefor.

17 Section 1906. Bond Issues.--The township supervisors may
18 issue bonds for the purpose of acquiring lands or buildings for
19 parks, public recreation areas and facilities and for the
20 equipment thereof.

21 Section 1907. Maintenance and Tax Levy.--All expenses
22 incurred in the operation of such parks, recreation areas and
23 facilities, established as herein provided, shall be payable
24 from the general township fund or from the treasury of such
25 township, borough, city, county or school district, as may be
26 provided for by the agreement of the corporate authorities. The
27 supervisors may annually appropriate an amount necessary for
28 carrying out the provisions of this act, and may cause to be
29 raised by special taxation such tax, for the purpose of
30 maintaining, equipping and operating the parks, recreation areas

1 and facilities and the programs thereon.

2 Section 1908. Right of Acquisition of Forest Lands.--

3 Townships may acquire, by purchase, gift or lease, and hold
4 tracts of land covered with forest or tree growth, or suitable
5 for the growth of trees, and administer the same under the
6 direction of the Department of Forests and Waters, in accordance
7 with the practices and principles of scientific forestry, for
8 the benefit of the township. Such tracts may be of any size
9 suitable for the purpose, and may be located within or without
10 the township limits.

11 Section 1909. Approval of Secretary of Forests and Waters.--

12 Before the passage of any ordinance for the acquisition of land
13 to be used as township forests, the township supervisors shall
14 submit to the Department of Forests and Waters and secure its
15 approval of the area and location of such land.

16 Section 1910. Resolution and Notice.--Whenever the township
17 supervisors deem it expedient to acquire any lands for forests,
18 they shall so declare by an ordinance, wherein shall be set
19 forth all facts and conditions relating to the proposed action.

20 Section 1911. Appropriation for Acquisition.--All money
21 necessary for the purchase of such tracts shall be appropriated
22 in the same manner as appropriations for township purposes, and
23 such funds may be provided from the current revenue or by the
24 proceeds of a sale of general obligation bonds in accordance
25 with existing law.

26 Section 1912. Control of Forests by Secretary of Forests and
27 Waters.--Upon the acquisition of any forests or lands suitable
28 for forests, the township supervisors shall notify the
29 Department of Forests and Waters, which shall make such rules
30 for the government and proper administration of the same as may

1 be deemed necessary; and the department shall publish such
2 rules, declare the uses of the forest in accordance with the
3 intent of this article, and make such provision for its
4 administration, maintenance, protection, and development as
5 shall be deemed necessary or expedient. The rules governing the
6 administration of such forests shall have for their main purpose
7 the producing of a continuing township revenue by the sale of
8 forest products.

9 Section 1913. Appropriation for Maintenance.--All moneys
10 necessary to be expended for the administration, maintenance,
11 protection, and development of such forests shall be
12 appropriated and applied as is now done for township purposes.
13 All revenue and emoluments arising from such forests shall be
14 paid into the general township fund.

15 Section 1914. Use of Township Forests as Outing Grounds.--
16 Township forests may be used by the public as general outing or
17 recreation grounds, subject to the rules of the Department of
18 Forests and Waters governing their administration, and rules
19 adopted by the supervisors, not inconsistent with law and the
20 rules of the department.

21 Section 1915. Disposition of Township Forests; Procedure;
22 Ordinance; Submission of Question.--Whenever the township
23 supervisors deem it expedient to sell or lease any forest, or
24 part thereof, or products therefrom, they shall so declare by an
25 ordinance, wherein shall be set forth all the facts and
26 conditions relating to the proposed action. No ordinance shall
27 be effective in legalizing such alienation until it has been
28 approved by a majority vote of the people at the next ensuing
29 election.

30 Section 1916. Appropriation of Moneys to Forestry

1 Organizations.--The supervisors of any township may appropriate
2 moneys from the General Township Fund to any forest protection
3 association cooperating in forest work with the Department of
4 Forests and Waters, or to be expended in direct cooperation with
5 such department in forest work.

6 Section 1917. Approval of Electors for Acquisition of
7 Land.--The township supervisors hereby are authorized, on behalf
8 of the township, to accept the title to lands which may be
9 donated to the township for any of the purposes mentioned in
10 this article, but none of the other powers conferred upon them
11 by sections one thousand nine hundred and eight to one thousand
12 nine hundred and sixteen inclusive of this article shall be
13 exercised by them except after the approval thereof by the
14 electors of said township at an election for the purpose held on
15 a regular municipal election day, of which election notice shall
16 be given by publication in a newspaper of general circulation in
17 the county in which the township is located, said publication to
18 be at least ten days before the day of the election.

19 ARTICLE XIX-A

20 SANITARY BOARD

21 Section 1901-A.1. Establishment of Board of Health.--The
22 board of supervisors may appoint a township board of health and
23 township health officer for the purpose of administration and
24 enforcement of the health and sanitation laws of the township.
25 Where a board of health is appointed, such board may appoint a
26 health officer or inspector whose duties shall be to implement
27 and enforce the health and sanitation laws of the township and
28 actions of the board of health. Such health officer or
29 inspector, whether appointed by the board of supervisors or by
30 the board of health, shall not enter upon the performance of the

1 duties of office until certified as a qualified health officer
2 or inspector by the Department of Environmental Resources and
3 the Department of Health.

4 Section 1902-A. Members of Board of Health.--A board of
5 health appointed under the provisions of this article shall be
6 composed of five members at least one of whom shall be a
7 licensed physician of not less than two years experience in the
8 practice of his profession. The members of the board of health
9 shall be appointed by the board of supervisors. Upon the
10 creation of a board of health one member shall be appointed to
11 serve for one year, one for two years, one for three years, one
12 for four years, and one for five years, and thereafter one
13 member shall in like manner be appointed each year to serve for
14 five years. Upon the creation of a board of health in a township
15 which has an existing sanitary board, the township supervisors
16 may continue the incumbent members of the sanitary board as
17 members of the board of health. The members of the board of
18 health shall serve without compensation, but shall be reimbursed
19 for actual and necessary expenses incurred in the performance of
20 their duties. The secretary of the board of health shall be
21 entitled to receive a salary fixed by the board of supervisors
22 for that office.

23 Section 1903-A. Oaths of Members, Secretary and Health
24 Officer and Inspectors.--The members of the board of health
25 shall, severally, take and subscribe to the oath prescribed by
26 section five hundred one of this act, and shall, annually,
27 organize by electing a chairman from among the members of the
28 board, a secretary who may or may not be a member of the board,
29 and a health officer and inspectors who shall not be members of
30 the board. The secretary and the health officer and inspectors

1 shall receive such salary as may be fixed by the board of
2 supervisors, and shall serve for a period of one year or until
3 such time thereafter as their successors may be appointed and
4 qualified.

5 Section 1904-A. Duties of Secretary.--The secretary of the
6 board of health shall keep the minutes of the proceedings of the
7 board of health, shall keep accurate accounts of the
8 expenditures of the board of health, shall draw all requisitions
9 for the payment of moneys on account of the board of health from
10 appropriations made by the board of supervisors to the board of
11 health and shall present them to the chairman of the board of
12 health for his approval, shall render statements of the
13 expenditures to the board of health at each stated meeting or as
14 frequently as the board of health may require, shall prepare
15 under the directions of the board of health the annual report to
16 the board of supervisors together with the estimate of
17 appropriation needed for the ensuing year, and shall make such
18 other reports and perform such other duties as the board of
19 health may require.

20 Section 1905-A. Powers and Duties of Health Officers and
21 Inspectors.--It shall be the duty of the health officer and
22 inspectors to attend all stated and special meetings of the
23 board of health and at all times be ready and available for the
24 prompt performance of their official duties. They shall make
25 inspections, and shall execute the orders of the board of
26 health.

27 Section 1906-A. Powers of Board of Health.--The board of
28 health shall enforce the health and sanitation laws of the
29 Commonwealth and any regulations promulgated thereunder and the
30 health and sanitation laws and regulations of the township. Such

1 regulations, when authorized by ordinance of the township and
2 when advertised in accordance with appropriate law, shall have
3 the force of ordinances of the township. All penalties
4 prescribed for the violation thereof as well as the expenses
5 actually and necessarily incurred in carrying such ordinances
6 and regulations into effect shall be recoverable in enforcement
7 proceedings and paid into the general township fund. Townships
8 may establish and revise as necessary, such fees as are deemed
9 appropriate for licenses or permits issued by the township.

10 Section 1907-A. Entry Upon Premises.--The board of health,
11 health officer or inspectors, may enter upon any premises within
12 the township where there is reasonably suspected to exist any
13 health hazard or violation of health or sanitation laws or
14 regulations, or which are of a type that may give rise to a
15 health hazard. Such entry may be made with or without prior
16 notice to the owner or occupant.

17 Section 1908-A.1. Written Order for Violation.--Where the
18 board of health or health officer or inspectors determine that a
19 health or sanitation hazard or violation exists, a written order
20 shall be directed to the owner or occupant of the premises
21 involved, ordering an abatement of the hazard or violation and
22 the taking of such corrective action as the board of health or
23 health officer or inspectors may deem necessary under the
24 circumstances. Such order shall set forth a specific time in
25 which the abatement and corrective action shall be accomplished.
26 In the event the order is not complied with within the time
27 provided, the board of health or health officer or inspectors
28 may enter upon the premises and issue orders for the immediate
29 termination of activities creating the violation, the potential
30 violation and all acts of commerce conducted in, on or at the

1 premises in question. In addition, the board of health, health
2 officer or inspectors may proceed to enforce the law or
3 regulation being violated in the same manner as ordinances of
4 the township.

5 Section 1909-A.1. Appropriations and Annual Report.--The
6 board of supervisors shall make an annual appropriation to the
7 board of health or health officer in such amounts as the board
8 of supervisors shall deem appropriate. The board of health or
9 health officer shall, before the preparation of the annual
10 budget of the township, submit to the board of supervisors the
11 estimated expenses of the board of health or health officer for
12 the ensuing year. The board of health or health officer shall by
13 the first day of February of each year prepare and submit to the
14 board of supervisors and the regional office of the Department
15 of Environmental Resources and the Department of Health an
16 annual report, in writing, setting forth the activities and
17 expenditures of the board of health or health officer during the
18 prior calendar year.

19 Section 1910-A. Cooperation With Other Governmental
20 Agencies.--(a) Any township may cooperate and enter into
21 agreements with any other governmental agency in the
22 administration and enforcement of health and sanitation laws.

23 (b) If the board of supervisors abolishes the board of
24 health or positions of health officer or inspectors and
25 discontinues services under this article, the Department of
26 Environmental Resources and the Department of Health shall be
27 notified. An official copy of such action of the board of
28 supervisors shall be transmitted to the regional office of the
29 Department of Environmental Resources and the regional office of
30 the Department of Health.

1 (c) The township may request assistance from the Department
2 of Environmental Resources or the Department of Health where the
3 township feels such assistance is necessary for the health and
4 safety of its citizens.]

5 ARTICLE [XIX-B] XXIX

6 SHADE TREE COMMISSION

7 [Section 1901-B. Right of Establishment.--Townships may, by
8 ordinance, establish a commission to be known as the Shade Tree
9 Commission, but in townships where the township supervisors
10 shall not elect to create by ordinance a Shade Tree Commission,
11 the township supervisors may exercise all the rights and perform
12 the duties and obligations imposed by this article upon the
13 Shade Tree Commission.]

14 Section 2901. Right of Establishment.--The board of
15 supervisors may regulate the planting, maintenance and removal
16 of shade trees in the township or it may appoint a shade tree
17 commission to administer regulations for shade trees.

18 [Section 1902-B. Personnel of Commission Appointment; Terms;
19 Vacancies.--The commission shall be composed of residents of the
20 township, who shall be appointed by the township supervisors,
21 and shall serve without compensation.

22 Whenever a Shade Tree Commission is established by any
23 township, the township supervisors shall appoint one member for
24 a term of three years, one for a term of four years and one for
25 a term of five years.

26 On the expiration of the term of any shade tree commissioner,
27 a successor shall be appointed by the township supervisors to
28 serve for a term of five years.

29 Vacancies in the office of shade tree commissioner shall be
30 filled by the township supervisors for the unexpired term.]

1 Section 2902. Commission Members; Appointment; Terms;
2 Vacancies.--A shade tree commission shall be composed of three
3 members who shall be residents of the township. The initial
4 terms of members shall be for periods of three years, four years
5 and five years respectively. All subsequent terms shall be for a
6 period of five years. Members of the commission shall serve
7 without compensation but shall be reimbursed for actual and
8 necessary expenses incurred in the performance of their duties.
9 Vacancies in the office of shade tree commissioner shall be
10 filled by the board of supervisors for the unexpired term.

11 [Section 1903-B. Powers May be Vested in Park Board.--
12 Whenever in any township there exists a board for the care of
13 public parks, the township supervisors may, by ordinance, confer
14 on the park board all the powers and all the duties prescribed
15 by this article for the Shade Tree Commission.]

16 Section 2903. Powers May be Vested in Recreation Board.--
17 When there exists a board for the care of public parks, the
18 board of supervisors may, by ordinance, confer on the recreation
19 board all the powers and duties under this article for a shade
20 tree commission.

21 [Section 1904-B. General Powers of Commission.--The
22 commission shall have exclusive custody and control of the shade
23 trees in the township and is authorized to plant, remove,
24 maintain and protect shade trees on the public streets and
25 highways in the township.]

26 Section 2904. General Powers of Commission.--The shade tree
27 commission has exclusive control of the shade trees in the
28 township and is authorized to plant, remove, maintain and
29 protect shade trees on the public streets and highways in the
30 township, including State highways.

1 [Section 1905-B. Hiring of Employees; Legislative Power of
2 Commission.--The commission may, with the approval of the
3 township supervisors, employ and pay such superintendents,
4 engineers, foresters, tree wardens or other assistants as the
5 proper performance of the duties devolving upon it shall
6 require, and may make, publish and enforce regulations for the
7 care and protection of the shade trees of the township. No such
8 regulation shall be in force until it has been approved by the
9 township supervisors and until it has been published at least
10 twice in not more than two newspapers of general circulation in
11 the township, and, if no newspapers are published in the
12 township, then in such newspapers circulating in the township.]

13 Section 2905. Hiring of Employees.--The shade tree commission
14 may, with the approval of the board of supervisors, employ
15 persons to perform the duties and directions of the commission
16 and make, publish and enforce regulations for the care and
17 protection of the shade trees of the township. No regulations
18 shall be in force until approved by the board of supervisors and
19 until published at least once in a newspaper of general
20 circulation in the township.

21 [Section 1906-B. Report of Commission.--The Shade Tree
22 Commission shall, annually, report in full to the township
23 supervisors its transactions and expenses for the last fiscal
24 year of the township. The park board may incorporate such
25 transactions and expenses in its regular report to the township
26 supervisors.]

27 Section 2906. Report of Commission.--The shade tree
28 commission shall annually report to the board of supervisors its
29 transactions and expenses for the preceding fiscal year of the
30 township.

1 [Section 1907-B. Removal of Diseased Trees.--The commission
2 may, upon such notice as may be provided by ordinance, require
3 owners of property to cut and remove trees afflicted with the
4 Dutch elm or other disease which threatens to injure or destroy
5 shade trees in the township, under regulations prescribed by
6 ordinance. Upon failure of any such owner to comply with such
7 notice, the township may cause the work to be done by the
8 township, and levy and collect the costs thereof from the owner
9 of the property. The cost of such work shall be a lien upon the
10 premises from the time of the commencement of the work, which
11 date shall be fixed by the township engineer and shall be filed
12 with the township secretary. Any such lien may be collected by
13 action in assumpsit, or by lien filed in the manner provided by
14 law for the filing and collection of municipal claims.]

15 Section 2907. Removal of Diseased or Dangerous Trees.--(a)
16 The shade tree commission or, if no commission exists, the board
17 of supervisors may, by ordinance, require owners of property to
18 cut and remove trees located on the property if the condition of
19 the trees, through disease or otherwise, unreasonably affects or
20 interferes with the health, safety or welfare of the public or
21 the right of the public to the unobstructed use of public roads
22 or property.

23 (b) If, within thirty days after the date of notice by
24 certified mail, return receipt requested, to remove the trees,
25 the property owner has not complied with that order, the
26 commission or the board of supervisors may enter the premises
27 and remove the trees.

28 (c) The cost of cutting and removal of trees by the township
29 shall be charged to the property owner. The charge shall be a
30 lien against the real estate of the property owner and shall be

1 collected in the same manner as other municipal liens.

2 [Section 1908-B. Assessments; Liens.--Upon the filing of the
3 certificate with the township supervisors, the township
4 secretary shall cause thirty days' written notice to be given to
5 the persons against whose property an assessment has been made.
6 The notice shall state the amount of the assessment and the time
7 and place of payment and shall be accompanied by a copy of the
8 certificate.

9 The amount assessed against the real estate shall be a lien
10 from the time of the filing of the certificate with the township
11 supervisors, and if not paid within the time designated in the
12 notice, a claim may be filed and collected by the township in
13 the same manner as municipal claims are filed and collected.

14 Section 1909-B. Maintenance by Township Funds.--For the cost
15 and expenses of caring for such trees after having been planted
16 and the expense of publishing the notice hereinbefore provided
17 shall be paid by the township.

18 The needed amount shall each year be certified by the shade
19 tree commissioners to the township supervisors, and shall be
20 drawn against, as required by the commission, in the same manner
21 as money appropriated for township purposes.

22 The township supervisors, instead of levying the tax
23 authorized under the general tax levying powers of this act, may
24 provide, for the expense of caring for trees already planted and
25 of publishing the notice, by appropriations equal to the amount
26 certified to be required by the Shade Tree Commission.]

27 Section 2908. Maintenance by Township Funds.--The shade tree
28 commission shall annually certify the costs incurred under this
29 article to the board of supervisors. The costs shall be paid
30 from the general township fund.

1 [Section 1910-B. Penalties.--The commission to the extent as
2 may be provided by ordinance of the township may assess
3 penalties for the violation of its regulations and of this
4 article so far as it relates to shade trees. Any penalty so
5 assessed shall be a lien upon the real estate of the offender
6 and may be collected as municipal claims are collected.]

7 Section 2909. Penalties.--The shade tree commission, to the
8 extent provided by ordinance of the township, may assess
9 penalties for the violation of its regulations and of this
10 article as far as it relates to shade trees. Any penalty so
11 assessed shall be a lien upon the real estate of the offender
12 and may be collected as municipal claims are collected.

13 [Section 1911-B. Disposition of Penalties.--All penalties or
14 assessments imposed under this article shall be paid to the
15 township treasurer to be placed to the credit of the Shade Tree
16 Commission subject to be drawn upon by the commission for the
17 purposes of the preceding sections.]

18 Section 2910. Disposition of Penalties.--All penalties or
19 assessments imposed under this article shall be paid to the
20 township.

21 ARTICLE XXX

22 BOARD OF HEALTH

23 Section 3001. Establishment of Board of Health.--The board
24 of supervisors may appoint a township board of health and
25 township health officer to administer and enforce the health and
26 sanitation laws of the township. If a board of health is
27 appointed, the board of health may appoint a health officer or
28 inspector whose duties shall be to implement and enforce the
29 health and sanitation laws of the township and actions of the
30 board of health. The health officer or inspector, whether

1 appointed by the board of supervisors or by the board of health,
2 shall not assume the performance of the duties of office until
3 certified as a qualified health officer or inspector by the
4 Department of Environmental Resources PROTECTION, THE DEPARTMENT <—
5 OF AGRICULTURE and the Department of Health.

6 Section 3002. Members of Board of Health.--A board of health
7 appointed under this article shall be composed of five members,
8 at least one of whom shall be a licensed physician with not less
9 than two years' experience in the practice of his profession.
10 The members of the board of health shall be appointed by the
11 board of supervisors. Upon the creation of a board of health,
12 one member shall be appointed to serve for one year, one for two
13 years, one for three years, one for four years and one for five
14 years, and after that one member shall be appointed each year to
15 serve for five years. Upon the creation of a board of health in
16 a township which has an existing sanitary board, the board of
17 supervisors may continue the incumbent members of the sanitary
18 board as members of the board of health. The members of the
19 board of health shall serve without compensation but shall be
20 reimbursed for actual and necessary expenses incurred in the
21 performance of their duties.

22 Section 3003. Organization, Secretary, Health Officer and
23 Inspectors.--The members of the board of health shall annually
24 organize by electing a chairman from among the members of the
25 board of health, a secretary who may be a member of the board of
26 health and a health officer and inspectors who shall not be
27 members of the board of health. The secretary, health officer
28 and inspectors shall each receive a salary as determined by the
29 board of supervisors and shall serve for a period of one year or
30 until their successors may be appointed and qualified.

1 Section 3004. Duties of Secretary.--The secretary of the
2 board of health shall keep the minutes of the proceedings of the
3 board of health, keep accurate accounts of the expenses of the
4 board of health, draw all requisitions for the payment of moneys
5 on account of the board of health from appropriations made by
6 the board of supervisors to the board of health and present them
7 to the board of health for approval, render statements of the
8 expenses to the board of health at each stated meeting or as
9 frequently as the board of health may require, prepare under the
10 direction of the board of health the annual report to the board
11 of supervisors, together with the estimate of appropriation
12 needed for the ensuing year, and make other reports and perform
13 other duties as the board of health may require.

14 Section 3005. Powers and Duties of Health Officer and
15 Inspectors.--The health officer and inspectors shall attend all
16 stated and special meetings of the board of health and at all
17 times be ready and available for the prompt performance of their
18 official duties. They shall make inspections and execute the
19 orders of the board of health.

20 Section 3006. Powers of Board of Health.--(a) The board of
21 health shall enforce the health and sanitation laws of this
22 Commonwealth and any regulations adopted under those laws and
23 the health and sanitation laws and regulations of the township.

24 (b) Regulations, when authorized by ordinance of the
25 township, shall have the force of ordinances of the township.
26 All penalties prescribed for violation of the regulations, as
27 well as the expenses actually and necessarily incurred in
28 enforcing ordinances and regulations, are recoverable in
29 enforcement proceedings and shall be paid into the general
30 township fund. Townships may establish and revise fees for

1 licenses or permits issued by the township as necessary.

2 Section 3007. Entering Premises.--The board of health,
3 health officer or inspectors may enter at any time any premises
4 within the township where there is reasonably suspected to exist
5 any health hazard or violation of health or sanitation laws or
6 regulations or which are of a type that may give rise to a
7 health hazard.

8 Section 3008. Written Order for Violation.--When the board
9 of health, health officer or inspectors determine that a health
10 or sanitation hazard or violation exists, a written order shall
11 be directed to the owner or occupant of the premises involved,
12 ordering an abatement of the hazard or violation and the taking
13 of corrective action as the board of health, health officer or
14 inspectors may deem necessary under the circumstances. The order
15 shall set forth a specific time in which the abatement and
16 corrective action shall be accomplished. If the order is not
17 complied with within the time provided, the board of health,
18 health officer or inspectors may enter the premises and issue
19 orders for the immediate termination of activities creating the
20 violation, the potential violation and all acts of commerce
21 conducted in, on or at the premises in question. In addition,
22 the board of health, health officer or inspectors may proceed to
23 enforce the law or regulation being violated the same as
24 ordinances of the township.

25 Section 3009. Appropriations and Annual Report.--The board
26 of supervisors shall make an annual appropriation to the board
27 of health as the board of supervisors determines. The board of
28 health or health officer shall, before the preparation of the
29 annual budget of the township, submit to the board of
30 supervisors the estimated expenses of the board of health or

1 health officer for the ensuing year. The board of health or
2 health officer shall, by the first day of February of each year,
3 prepare and submit to the board of supervisors and the regional
4 office of the Department of Environmental ~~Resources~~ PROTECTION, <—
5 THE DEPARTMENT OF AGRICULTURE and the Department of Health an
6 annual report in writing, setting forth the activities and
7 expenditures of the board of health or health officer during the
8 prior calendar year.

9 Section 3010. Cooperation With Other Municipal

10 Corporations.--(a) Any township may cooperate and contract with
11 any other municipal corporation in the administration and
12 enforcement of health and sanitation laws.

13 (b) If the board of supervisors abolishes the board of
14 health or positions of health officers or inspectors and
15 discontinues services under this article, the Department of
16 Environmental ~~Resources~~ PROTECTION, THE DEPARTMENT OF <—
17 AGRICULTURE and the Department of Health shall be notified. An
18 official copy of the action of the board of supervisors shall be
19 transmitted to the regional office of the Department of
20 Environmental ~~Resources~~ PROTECTION, THE DEPARTMENT OF <—
21 AGRICULTURE and the regional office of the Department of Health.

22 (c) The board of supervisors, the board of health or the
23 health officer may request assistance from the Department of
24 Environmental ~~Resources~~ PROTECTION, THE DEPARTMENT OF <—
25 AGRICULTURE or the Department of Health if the assistance is
26 deemed necessary for the health and safety of township citizens.

27 ARTICLE XXXI

28 CONTRACTS

29 Section 3101. Power to Make Contracts.--The board of
30 supervisors may make contracts for purchases under this act and

1 the laws of this Commonwealth.

2 Section 3102. Letting Contracts.--(a) All contracts or
3 purchases in excess of the required advertising amount of ten
4 thousand dollars (\$10,000), except those specifically excluded,
5 shall not be made except with and from the lowest responsible
6 bidder after due notice in one newspaper of general circulation
7 in the township. The notice for bids shall be published at least
8 two times at intervals of not less than three days in daily
9 newspapers or once a week for two successive weeks in weekly
10 newspapers. The first advertisement shall be published not more
11 than forty-five days, and the second advertisement not less than
12 ten days, before the date set for the opening of bids. Notice of
13 proposed contracts or purchases shall also be posted where the
14 board of supervisors normally meets or in a conspicuous place
15 within the township. Any published notice for bids shall contain
16 full plans and specifications, or refer to the places where
17 copies thereof can be obtained, and give the date, time and
18 place of a meeting at which an individual or committee appointed
19 by the board of supervisors or the board of supervisors will
20 open and read the bids.

21 (b) Written or telephonic price quotations from at least
22 three qualified and responsible contractors shall be requested
23 for all contracts that exceed four thousand dollars (\$4,000) but
24 are less than the amount requiring advertisement and competitive
25 bidding or, in lieu of price quotations, a memorandum shall be
26 kept on file showing that fewer than three qualified contractors
27 exist in the market area within which it is practicable to
28 obtain quotations. A written record of telephonic price
29 quotations shall be made and shall contain at least the date of
30 the quotation, the name of the contractor and the contractor's

1 representative, the construction, reconstruction, repair,
2 maintenance or work which was the subject of the quotation and
3 the price. Written price quotations, written records of
4 telephonic price quotations and memoranda shall be retained for
5 a period of three years.

6 (c) The board of supervisors may purchase or make contracts
7 under the act of October 27, 1979 (P.L.241, No.78), entitled "An
8 act authorizing political subdivisions, municipality authorities
9 and transportation authorities to enter into contracts for the
10 purchase of goods where no bids are received," if no bids are
11 received on an item after proper notices.

12 (d) The amount of the contract, whether of straight sale
13 price, conditional sale, lease, lease purchase or otherwise, is
14 the entire amount the township pays to the successful bidder in
15 order to obtain the services or property, or both, and does not
16 mean only the amount which is paid to acquire title or to
17 receive any other particular benefit or benefits.

18 (e) The award of ~~bids~~ CONTRACTS shall only be made by public <—
19 announcement at the meeting at which bids are opened by the
20 board of supervisors, or received from the individual or
21 committee appointed by the board of supervisors to open and read
22 bids, or at a subsequent meeting of the board of supervisors,
23 the time and place of which shall be publicly announced when
24 bids are received. If for any reason one or both of the meetings
25 are not held, the same business may be transacted at a
26 subsequent meeting if at least five days' notice of the meeting
27 is published in the same newspaper as the notice of bids.
28 Bidders shall be notified and other interested parties, upon
29 request, shall be notified of the date, time and location of the
30 opening of bids, and may be present when the bids are opened.

1 (f) The board of supervisors may reject all bids received if
2 it is believed to be in the best interest of the township, and
3 at a public meeting the reasons for the rejection of all bids
4 shall be announced and be noted in the minutes.

5 (g) Unless covered under the bonding requirements of the act
6 of December 20, 1967 (P.L.869, No.385), known as the "Public
7 Works Contractors' Bond Law of 1967," the successful bidder
8 shall furnish a bond guaranteeing performance of the contract,
9 in the amount of fifty percent of the amount of the contract,
10 within twenty days after the contract is awarded. If the bidder
11 fails to furnish the bond within twenty days, unless delivery is
12 made or the entire contract is fulfilled during that time, the
13 contract is void. Delivery, accomplishment and guarantees may be
14 required in all cases, including the exceptions contained in
15 this section.

16 (h) The contracts or purchases made by the board of
17 supervisors involving payments in excess of the required
18 advertising amount, which do not require advertising, bidding or
19 price quotations are as follows:

20 (1) Those made for emergency repairs or replacements for
21 water, electric light and other public works of the township if
22 they do not constitute new additions, extensions or enlargements
23 of existing facilities and equipment.

24 (2) Those made for improvements, repairs or maintenance of
25 any kind made or provided by any township through its own
26 employees. All contracts or purchases of materials used for
27 improvement, maintenance or construction in excess of four
28 thousand dollars (\$4,000) but less than the required advertising
29 amount are subject to the provisions contained in subsection
30 (b), and those contracts or purchases in excess of the required

advertising amount are subject to the advertising requirements contained in subsection (a).

(3) Those involving any policies of insurance or surety company bonds, those made for public utility service and those made with another municipal corporation, county, school district or municipality authority or Federal or State Government, including the sale, leasing or loan of any supplies or materials by the Federal or State Government or their agencies.

(4) Those involving personal or professional services.

(5) Those made for materials and supplies or equipment rental under emergency conditions under 35 Pa.C.S. Pt. V (relating to emergency management services).

(6) Those contracts involving equipment rental with operators if more than fifty percent of the total labor personnel hours required for the completion of the contract is supplied by the township through its own employees.

(7) Those contracts for the purchase of repair parts or materials for use in existing township equipment or facilities if the item or material to be purchased is the sole item of its kind on the market or is manufactured as a replacement for the original item or equipment being repaired.

(8) Those for used equipment, articles, apparatus, appliances, vehicles or parts thereof being purchased from a public utility.

(i) No township official, either elected or appointed, or township employe who knows, or who by the exercise of reasonable diligence could know, shall be interested to any appreciable degree, either directly or indirectly, in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for the township

1 involving the payment by the township of more than five hundred
2 dollars (\$500) in any year unless the contract is awarded
3 through the public bid process. This limitation does not apply
4 if the officer or appointee of the township is an employe of the
5 person, firm or corporation to which the money is to be paid in
6 a capacity with no possible influence on the transaction and the
7 officer cannot possibly be benefited thereby, either financially
8 or otherwise. If a supervisor is within this exception, the
9 supervisor shall so inform the board of supervisors and refrain
10 from voting on the payments and shall in no manner participate
11 in the contract. Any official or appointee who knowingly
12 violates this provision is subject to surcharge to the extent of
13 the damage shown to be sustained by the township, is ousted from
14 office or employment and commits a misdemeanor of the third
15 degree.

16 (j) Contracts for the purchase of materials or rental of
17 equipment for the construction, reconstruction, maintenance and
18 improvement of roads and bridges shall be in writing and let
19 only on standard specifications of the Department of
20 Transportation.

21 (k) Contracts for the purchase of materials or supplies may
22 be bid on a per-unit basis.

23 (l) Every contract for the construction, reconstruction,
24 alteration, repair, improvement or maintenance of public works
25 shall comply with the act of March 3, 1978 (P.L.6, No.3), known
26 as the "Steel Products Procurement Act."

27 (m) No person, consultant, firm or corporation contracting
28 with a township for purposes of rendering personal or
29 professional services to the township shall share with any
30 township officer or employe, and no township officer or employe

shall accept, any portion of the compensation or fees paid by the township for the contracted services provided to the township except under the following terms or conditions:

(1) Full disclosure of all relevant information regarding the sharing of the compensation or fees shall be made to the board of supervisors.

(2) The board of supervisors must approve the sharing of any fee or compensation for personal or professional services before the performance of the services.

(3) No fee or compensation for personal or professional services may be shared except for work actually performed.

(4) No shared fee or compensation for personal or professional services may be paid at a rate in excess of the commensurate for similar personal or professional services.

Section 3103. Road Contracts.--The board of supervisors may make a contract for the improvement and keeping in repair of township roads. No contract shall extend over a period of more than four years. Every contractor for road work shall give bond for the amount of the contract and sign specifications furnished by the board of supervisors for the building and care of the contract roads.

Section 3104. Evasion of Advertising Requirements.--(a) No supervisor shall evade the provisions of section 3101 as to advertising for bids by purchasing or contracting for services and personal properties piecemeal to obtain prices under the required advertising price. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price, or by making several simultaneous purchases or contracts each below the required advertising

price, when the transactions involved should have been made as one transaction for one price. Any supervisors who vote in violation of this provision and who know that the transaction upon which they vote is or ought to be part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids are jointly and severally subject to surcharge for ten percent of the full amount of the contract or purchase.

(b) Any supervisor who votes to unlawfully evade the provisions of this article and who knows that the transaction upon which he so votes is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids commits a misdemeanor of the third degree for each contract entered into as a direct result of that vote. This penalty shall be in addition to any surcharge which may be assessed pursuant to subsection (a).

Section 3105. Bonds for Protection of Labor and Material Suppliers.--Before any contract exceeding five thousand dollars (\$5,000) is awarded to any prime contractor or construction manager for the construction, reconstruction, alteration or repair of any building or other public work or public improvement of the township, the contractor shall furnish to the township a payment bond for the protection of claimants supplying labor or materials to the prime contractor to whom the contract is awarded, at one hundred percent of the contract amount, conditioned for the prompt payment of all materials furnished or labor supplied or performed in the prosecution of the contract under the act of December 20, 1967 (P.L.869, No.385), known as the "Public Works Contractors' Bond Law of 1967."

1 Section 3106. Purchase Contracts for Supplies and Equipment;
2 Fire Company, Et Cetera; Participation.--The board of
3 supervisors may permit any paid or volunteer fire company, paid
4 or volunteer rescue company and paid or volunteer ambulance
5 company in the township to participate in purchase contracts for
6 supplies and equipment of the township and agreeing that it will
7 be bound by any terms and conditions the township prescribes.

8 Section 3107. Separate Specifications for Branches of
9 Work.--In the preparation of specifications for the erection or
10 alteration of any public building, when the entire cost of the
11 work exceeds the advertising requirement price, the architect,
12 engineer or person preparing the specifications shall prepare
13 separate specifications for the plumbing, heating, ventilating
14 and electrical work, and the township shall receive separate
15 bids upon each of those branches of work and award the contract
16 to the lowest bidder.

17 Section 3108. Workers' Compensation Insurance.--(a) All
18 contracts executed by any township which involve the
19 construction or performance of any work involving the employment
20 of labor shall contain a provision that the contractor shall
21 accept, and file with the township proof of compliance with or
22 exemption from, insofar as the work covered by the contract is
23 concerned, the act of June 2, 1915 (P.L.736, No.338), known as
24 the "Workers' Compensation Act."

25 (b) Any contract executed in violation of this section is
26 void.

27 Section 3109. Engineers and Architects Not to be Interested
28 in Contracts.--(a) No architect or engineer in the employ of a
29 township and engaged in the preparation of plans, specifications
30 or estimates may bid on any public work at any letting of the

1 work in the township.

2 (b) An officer of a township who is charged with letting any
3 public work may not award a contract to any architect or
4 engineer in the employ of the township.

5 (c) An architect or engineer in the employ of a township may
6 not be interested in any contract for public work in the
7 township or receive any remuneration or gratuity from any person
8 interested in any contract except under section 3102(1).

9 (d) Any person who violates this section commits a
10 misdemeanor of the third degree.

11 ARTICLE XXXII

12 TAXATION AND FINANCE

13 Section 3201. Fiscal Year.--The fiscal year in townships
14 commences on the first day of January in each year. All
15 receipts, disbursements, contracts and purchases shall be
16 entered as of record in the fiscal year in which made.

17 Section 3202. Annual Budget.--(a) The board of supervisors
18 shall annually prepare a proposed budget for all funds for the
19 ensuing fiscal year. The proposed budget shall reflect as nearly
20 as possible the estimated revenues and expenses of the township
21 for the year for which the budget is prepared. A township shall
22 not prepare and advertise notice of a proposed budget when it is
23 knowingly inaccurate. Upon any revision of the proposed budget,
24 if the estimated revenues or expenses in the final budget are
25 increased more than ten percent in the aggregate or more than
26 twenty-five percent in any major category over the proposed
27 budget, it may not be legally adopted with those increases
28 unless it is again advertised once, the same as the original
29 proposed budget, and an opportunity given to taxpayers to
30 examine the amended proposed budget. A major category is a group

of related revenue or expense items, the combined total of which is listed as a line item on the annual budget forms furnished by the Department of Community Affairs under section 3203. The budget shall be prepared on a uniform form prepared and furnished under section 3203. The estimates in the budget shall specify the amount of money necessary for each governmental activity of the township for which a special tax levy may or may not be authorized and the amount of money necessary for the payment of debts and other miscellaneous purposes.

(b) Upon the preparation of the proposed budget, the board of supervisors shall give public notice by advertisement once in one newspaper of general circulation in the township that the proposed budget is available for public inspection at a designated place in the township. After the proposed budget has been available for public inspection for twenty days, the board of supervisors shall, after making revisions as are appropriate, adopt the final budget not later than the thirty-first day of December and the necessary appropriation measures required to put it into effect.

(c) The total appropriation shall not exceed the revenues estimated as available for the fiscal year. The board of supervisors shall, within fifteen days after the adoption of the budget, file a copy of the budget with the Department of Community Affairs.

(d) During the month of January next following any municipal election, the board of supervisors may amend the budget and the levy and tax rate to conform with its amended budget. A period of ten days' public inspection at the office of the township secretary of the proposed amended budget, after notice by the township secretary to that effect is published once in a

newspaper of general circulation in the township, shall
intervene between the adoption of the proposed amended budget
and the final adoption of the amended budget. Any amended budget
must be adopted by the board of supervisors on or before the
fifteenth day of February. No proposed amended budget shall,
before final adoption, be revised upward in excess of ten
percent in the aggregate or in excess of twenty-five percent of
the amount of any major category in the proposed amended budget.
A major category is a group of related revenue or expense items,
the combined total of which is listed as a line item on the
annual budget forms furnished by the Department of Community
Affairs under section 3203. Within fifteen days after the
adoption of an amended budget, the township secretary shall file
a copy of it with the Department of Community Affairs.

(e) The board of supervisors may, by resolution, make
supplemental appropriations for any purpose from any funds on
hand or estimated to be received within the fiscal year and not
otherwise appropriated, including the proceeds of any borrowing
authorized by law. Supplemental appropriations may be made
whether or not an appropriation for that purpose was included in
the original budget as adopted.

(f) The board of supervisors may, by resolution, transfer
unencumbered moneys from one township account to another, but no
moneys may be transferred from the fund allocated for the
payment of debts or from any fund raised by a special tax levy
or assessment for a particular purpose. Transfers shall not be
made during the first three months of the fiscal year. No moneys
shall be paid out of the township treasury except upon
appropriation made according to law.

Section 3203. Uniform Report Forms.--(a) The uniform forms

1 for the annual budget and the annual financial statement
2 required to be made by the auditors shall be prepared by a
3 committee consisting of four representatives of the State
4 Association of Township Supervisors and one representative each
5 from the Department of Transportation and the Department of
6 Community Affairs.

7 (b) Representatives of the State Association of Township
8 Supervisors shall be appointed by the president of that
9 organization. The representatives may be township supervisors,
10 auditors or secretaries and should represent townships in the
11 various population groups. The president of the State
12 Association of Township Supervisors shall supply to the
13 Department of Community Affairs the names and addresses of the
14 representatives immediately upon their appointment.

15 (c) Representatives of the townships shall serve without
16 compensation but shall be reimbursed by the Commonwealth for all
17 necessary expenses incurred in attending meetings of the
18 committee from appropriations made to the Department of
19 Community Affairs. The committee shall meet at the call of the
20 Secretary of Community Affairs, or an agent of the secretary,
21 who shall chair the committee.

22 (d) In preparing the uniform forms, the committee shall give
23 careful consideration to the fiscal needs and procedures of
24 townships of the various population groups, producing separate
25 forms, if necessary, to meet the needs of townships of varying
26 sizes. The form for annual reports shall contain the information
27 required to be furnished under this act and any other
28 information the committee believes proper and shall be arranged
29 to correlate with the forms for the budget, respecting order of
30 items and division of revenues by major classifications and

disbursements by major functions. The committee shall also prescribe the form of the statement summarizing the annual report which is required to be published under this act.

(e) The Department of Community Affairs shall prepare and furnish the forms required by this act in cooperation with the committee. If the committee fails to cooperate, the Department of Community Affairs shall issue the forms and distribute them annually, as needed, to the proper township officers.

Section 3204. Investment of Township Funds.--(a) The board of supervisors may:

(1) Make investment of township sinking funds as authorized by the act of July 12, 1972 (P.L.781, No.185), known as the "Local Government Unit Debt Act."

(2) Make investment of moneys in the general fund and in special funds of the township.

(3) Liquidate any investment, in whole or in part, by disposing of securities or withdrawing funds on deposit. Any action taken to make or to liquidate any investment shall be made by the officers designated by action of the board of supervisors.

(b) The board of supervisors shall invest township funds consistent with sound business practice.

(c) The board of supervisors shall provide for an investment program subject to restrictions contained in this act and in any other applicable statute and any rules and regulations adopted by the board of supervisors.

(d) Authorized types of investments of township funds are:

(1) United States Treasury bills.

(2) Short-term obligations of the Federal Government or its agencies or instrumentalities.

1 (3) Deposits in savings accounts or time deposits, other
2 than certificates of deposit, or share accounts of institutions
3 insured by the Federal Deposit Insurance Corporation, the
4 National Credit Union Share Insurance Fund, the Pennsylvania
5 Deposit Insurance Corporation or the Pennsylvania Savings
6 Association Insurance Corporation, or their successor agencies,
7 to the extent that the accounts are so insured and, for any
8 amounts above the insured maximum, if approved collateral
9 therefor is pledged by the depository.

10 (4) Obligations of the United States of America or any of
11 its agencies or instrumentalities backed by the full faith and
12 credit of the United States of America, of the Commonwealth of
13 Pennsylvania or any of its agencies or instrumentalities backed
14 by the full faith and credit of the Commonwealth or of any
15 political subdivision of the Commonwealth of Pennsylvania or any
16 of its agencies or instrumentalities backed by the full faith
17 and credit of the political subdivision.

18 (5) Shares of an investment company registered under the
19 Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. § 80a-1
20 et seq.), whose shares are registered under the Securities Act
21 of 1933 (48 Stat. 74, 15 U.S.C. § 77a et seq.), if the only
22 investments of that company are in the authorized investments
23 for township funds listed in paragraphs (1) through (4).

24 (6) Certificates of deposit purchased from institutions
25 insured by the Federal Deposit Insurance Corporation, the
26 National Credit Union Share Insurance Fund, the Pennsylvania
27 Deposit Insurance Corporation or the Pennsylvania Savings
28 Association Insurance Corporation, or their successor agencies,
29 to the extent that the accounts are so insured. However, for any
30 amounts above the insured maximum, the certificates of deposit

shall be secured by a pledge or assignment of assets of the institution, and the collateral may include loans, including interest in pools of loans, secured by first mortgage liens on real property. Certificates of deposit purchased from commercial banks shall be limited to an amount equal to twenty percent of a bank's total capital and surplus. Certificates of deposit purchased from savings and loan associations or savings banks shall be limited to an amount equal to twenty percent of an institution's assets minus liabilities.

(7) Any investment authorized by 20 Pa.C.S. Ch. 73 (relating to fiduciaries investments). This paragraph is limited to investments for any pension or retirement fund.

(e) In making investments of township funds, the board of supervisors may:

(1) Permit assets pledged as collateral under subsection (d)(3) to be pooled under the act of August 6, 1971 (P.L.281, No.72), entitled "An act standardizing the procedures for pledges of assets to secure deposits of public funds with banking institutions pursuant to other laws; establishing a standard rule for the types, amounts and valuations of assets eligible to be used as collateral for deposits of public funds; permitting assets to be pledged against deposits on a pooled basis; and authorizing the appointment of custodians to act as pledgees of assets."

(2) Combine moneys from more than one fund under township control for the purchase of a single investment if each of the funds combined for the purpose is accounted for separately in all respects and the earnings from the investment are separately and individually computed and recorded and credited to the accounts from which the investment was purchased.

1 (3) Join with one or more other municipal corporations,
2 municipality authorities or school districts under the act of
3 July 12, 1972 (P.L.762, No.180), referred to as the
4 Intergovernmental Cooperation Law, in the purchase of a single
5 investment if the requirements of paragraph (2) on separate
6 accounting of individual funds and separate computation,
7 recording and crediting of the earnings therefrom are adhered
8 to.

9 Section 3205. Township and Special Tax Levies.--(a) The
10 board of supervisors may, by resolution, levy taxes upon all
11 real property within the township made taxable for township
12 purposes, as ascertained by the last adjusted valuation for
13 county purposes, for the purposes and at the rates specified in
14 this section. All taxes shall be collected in cash.

15 (1) An annual tax, not exceeding fourteen mills, for general
16 township purposes. If the board of supervisors petitions the
17 court of common pleas for the right to levy additional millage,
18 the court may order a greater rate than fourteen mills, but not
19 exceeding five additional mills, to be levied.

20 (2) An annual tax, not exceeding five mills, to light the
21 highways, roads and other public places in the township.

22 (3) An annual tax, not exceeding fifty percent of the rate
23 of assessment for the general township tax, to procure land and
24 erect public buildings thereon and for the payment of
25 indebtedness incurred in connection therewith.

26 (4) An annual tax, not exceeding three mills, to purchase
27 and maintain fire apparatus and a suitable place to house fire
28 apparatus; to make appropriations to fire companies located
29 inside and outside the township; and to contract with adjacent
30 municipal corporations or volunteer fire companies therein for

fire protection. If an annual tax is proposed to be set at a level higher than three mills, the question shall be submitted to the voters of the township.

(5) A tax, not exceeding two mills, to establish and maintain fire hydrants and fire hydrant water service.

(6) A tax to acquire, maintain and operate parks, playgrounds, playfields, gymnasiums, swimming pools and recreation centers.

(7) An annual tax sufficient to pay interest and principal on any indebtedness incurred under the act of July 12, 1972 (P.L.781, No.185), known as the "Local Government Unit Debt Act."

(8) An annual tax, not exceeding one-half mill, to support ambulance and rescue squads serving the township. If an annual tax is proposed to be set higher than one-half mill, the question shall be submitted to the voters of the township.

(9) An annual tax, not exceeding five mills, to create and maintain a revolving fund to be used in making permanent street, sidewalk, water supply or sewer improvements before the collection of all or part of the cost from the property owners. A revolving fund may also be used for the deposit of funds raised through the issuance of general obligation bonds of the township for the making of permanent street, sidewalk, water supply or sewer improvements. When all or part of the cost of the construction of any permanent street, sidewalk, water supply or sewer improvement is paid from the revolving fund and is later assessed and collected from the owners of the property adjoining or abutting upon the improvement, the collections shall be applied to the credit of the revolving fund to the extent of the withdrawal therefrom for that purpose.

1 (10) An annual special tax, not exceeding two mills, to
2 create and accumulate moneys in a road equipment fund to be used
3 exclusively for purchasing road equipment.

4 (b) When it is shown to the court that the debts due by any
5 township exceed the amount which the board of supervisors may
6 collect in any year by taxation, the court, after ascertaining
7 the amount of indebtedness of the township, may, in an action of
8 mandamus, direct the board of supervisors, by special taxation,
9 to collect an amount sufficient to pay the debts. If the amount
10 of indebtedness is so large as to render it inadvisable to
11 collect the entire amount in any one year, the court may direct
12 the special taxes to be levied and collected during successive
13 years as may be required for payment of the debt.

14 Section 3206. Procedure for Referendum on Tax Questions.--
15 When the assent of the electors is required under this article
16 for special tax levies, the county board of elections shall
17 frame the question under the election laws of this Commonwealth
18 for submission to the voters of the township at the first
19 municipal or general election occurring not less than sixty days
20 after submission of the question.

21 Section 3207. Taxes for Special Districts.--This article
22 does not include the levy of any taxes upon particular districts
23 or parts of any township for particular purposes.

24 Section 3208. Tax Rate to be Expressed in Dollars and
25 Cents.--When the board of supervisors, by resolution,
26 establishes the rate of taxation for any year at a mill rate,
27 the resolution shall also include a statement expressing the
28 rate of taxation in dollars and cents on each one hundred
29 dollars (\$100) of assessed valuation of taxable property.

30 Section 3209. Tax Duplicates.--The board of supervisors

1 shall require a duplicate to be made designating the amount of
2 township tax levied against each taxpayer of the township, and
3 also duplicates for all other taxes levied and assessed under
4 this act, and deliver the duplicate within thirty days after the
5 adoption of the budget or within thirty days after receipt of
6 the assessment roll from the county, whichever is later, to the
7 township tax collector.

8 Section 3210. Additions and Revisions to Duplicates.--(a)
9 When there is any construction of a building or buildings not
10 otherwise exempt as a dwelling after the first day of January of
11 any year and the building is not included in the tax duplicate
12 of the township, the authority responsible for assessments in
13 the township shall, upon the request of the board of
14 supervisors, direct the assessor in the township to inspect and
15 reassess, subject to the right of appeal and adjustment by the
16 State law under which assessments are made, all taxable property
17 in the township to which major improvements have been made after
18 the first day of January of any year and to give notice of the
19 reassessments within ten days to the authority responsible for
20 assessments, the township and the property owner. The property
21 shall be added to the duplicate and is taxable for township
22 purposes at the reassessed valuation for that proportionate part
23 of the fiscal year of the township remaining after the property
24 was improved. Any improvement made during the month shall be
25 computed as having been made on the first day of the month. A
26 certified copy of the additions or revisions to the duplicate
27 shall be furnished by the board of supervisors to the township
28 tax collector, together with its warrant for collection of the
29 taxes, and within ten days the township tax collector shall
30 notify the owner of the property of the taxes due in the

1 township.

2 (b) When an assessment is made for a portion of a year, the
3 assessment shall be added to the duplicate of the following or
4 succeeding year unless the value of the improvements has already
5 been included in that duplicate.

6 ARTICLE XXXIII

7 COLLECTION OF ASSESSMENTS

8 Section 3301. Assessments Collected by Tax Collector.--(a)
9 When any assessment for street lights, fire hydrant service,
10 police protection or other service is implemented by the board
11 of supervisors and charged to the tax collector for collection,
12 assessments for the service shall be filed with the township tax
13 collector. The tax collector shall give thirty days' notice that
14 the assessments are due and payable. The notice shall state the
15 due date to each party assessed and be served by mailing notice
16 to the owner of the property. The tax collector is entitled to
17 the same commission for the collection of these assessments as
18 for the collection of the general township tax. If any
19 assessment remains unpaid ninety days after the due date, it
20 shall be turned over to the township solicitor for collection by
21 means of an action in assumpsit for recovery or a municipal lien
22 filed against the property of the delinquent owner for the
23 amount of the unpaid assessment, plus interest established by
24 the board of supervisors from the date the assessment was due.
25 If an owner has two or more lots against which there is an
26 assessment for the same year, the lots shall be embraced in one
27 claim. Assessments, when collected, shall be paid over to the
28 township treasurer, who shall deposit and keep them in a
29 separate account, to be paid out only for expenses incurred in
30 providing the service. Each special assessment account shall be

1 audited by the board of auditors of the township.

2 (b) When any assessment for refuse collection in special
3 districts or other service is charged against the owners,
4 occupants or tenants of property within the township, the
5 collection of which is charged to the tax collector, the
6 assessments for the service shall be filed with the tax
7 collector. The tax collector shall give thirty days' notice that
8 the assessments are due and payable. The notice shall state the
9 due date to each party assessed and be served by mailing to the
10 owner, occupant or tenant of the property. The tax collector is
11 entitled to the same commission for the collection of these
12 assessments as for the collection of the general township tax.
13 If any assessment remains unpaid ninety days after the due date,
14 it shall be turned over to the township solicitor for collection
15 by action in assumpsit for the amount of the unpaid assessment,
16 plus interest established by the board of supervisors from the
17 date the assessment was due and all costs incurred in the
18 collection of the assessment. Assessments, when collected, shall
19 be paid over to the township treasurer, who shall deposit and
20 keep them in a separate account, to be paid out only for
21 expenses incurred in providing the service. Each special
22 assessment account shall be audited by the board of auditors of
23 the township.

24 Section 3302. Assessments Collected by Township Treasurer.--

25 (a) When any assessment for construction, maintenance and
26 repair of street, sewer, water, sidewalks, curbs or other
27 service is implemented by the board of supervisors, the
28 collection of which is not charged to the tax collector, the
29 assessments for the service shall be filed with the township
30 treasurer. The township treasurer shall give thirty days' notice

1 that the assessments are due and payable. The notice shall state
2 the due date to each party assessed and shall be served by
3 mailing it to the owner of the property. If any assessment
4 remains unpaid ninety days after the due date, it shall be
5 turned over to the township solicitor for collection by means of
6 an action in assumpsit for recovery or a municipal lien filed
7 against the property of the delinquent owner for the amount of
8 the unpaid assessment, plus interest established by the board of
9 supervisors from the date the assessment was due. If an owner
10 has two or more lots against which there is an assessment for
11 the same year, the lots shall be embraced in one claim. Upon
12 receipt of payment of assessments, the township treasurer shall
13 deposit the assessments in a separate account, to be paid out
14 only for expenses incurred in providing the service. Each
15 special assessment account shall be audited by the board of
16 auditors of the township.

17 (b) When any assessment for refuse collection or other
18 service is charged against the owners, occupants or tenants of
19 property within the township, the collection of which is not
20 charged to the tax collector, the assessments shall be filed
21 with the township treasurer. The township treasurer shall give
22 thirty days' notice that the assessments are due and payable.
23 The notice shall state the due date to each party assessed and
24 be served by mailing it to the owner, occupant or tenant of the
25 property. If any assessment remains unpaid ninety days after the
26 due date, it shall be turned over to the township solicitor for
27 collection by action in assumpsit for the amount of the unpaid
28 assessment, plus interest established by the board of
29 supervisors from the date the assessment was due and all costs
30 incurred in the collection of the assessment. Upon receipt of

1 the assessments, the township treasurer shall deposit and keep
2 them in a separate account, to be paid out only for expenses
3 incurred in providing the service. Each special assessment
4 account shall be audited by the board of auditors of the
5 township.

6 Section 3303. Installment Payments.--(a) When any township
7 authorizes the construction or acquisition of any sanitary sewer
8 or system of sanitary sewers, or the improvement of any street
9 or portion thereof, or the installation of curbing or sidewalks,
10 or a water supply or water systems, and all or part of the cost
11 is assessed against the properties benefited, improved or
12 accommodated by the sewer or system of sewers, or curbing or
13 sidewalks, or water supply, or abutting upon the street or
14 portion thereof, the board of supervisors may authorize the
15 payment of the assessment in equal annual or more frequent
16 installments. The ordinance shall specify the length of time
17 over which the installments may be extended and whether payments
18 are to be made by annual or more frequent installments.

19 Installments shall bear interest at a rate not to exceed six
20 percent or a higher amount equal to the amount of interest on
21 the indebtedness, if any, commencing at the time established by
22 ordinance. If bonds have been issued and sold to provide for the
23 payment of any street improvement, the assessments shall not be
24 payable beyond the term for which the bonds are issued, and the
25 expenses for the improvements, and interest thereon to the first
26 day when interest is payable on the bonds, shall be taken as the
27 cost of the improvement to be assessed on the property
28 benefited.

29 (b) Claims to secure the assessments shall be entered in the
30 prothonotary's office of the county at the same time and in the

1 same form and shall be collected in the same manner as municipal
2 claims are filed and collected.

3 (c) Assessments are payable to the township treasurer in
4 quarterly, semi-annual or annual installments, with interest
5 from the date from which interest is computed on the amount of
6 the assessments.

7 (d) If there is a default in the payment of any installment
8 and interest for a period of sixty days after it becomes due,
9 the entire assessment and accrued interest shall become due, and
10 the township solicitor shall proceed to collect the assessment
11 under the general laws relating to the collection of municipal
12 claims.

13 (e) Any owner of property against whom any assessment is
14 made may pay the assessment in full, at any time, with interest
15 and costs thereon to the due date of the next installment, and
16 that payment shall discharge the lien.

17 ARTICLE XXXIV

18 EMINENT DOMAIN; ASSESSMENT OF

19 DAMAGES AND BENEFITS

20 Section 3401. Scope of Article.--When the right of eminent
21 domain or the ascertainment and assessment of damages and
22 benefits in viewer proceedings is exercised by a township, the
23 proceeding shall be as set forth in this article. In addition to
24 any of the provisions of this act, all eminent domain
25 proceedings shall conform to the act of June 22, 1964 (Sp.Sess.,
26 P.L.84, No.6), known as the "Eminent Domain Code."

27 Section 3402. Restrictions as to Certain Property.--In
28 addition to the restrictions made by other provisions of this
29 act in particular cases, no township shall exercise the right of
30 eminent domain against land now occupied by any building which

1 was used during the Colonial or Revolutionary period as a place
2 of Assembly by the Council of the Colony of Pennsylvania, the
3 Supreme Executive Council of the Commonwealth of Pennsylvania or
4 the Congress of the United States; or against the land occupied
5 by any fort, redoubt or blockhouse erected during the Colonial
6 or Revolutionary period or any building used as headquarters by
7 the Commander-in-Chief of the Continental Army; or against the
8 site of any building, fort, redoubt, blockhouse or headquarters,
9 which are preserved for their historic associations and not for
10 private profit. The Colonial and Revolutionary period is taken
11 as ended on September 3, 1783.

12 Section 3403. Value of Land or Property Not to be Assessed
13 as Benefits.--In the appropriation of land or property for
14 public use, other than for roads, it is not lawful to assess any
15 portion of the damage done to or value of the land or property
16 so appropriated against the other property adjoining or in the
17 vicinity of the land or property so appropriated.

18 Section 3404. Title Acquired.--When land or property is
19 taken under eminent domain proceedings, other than for road
20 purposes, or is acquired by gift, purchase or otherwise, the
21 title obtained by the township is in fee simple. In particular
22 instances, a different title may, by agreement, be acquired.

23 Section 3405. Assessment of Damages and Benefits.--The
24 damages may be paid in whole or in part by the township or may
25 be assessed in whole or in part upon the property benefited. In
26 the latter case, the viewers, having first determined the
27 damages apart from the benefits, shall assess the total cost of
28 the improvement, or so much thereof as may be just and
29 reasonable, upon the properties peculiarly benefited, including
30 in the assessment all parties for which damages have been

1 allowed, and shall report the findings to the court. The total
2 assessment for benefits shall not exceed the total damages
3 awarded or agreed upon.

4 Section 3406. Assessment Awards.--In proceedings to assess
5 damages and benefits, if the land or property is both benefited
6 and damaged by the improvements, the excess of damages over
7 benefits, or the excess of benefits over damages, or nothing if
8 the benefits and damages are equal, shall be awarded to or
9 assessed against the owner of land or property affected thereby.

10 Section 3407. Assessments to Bear Interest.--All assessments
11 for benefits and costs shall bear interest at six percent
12 annually from the expiration of thirty days after they have been
13 finally ascertained and shall be payable to the township
14 treasurer.

15 ARTICLE XXXV

16 VIOLATION OF ACT GENERALLY

17 Section 3501. Violation of Act Generally; Penalty.--Any
18 township supervisor, elected or appointed township official or
19 employe, roadmaster or contractor or any other person, including
20 any corporation officer or employe, who violates any of the
21 provisions of this act, other than those for which specific
22 penalties are provided, or who fails to carry out the provisions
23 of this act commits a summary offense. All fines collected for
24 violation of this act shall be paid to the township treasurer
25 and credited to the general township fund.

26 ARTICLE [XXI] XXXVI

27 ACTIONS BY [AND AGAINST] TOWNSHIPS

28 [Section 2106. Recovery of Municipal Claims.--In addition to
29 the remedies provided by law for the filing of liens for the
30 collection of municipal claims, a township may proceed for the

1 recovery and collection of any municipal claim by action of
2 assumpsit against the person who was the owner of the property
3 at the time of the completion of the improvement,
4 notwithstanding the fact that there was a failure on the part of
5 any such township, or its agents, to enter such municipal claim
6 as a lien against the property assessed for the improvement, and
7 for the recovery of which the action of assumpsit was brought.

8 Any such action in assumpsit shall be commenced within three
9 years after the completion of the improvement from which said
10 claim arises.]

11 Section 3601. Recovery of Municipal Claims.--(a) In
12 addition to the remedies under law for the filing of liens for
13 the collection of municipal claims, a township may proceed for
14 the recovery and collection of any municipal claim by action of
15 assumpsit against the person who was the owner of the property
16 when the improvement was completed, even if there was a failure
17 on the part of the township or its agents to enter the municipal
18 claim as a lien against the property assessed for the
19 improvement, and for the recovery of which the action of
20 assumpsit was brought.

21 (b) Any action in assumpsit shall be commenced within three
22 years after the completion of the improvement from which the
23 claim arises.

24 ARTICLE [XXII] XXXVII

25 REPEALS

26 [Section 2201. Nothing contained in this act shall be
27 construed to revive any act, or part of any act, repealed by the
28 act reenacted, amended or revised by this act.

29 The following additional acts or parts of acts are hereby
30 repealed as respectively indicated.

1 The act, approved the first day of May, one thousand nine
2 hundred and thirteen (Pamphlet Laws 155, Number 104), entitled
3 "An act regulating the letting of certain contracts for the
4 erection, construction, and alteration of public buildings," so
5 far as it relates to townships of the second class.

6 The act, approved the tenth day of May, one thousand nine
7 hundred and twenty-three (Pamphlet Laws 198), entitled "An act
8 authorizing courts of quarter sessions to commit the care of
9 certain burial grounds to the councils of boroughs, township
10 commissioners and township supervisors of townships; and
11 requiring boroughs and townships to pay the expenses in
12 connection therewith," so far as it relates to townships of the
13 second class.

14 The act, approved the twenty-second day of June, one thousand
15 nine hundred and thirty-one (Pamphlet Laws 844), entitled "An
16 act authorizing the Commonwealth of Pennsylvania, or any
17 department or division thereof, and counties, cities, boroughs,
18 incorporated towns, townships, school districts and poor
19 districts to make contracts of life, health, and accident
20 policies for the benefit of employes thereof, and contracts for
21 pensions for such employes; and providing for the payment of the
22 cost thereof," so far as it relates to townships of the second
23 class.

24 The act, approved the twenty-second day of June, one thousand
25 nine hundred and thirty-one (Pamphlet Laws 845), entitled "An
26 act authorizing the publication of advertisements for bids for
27 public works, supplies or equipment in certain publications and
28 journals devoted to information about construction work," so far
29 as it relates to townships of the second class.

30 The act, approved the first day of May, one thousand nine

1 hundred and thirty-five (Pamphlet Laws 124, Number 47), entitled
2 "An act authorizing the insurance of deposits of funds, of this
3 Commonwealth and of the political subdivisions thereof, with the
4 Federal Deposit Insurance Corporation or other similar agency;
5 and prohibiting requiring further security for amounts so
6 insured," so far as it relates to townships of the second class.

7 The act, approved the eighteenth day of July, one thousand
8 nine hundred and thirty-five (Pamphlet Laws 1173), entitled "An
9 act to prohibit discrimination on account of race, creed or
10 color in employment under contracts for public buildings or
11 public works," so far as it relates to townships of the second
12 class.

13 The act, approved the sixteenth day of March, one thousand
14 nine hundred and thirty-seven (Pamphlet Laws 98), entitled "An
15 act authorizing political subdivisions to stipulate in
16 specifications, upon which contracts for the construction,
17 alteration or repairs of any public work or improvement are
18 entered into, the minimum wages to be paid to laborers and
19 mechanics, and providing for the stipulation of penalties in
20 such contracts where such minimum wage stipulations are
21 violated, and for the recovery of such penalties, and their
22 return in certain cases," so far as it relates to townships of
23 the second class.

24 The act, approved the first day of July, one thousand nine
25 hundred and thirty-seven (Pamphlet Laws 2624), entitled "An act
26 authorizing townships of the second class to adopt and enforce
27 zoning ordinances regulating the location, construction, and use
28 of buildings, the size of courts and open spaces, the density of
29 population, and the use of land," absolutely.

30 The act, approved the fifteenth day of May, one thousand nine

1 hundred and forty-five (Pamphlet Laws 538, Number 210), entitled
2 "An act relating to the liabilities of elected and appointed
3 officers of the various political subdivisions and limiting
4 surcharges to the actual financial loss sustained," so far as it
5 relates to townships of the second class.

6 It is the intention that this act shall furnish a complete
7 and exclusive system for the government and regulation of
8 townships except as to the several matters enumerated in section
9 one hundred and three of article one of this act.

10 All other acts and parts of acts inconsistent with this act
11 are repealed. This act shall not repeal or modify any of the
12 provisions of the Public Utility Law; nor any local or special
13 law; nor any law relating to the Board of Commissioners of
14 Navigation for the River Delaware, and its navigable
15 tributaries; nor the provisions of any law the enforcement of
16 which is vested in the Department of Health, the Sanitary Water
17 Board, the Department of Forests and Waters or the Water and
18 Power Resources Board; nor shall this act repeal or modify any
19 of the provisions of any act of Assembly amendatory of law in
20 force at the time of the passage of this act, or otherwise
21 adopted at the session of the General Assembly of one thousand
22 nine hundred and forty-seven, whether such acts were adopted
23 prior to the passage of this act, or shall be adopted subsequent
24 to the passage of this act; nor shall this act repeal any such
25 act, or part thereof, in force at the time of the passage of
26 this act which is amended by any act of Assembly adopted at the
27 session of the General Assembly of one thousand nine hundred and
28 forty-seven.]

29 Section 3701. Repeals.--(a) Nothing contained in this act
30 revives any act, or part of any act, repealed by the act

1 reenacted, amended or revised by this act.

2 (b) The following additional acts or parts of acts are
3 hereby repealed as respectively indicated:

4 Act of May 1, 1913 (P.L.155, No.104), entitled "An act
5 regulating the letting of certain contracts for the erection,
6 construction, and alteration of public buildings," insofar as it
7 relates to townships of the second class.

8 Act of May 10, 1923 (P.L.198, No.144), entitled "An act
9 authorizing courts of quarter sessions to commit the care of
10 certain burial grounds to the councils of boroughs, township
11 commissioners and township supervisors of townships; and
12 requiring boroughs and townships to pay the expenses in
13 connection therewith," insofar as it relates to townships of the
14 second class.

15 Act of June 22, 1931 (P.L.844, No.274), entitled, as amended,
16 "An act authorizing the Commonwealth of Pennsylvania, or any
17 department or division thereof, and counties, cities, boroughs,
18 incorporated towns, townships, school districts, vocational
19 school districts, and institution districts to make contracts of
20 life, health, hospitalization, medical services, and accident
21 policies for the benefit of employes thereof, and contracts for
22 pensions for such employes; and providing for the payment of the
23 cost thereof," insofar as it relates to townships of the second
24 class.

25 Act of May 1, 1935 (P.L.124, No.47), entitled "An act
26 authorizing the insurance of deposits of funds, of this
27 Commonwealth and of the political subdivisions thereof, with the
28 Federal Deposit Insurance Corporation or other similar agency;
29 and prohibiting requiring further security for amounts so
30 insured," insofar as it relates to townships of the second

1 class.

2 Act of July 18, 1935 (P.L.1173, No.382), entitled "An act to
3 prohibit discrimination on account of race, creed or color in
4 employment under contracts for public buildings or public
5 works," insofar as it relates to townships of the second class.

6 Act of March 16, 1937 (P.L.98, No.26), entitled "An act
7 authorizing political subdivisions to stipulate in
8 specifications, upon which contracts for the construction,
9 alteration or repairs of any public work or improvement are
10 entered into, the minimum wages to be paid to laborers and
11 mechanics, and providing for the stipulation of penalties in
12 such contracts where such minimum wage stipulations are
13 violated, and for the recovery of such penalties, and their
14 return in certain cases," insofar as it relates to townships of
15 the second class.

16 (c) All other acts and parts of acts inconsistent with this
17 act are repealed.

18 (d) This act does not repeal or modify any of the provisions
19 of 66 Pa.C.S. (relating to public utilities); nor any local or
20 special law; nor any law relating to the Board of Commissioners
21 of Navigation for the River Delaware and its navigable
22 tributaries; nor the provisions of any law the enforcement of
23 which is vested in the Department of Health or the Department of
24 Environmental Resources; nor does this act repeal or modify any
25 of the provisions of any statute amendatory of law in force at
26 the time of the passage of this act or otherwise enacted at the
27 session of the General Assembly of 1995, whether the acts were
28 adopted before the passage of this act or after the passage of
29 this act; nor does this act repeal any act, or part thereof, in
30 force at the time of the passage of this act which is amended by

1 any statute enacted at the session of the General Assembly of
2 1995.

3 Section 2. This act shall take effect ~~July 1, 1995, or~~ <—
4 ~~immediately, whichever is later.~~ AS FOLLOWS: <—

5 (1) THE ADDITION OF SECTION 606 OF THE ACT SHALL TAKE
6 EFFECT IMMEDIATELY.

7 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 180
8 DAYS.

2 DERIVATION TABLE
3 Prepared by Local Government Commission
4 Current through Printer's No. 1899

5	YEAR S ACT P.L.	NEW CODE SEC.	OLD CODE SEC.
6	-----	-----	-----
7	1933-0-0103-0069	101	101
8	1933-0-0103-0069	102	102
9	1933-0-0103-0069	103	103
10	1933-0-0103-0069	104	104
11	1933-0-0103-0069	105	105
12	1933-0-0103-0069	106	106
13	1933-0-0103-0069	107	107
14	1933-0-0103-0069	108	108
15	1933-0-0103-0069	109	110
16	1933-0-0103-0069	201	201
17	1933-0-0103-0069	202	226
18	1933-0-0103-0069	203	230
19	1933-0-0103-0069	204	213
20	1933-0-0103-0069	205	235
21	1933-0-0103-0069	206	240
22	1933-0-0103-0069	207(a)	201A
23	1933-0-0103-0069	207(b)	202A
24	1933-0-0103-0069	207(c)	203A
25	1933-0-0103-0069	301	301
26	1933-0-0103-0069	302	302
27	1933-0-0103-0069	303	303
28	1933-0-0103-0069	304	304
29	1933-0-0103-0069	305	306
30	1933-0-0103-0069	306	307
31	1933-0-0103-0069	307	308
32	1933-0-0103-0069	401	401
33	1933-0-0103-0069	402(a)-(c)	402
34	1933-0-0103-0069	402(d)-(e)	new
35	1933-0-0103-0069	403	410
36	1933-0-0103-0069	404(a)-(b)	411
37	1933-0-0103-0069	404(c)	new
38	1933-0-0103-0069	405(a)	412
39	1933-0-0103-0069	405(b)	413
40	1933-0-0103-0069	406	414
41	1933-0-0103-0069	407	420
42	1933-0-0103-0069	501	501
43	1933-0-0103-0069	502	502
44	1933-0-0103-0069	503	503
45	1933-0-0103-0069	601	510
46	1933-0-0103-0069	602	511
47	1933-0-0103-0069	602(A)	511
48	1933-0-0103-0069	602(B)	511
49	1933-0-0103-0069	602(C)	NEW
50	1933-0-0103-0069	603	512
51	1933-0-0103-0069	604	new
52	1933-0-0103-0069	605(a)	513
53	1933-0-0103-0069	605(b)	513.1
54	1933-0-0103-0069	605(c)	new
55	1933-0-0103-0069	606	515
56	1933-0-0103-0069	607(1)-(4)	516(a)-(h)
57	1933-0-0103-0069	607(5)	518
58	1933-0-0103-0069	607(6)	new
59	1933-0-0103-0069	607(7)	516(i)

<—
<—

1	1933-0-0103-0069	701	new
2	1933-0-0103-0069	702	530
3	1933-0-0103-0069	703	531
4	1933-0-0103-0069	704	532
5	1933-0-0103-0069	705	new
6	1933-0-0103-0069	706	533
7	1933-0-0103-0069	707	534
8	1933-0-0103-0069	708	535
9	1933-0-0103-0069	801	new
10	1933-0-0103-0069	802	540
11	1933-0-0103-0069	803	540
12	1933-0-0103-0069	804	543
13	1933-0-0103-0069	901	545
14	1933-0-0103-0069	902(a)	545
15	1933-0-0103-0069	902(b)-(c)	new
16	1933-0-0103-0069	903	546
17	1933-0-0103-0069	904	547
18	1933-0-0103-0069	905	549
19	1933-0-0103-0069	906	550
20	1933-0-0103-0069	907	551
21	1933-0-0103-0069	908	552
22	1933-0-0103-0069	909	553
23	1933-0-0103-0069	910	554
24	1933-0-0103-0069	911	556
25	1933-0-0103-0069	912	559
26	1933-0-0103-0069	913	560
27	1933-0-0103-0069	914	561
28	1933-0-0103-0069	915	563
29	1933-0-0103-0069	916	564
30	1933-0-0103-0069	917(a)	702 XLV
31	1933-0-0103-0069	917(b)	new
32	1933-0-0103-0069	917(c)	702 XLV
33	1933-0-0103-0069	917(d)	702 XLV.1
34	1933-0-0103-0069	1001	570
35	1933-0-0103-0069	1002	575
36	1933-0-0103-0069	1101	580
37	1933-0-0103-0069	1102	581
38	1933-0-0103-0069	1103	582
39	1933-0-0103-0069	1201	585
40	1933-0-0103-0069	1202	586
41	1933-0-0103-0069	1203	587
42	1933-0-0103-0069	1301	599.1
43	1933-0-0103-0069	1401(a)	601
44	1933-0-0103-0069	1401(b)-(c)	602
45	1933-0-0103-0069	1401(d)	603
46	1933-0-0103-0069	1401(e)	604
47	1933-0-0103-0069	1401(f)	611(a)
48	1933-0-0103-0069	1402(a)-(c)	610
49	1933-0-0103-0069	1402(d)	611(b)
50	1933-0-0103-0069	1402(e)-(f)	611(c)
51	1933-0-0103-0069	1402(g)	612
52	1933-0-0103-0069	1402(h)-(i)	610
53	1933-0-0103-0069	1501	701 I
54	1933-0-0103-0069	1502	701 II
55	1933-0-0103-0069	1503(a)-(b)	701 II
56	1933-0-0103-0069	1503(c)-(e)	new
57	1933-0-0103-0069	1503(f)	701 III
58	1933-0-0103-0069	1504	701 II
59	1933-0-0103-0069	1505	702 intro. par.

1	1933-0-0103-0069	1506	702 LXII	
2	1933-0-0103-0069	1507	702 XL	
3	1933-0-0103-0069	1508	702 LV	
4	1933-0-0103-0069	1508.1(a)-(c)	new	<—
5	1933-0-0103-0069	1508.1	NEW	<—
6	1933-0-0103-0069	1509	702 LXIII	
7	1933-0-0103-0069	1510	702 XVIII	
8	1933-0-0103-0069	1511	702 LIV	
9	1933-0-0103-0069	1512	702 XIII	
10	1933-0-0103-0069	1513	702 XLIV	
11	1933-0-0103-0069	1514	702 XLII	
12	1933-0-0103-0069	1515	702 LXIV	
13	1933-0-0103-0069	1516	702 XXV	
14	1933-0-0103-0069	1517	702 LI	
15	1933-0-0103-0069	1518	702 LII	
16	1933-0-0103-0069	1519	702 LIII	
17	1933-0-0103-0069	1520	702 XXXVII	
18	1933-0-0103-0069	1521	702 LXI	
19	1933-0-0103-0069	1522	702 XXVII	
20	1933-0-0103-0069	1523	702 LIX	
21	1933-0-0103-0069	1524	702 LVII	
22	1933-0-0103-0069	1525	702 LXV	
23	1933-0-0103-0069	1526	702 LXIX	
24	1933-0-0103-0069	1527	702 XLVII	
25	1933-0-0103-0069	1528	702 XLVI	
26	1933-0-0103-0069	1529	702 XII	
27	1933-0-0103-0069	1530	702 XXXV	
28	1933-0-0103-0069	1531	new	
29	1933-0-0103-0069	1532(a)(1)	702 XXXIX	
30	1933-0-0103-0069	1532(a)(1)	1801	
31	1933-0-0103-0069	1532(a)(1)	1811	
32	1933-0-0103-0069	1532(a)(1)	1812	
33	1933-0-0103-0069	1532(a)(2)-(3)	new	
34	1933-0-0103-0069	1532(a)(4)	702 LVIII	
35	1933-0-0103-0069	1532(b)	1802	
36	1933-0-0103-0069	1533	702 XII	
37	1933-0-0103-0069	1534	702 XX	
38	1933-0-0103-0069	1535	new	
39	1933-0-0103-0069	1536	702 XXVIII	
40	1933-0-0103-0069	1537	702 XVII	
41	1933-0-0103-0069	1538	702 XIX	
42	1933-0-0103-0069	1539	702 LXVII	
43	1933-0-0103-0069	1540	702 LXVIII	
44	1933-0-0103-0069	1541	702 LX	
45	1933-0-0103-0069	1542	702 LXVI	
46	1933-0-0103-0069	1543	702 LVI	
47	1933-0-0103-0069	1544	702 LXX	
48	1933-0-0103-0069	1545	702 LXXIII	
49	1933-0-0103-0069	1546	702 LXXV	
50	1933-0-0103-0069	1547	new	
51	1933-0-0103-0069	1548	new	
52	1933-0-0103-0069	1549	703	
53	1933-0-0103-0069	1601(a)-(c)	702 XLI	
54	1933-0-0103-0069	1601(d)	702 XLI.1	
55	1933-0-0103-0069	1601(e)	702 XLI.2	
56	1933-0-0103-0069	1601(f)	702 XLI	
57	1933-0-0103-0069	1701	1702	
58	1933-0-0103-0069	1701	1704	
59	1933-0-0103-0069	1702	1707	

1	1933-0-0103-0069	1703	1706
2	1933-0-0103-0069	1704	1703
3	1933-0-0103-0069	1801	new
4	1933-0-0103-0069	1802	702 III
5	1933-0-0103-0069	1803	702 IV
6	1933-0-0103-0069	1804	702 IV.1
7	1933-0-0103-0069	1805	702 XXXII
8	1933-0-0103-0069	1806	new
9	1933-0-0103-0069	1901	590 A
10	1933-0-0103-0069	1902	590 B
11	1933-0-0103-0069	1903	590 C
12	1933-0-0103-0069	1904	new
13	1933-0-0103-0069	1905	591
14	1933-0-0103-0069	1906	592
15	1933-0-0103-0069	1907	593
16	1933-0-0103-0069	1908	702 XXXVI
17	1933-0-0103-0069	1909	594
18	1933-0-0103-0069	1910(a)-(b)	595
19	1933-0-0103-0069	1910(c)-(d)	596
20	1933-0-0103-0069	1910(e)	597
21	1933-0-0103-0069	1910(f)	598
22	1933-0-0103-0069	1910(g)	599
23	1933-0-0103-0069	1910(h)	new
24	1933-0-0103-0069	1911	702 XLIII
25	1933-0-0103-0069	1912	new
26	1933-0-0103-0069	1913	new
27	1933-0-0103-0069	1914	new
28	1933-0-0103-0069	1915(a)	599-A
29	1933-0-0103-0069	1915(b)	new
30	1933-0-0103-0069	2001	702 I
31	1933-0-0103-0069	2002	702 II.1
32	1933-0-0103-0069	2003	702 II.1
33	1933-0-0103-0069	2101	702 VIII
34	1933-0-0103-0069	2102	702 VIII
35	1933-0-0103-0069	2103	new
36	1933-0-0103-0069	2104	702 VIII
37	1933-0-0103-0069	2105	702 VIII
38	1933-0-0103-0069	2106	702 VIII
39	1933-0-0103-0069	2107	702 VIII
40	1933-0-0103-0069	2108	new
41	1933-0-0103-0069	2201	1901
42	1933-0-0103-0069	2202	new
43	1933-0-0103-0069	2203(a)-(b)	702 XXIII
44	1933-0-0103-0069	2203(c)	702 XXXIII
45	1933-0-0103-0069	2203(d)	702 LXXIV
46	1933-0-0103-0069	2204(a)	1902
47	1933-0-0103-0069	2204(b)	1903
48	1933-0-0103-0069	2204(c)	1904
49	1933-0-0103-0069	2205	1905
50	1933-0-0103-0069	2206	1907
51	1933-0-0103-0069	2207(a)	1908
52	1933-0-0103-0069	2207(b)	1910
53	1933-0-0103-0069	2207(c)	1912
54	1933-0-0103-0069	2207(d)	1913
55	1933-0-0103-0069	2207(e)	1914
56	1933-0-0103-0069	2207(f)	1915
57	1933-0-0103-0069	2207(g)	1917
58	1933-0-0103-0069	2301(a)	1301
59	1933-0-0103-0069	2301(a)-(c)	702 X

1	1933-0-0103-0069	2301(d)	new
2	1933-0-0103-0069	2301(e)	514
3	1933-0-0103-0069	2302	516(j)-(m)
4	1933-0-0103-0069	2303	504
5	1933-0-0103-0069	2304	1101
6	1933-0-0103-0069	2305	1102
7	1933-0-0103-0069	2306	1103
8	1933-0-0103-0069	2307	1105
9	1933-0-0103-0069	2308	1110
10	1933-0-0103-0069	2309	1111
11	1933-0-0103-0069	2310	1112
12	1933-0-0103-0069	2311	1115
13	1933-0-0103-0069	2312	1120
14	1933-0-0103-0069	2312	1125
15	1933-0-0103-0069	2313(a)	1130
16	1933-0-0103-0069	2313(b)	1131
17	1933-0-0103-0069	2313(c)	1133
18	1933-0-0103-0069	2314(a)	1135
19	1933-0-0103-0069	2314(b)	1136
20	1933-0-0103-0069	2314(c)	1137
21	1933-0-0103-0069	2314(d)	1138
22	1933-0-0103-0069	2315	new
23	1933-0-0103-0069	2316(a)	1140
24	1933-0-0103-0069	2316(b)-(c)	1147
25	1933-0-0103-0069	2317(a)	1140.1
26	1933-0-0103-0069	2317(b)-(d)	1141
27	1933-0-0103-0069	2317(e)	1142
28	1933-0-0103-0069	2317(f)	1144
29	1933-0-0103-0069	2317(g)	1145
30	1933-0-0103-0069	2318	1143
31	1933-0-0103-0069	2319	1146
32	1933-0-0103-0069	2320	1152
33	1933-0-0103-0069	2321	1155
34	1933-0-0103-0069	2322	1156
35	1933-0-0103-0069	2323	1161
36	1933-0-0103-0069	2324	1165
37	1933-0-0103-0069	2325(a)	1175
38	1933-0-0103-0069	2325(b)	1177
39	1933-0-0103-0069	2325(c)	1178
40	1933-0-0103-0069	2325(d)	1179
41	1933-0-0103-0069	2325(e)	1180
42	1933-0-0103-0069	2326	1185
43	1933-0-0103-0069	2327	702 IX
44	1933-0-0103-0069	2328	702 XXIV
45	1933-0-0103-0069	2329	702 XXXVII
46	1933-0-0103-0069	2330	702 XXXVIII
47	1933-0-0103-0069	2331	1310
48	1933-0-0103-0069	2332	1201
49	1933-0-0103-0069	2332	1202
50	1933-0-0103-0069	2332	1205
51	1933-0-0103-0069	2332	1210
52	1933-0-0103-0069	2332	1215
53	1933-0-0103-0069	2332	1220
54	1933-0-0103-0069	2332	1225
55	1933-0-0103-0069	2332	1230
56	1933-0-0103-0069	2401(a)-(b)	1403
57	1933-0-0103-0069	2401(c)(1)	1401
58	1933-0-0103-0069	2401(c)(2)-(3)	1402
59	1933-0-0103-0069	2401(c)(4)	1404

1	1933-0-0103-0069	2401(d)	new
2	1933-0-0103-0069	2501	1501
3	1933-0-0103-0069	2502	1501
4	1933-0-0103-0069	2502	1501.1
5	1933-0-0103-0069	2502(a)	1501(a)
6	1933-0-0103-0069	2502(a)	1501.1
7	1933-0-0103-0069	2502(b)	1501(b)
8	1933-0-0103-0069	2502(c)	new
9	1933-0-0103-0069	2502(d)	1502(d)
10	1933-0-0103-0069	2502(e)	1502(e)
11	1933-0-0103-0069	2502(f)	1502(f)
12	1933-0-0103-0069	2503	1502
13	1933-0-0103-0069	2504	1505
14	1933-0-0103-0069	2505	1504
15	1933-0-0103-0069	2506	1507
16	1933-0-0103-0069	2507	1508
17	1933-0-0103-0069	2508	1509
18	1933-0-0103-0069	2509	1510
19	1933-0-0103-0069	2510	1511
20	1933-0-0103-0069	2511	1512
21	1933-0-0103-0069	2512	1525
22	1933-0-0103-0069	2513	1530
23	1933-0-0103-0069	2514	1531
24	1933-0-0103-0069	2515	1535
25	1933-0-0103-0069	2516	1540
26	1933-0-0103-0069	2517	1541
27	1933-0-0103-0069	2601	1601
28	1933-0-0103-0069	2602	1602
29	1933-0-0103-0069	2603	1602.1
30	1933-0-0103-0069	2603	1602.2
31	1933-0-0103-0069	2604	1603
32	1933-0-0103-0069	2605	1604
33	1933-0-0103-0069	2606	1605
34	1933-0-0103-0069	2607	1606
35	1933-0-0103-0069	2608	1607
36	1933-0-0103-0069	2609	1608
37	1933-0-0103-0069	2610	new
38	1933-0-0103-0069	2611	1609
39	1933-0-0103-0069	2612	1610
40	1933-0-0103-0069	2613	1611
41	1933-0-0103-0069	2614	1612
42	1933-0-0103-0069	2701	new
43	1933-0-0103-0069	2702	new
44	1933-0-0103-0069	2703	new
45	1933-0-0103-0069	2704	new
46	1933-0-0103-0069	2801	1601-A
47	1933-0-0103-0069	2802	1602-A
48	1933-0-0103-0069	2803	1603-A
49	1933-0-0103-0069	2804	1604-A
50	1933-0-0103-0069	2805	1605-A
51	1933-0-0103-0069	2806	1606-A
52	1933-0-0103-0069	2901	1901-B
53	1933-0-0103-0069	2902	1902-B
54	1933-0-0103-0069	2903	1903-B
55	1933-0-0103-0069	2904	1904-B
56	1933-0-0103-0069	2905	1905-B
57	1933-0-0103-0069	2906	1906-B
58	1933-0-0103-0069	2907	1907-B
59	1933-0-0103-0069	2908	1909-B

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1	1933-0-0103-0069	2909	1910-B
2	1933-0-0103-0069	2910	1911-B
3	1933-0-0103-0069	3001	1901-A.1
4	1933-0-0103-0069	3002	1902-A
5	1933-0-0103-0069	3003	1903-A
6	1933-0-0103-0069	3004	1904-A
7	1933-0-0103-0069	3005	1905-A
8	1933-0-0103-0069	3006	1906-A
9	1933-0-0103-0069	3007	1907-A
10	1933-0-0103-0069	3008	1908-A.1
11	1933-0-0103-0069	3009	1909-A.1
12	1933-0-0103-0069	3010	1910-A
13	1933-0-0103-0069	3101	801
14	1933-0-0103-0069	3102(a)	802(a)
15	1933-0-0103-0069	3102(b)	802(a.1)
16	1933-0-0103-0069	3102(c)	new
17	1933-0-0103-0069	3102(d)	802(b)
18	1933-0-0103-0069	3102(e)	802(c)
19	1933-0-0103-0069	3102(f)	new
20	1933-0-0103-0069	3102(g)	802(d)
21	1933-0-0103-0069	3102(h)(1)	802(e)(1)
22	1933-0-0103-0069	3102(h)(2)	802(e)(2)
23	1933-0-0103-0069	3102(h)(3)	802(e)(4)
24	1933-0-0103-0069	3102(h)(4)	802(e)(5)
25	1933-0-0103-0069	3102(h)(5)	new
26	1933-0-0103-0069	3102(h)(6)	new
27	1933-0-0103-0069	3102(h)(7)	802(e)(3)
28	1933-0-0103-0069	3102(h)(8)	new
29	1933-0-0103-0069	3102(i)-(j)	802(f)
30	1933-0-0103-0069	3102(k)	new
31	1933-0-0103-0069	3102(l)	802(g)
32	1933-0-0103-0069	3102(m)	802(h)
33	1933-0-0103-0069	3102(i)	520
34	1933-0-0103-0069	3103	517
35	1933-0-0103-0069	3104	802.1
36	1933-0-0103-0069	3105	803
37	1933-0-0103-0069	3106	803.1
38	1933-0-0103-0069	3107	804
39	1933-0-0103-0069	3108	805
40	1933-0-0103-0069	3109	806
41	1933-0-0103-0069	3201	901
42	1933-0-0103-0069	3202(a)-(c)	902 A
43	1933-0-0103-0069	3202(d)	902.2
44	1933-0-0103-0069	3202(e)-(f)	902 A
45	1933-0-0103-0069	3203	902 B
46	1933-0-0103-0069	3204	902.1
47	1933-0-0103-0069	3205(a)(1)-(8)	905 A
48	1933-0-0103-0069	3205(a)(9)	910
49	1933-0-0103-0069	3205(a)(9)	911
50	1933-0-0103-0069	3205(a)(10)	912
51	1933-0-0103-0069	3205(b)	907
52	1933-0-0103-0069	3206	905 B
53	1933-0-0103-0069	3207	905 C
54	1933-0-0103-0069	3208	906
55	1933-0-0103-0069	3209	909
56	1933-0-0103-0069	3210	905.1
57	1933-0-0103-0069	3301	new
58	1933-0-0103-0069	3302	new
59	1933-0-0103-0069	3303(a)	1501-A

1	1933-0-0103-0069	3303(b)	1502-A
2	1933-0-0103-0069	3303(c)	1503-A
3	1933-0-0103-0069	3303(d)	1504-A
4	1933-0-0103-0069	3303(e)	1505-A
5	1933-0-0103-0069	3401	1001
6	1933-0-0103-0069	3402	1002
7	1933-0-0103-0069	3403	1006
8	1933-0-0103-0069	3404	1016
9	1933-0-0103-0069	3405	1024
10	1933-0-0103-0069	3406	1025
11	1933-0-0103-0069	3407	1052
12	1933-0-0103-0069	3501	521
13	1933-0-0103-0069	3601	2106
14	1933-0-0103-0069	3701	2201

DISPOSITION TABLE

2	YEAR S ACT P.L.	OLD CODE SEC.	NEW CODE SEC.
3	-----	-----	-----
4	1933-0-0103-0069	101	101
5	1933-0-0103-0069	102	102
6	1933-0-0103-0069	103	103
7	1933-0-0103-0069	104	104
8	1933-0-0103-0069	105	105
9	1933-0-0103-0069	106	106
10	1933-0-0103-0069	107	107
11	1933-0-0103-0069	108	108
12	1933-0-0103-0069	109	Repealed
13	1933-0-0103-0069	110	109
14	1933-0-0103-0069	201	201
15	1933-0-0103-0069	225	Repealed
16	1933-0-0103-0069	226	202
17	1933-0-0103-0069	230	203
18	1933-0-0103-0069	235	205
19	1933-0-0103-0069	240	206
20	1933-0-0103-0069	201A	207(a)
21	1933-0-0103-0069	202A	207(b)
22	1933-0-0103-0069	203A	207(c)
23	1933-0-0103-0069	301	301
24	1933-0-0103-0069	302	302
25	1933-0-0103-0069	303	303
26	1933-0-0103-0069	304	304
27	1933-0-0103-0069	305	Repealed
28	1933-0-0103-0069	306	305
29	1933-0-0103-0069	307	306
30	1933-0-0103-0069	308	307
31	1933-0-0103-0069	401	401
32	1933-0-0103-0069	402	402(a)-(c)
33	1933-0-0103-0069	410	403
34	1933-0-0103-0069	411	404(a)-(b)
35	1933-0-0103-0069	412	405(a)
36	1933-0-0103-0069	413	405(b)
37	1933-0-0103-0069	414	406
38	1933-0-0103-0069	420	407
39	1933-0-0103-0069	501	501
40	1933-0-0103-0069	502	502
41	1933-0-0103-0069	503	503
42	1933-0-0103-0069	504	2303
43	1933-0-0103-0069	510	601
44	1933-0-0103-0069	511	602
45	1933-0-0103-0069	512	603
46	1933-0-0103-0069	513	605(a)
47	1933-0-0103-0069	513.1	605(b)
48	1933-0-0103-0069	514	2301(e)
49	1933-0-0103-0069	515	606
50	1933-0-0103-0069	516(a)-(h)	607(1)-(4)
51	1933-0-0103-0069	516(i)	607(7)
52	1933-0-0103-0069	516(j)-(m)	2302
53	1933-0-0103-0069	517	3103
54	1933-0-0103-0069	518	607(5)
55	1933-0-0103-0069	519	Repealed
56	1933-0-0103-0069	520	3102(i)
57	1933-0-0103-0069	521	3501
58	1933-0-0103-0069	530	702

1	1933-0-0103-0069	531	703
2	1933-0-0103-0069	532	704
3	1933-0-0103-0069	533	706
4	1933-0-0103-0069	534	707
5	1933-0-0103-0069	535	708
6	1933-0-0103-0069	540	802
7	1933-0-0103-0069	540	803
8	1933-0-0103-0069	543	804
9	1933-0-0103-0069	545	901
10	1933-0-0103-0069	545	902(a)
11	1933-0-0103-0069	546	903
12	1933-0-0103-0069	547	904
13	1933-0-0103-0069	548	Repealed
14	1933-0-0103-0069	549	905
15	1933-0-0103-0069	550	906
16	1933-0-0103-0069	551	907
17	1933-0-0103-0069	552	908
18	1933-0-0103-0069	553	909
19	1933-0-0103-0069	554	910
20	1933-0-0103-0069	556	911
21	1933-0-0103-0069	557	Repealed
22	1933-0-0103-0069	558	Repealed
23	1933-0-0103-0069	559	912
24	1933-0-0103-0069	560	913
25	1933-0-0103-0069	561	914
26	1933-0-0103-0069	562	Repealed
27	1933-0-0103-0069	563	915
28	1933-0-0103-0069	564	916
29	1933-0-0103-0069	570	1001
30	1933-0-0103-0069	575	1002
31	1933-0-0103-0069	580	1101
32	1933-0-0103-0069	581	1102
33	1933-0-0103-0069	582	1103
34	1933-0-0103-0069	585	1201
35	1933-0-0103-0069	586	1202
36	1933-0-0103-0069	587	1203
37	1933-0-0103-0069	590 A	1901
38	1933-0-0103-0069	590 B	1902
39	1933-0-0103-0069	590 C	1903
40	1933-0-0103-0069	591	1905
41	1933-0-0103-0069	592	1906
42	1933-0-0103-0069	593	1907
43	1933-0-0103-0069	594	1909
44	1933-0-0103-0069	595	1910(a)-(b)
45	1933-0-0103-0069	596	1910(c)-(d)
46	1933-0-0103-0069	597	1910(e)
47	1933-0-0103-0069	598	1910(f)
48	1933-0-0103-0069	599	1910(g)
49	1933-0-0103-0069	599-A	1915(a)
50	1933-0-0103-0069	599.1	1301
51	1933-0-0103-0069	601	1401(a)
52	1933-0-0103-0069	602	1401(b)-(c)
53	1933-0-0103-0069	603	1401(d)
54	1933-0-0103-0069	604	1401(e)
55	1933-0-0103-0069	610	1402(a)-(c)
56	1933-0-0103-0069	610	1402(h)-(i)
57	1933-0-0103-0069	611(a)	1401(f)
58	1933-0-0103-0069	611(b)	1402(d)
59	1933-0-0103-0069	611(c)	1402(e)-(f)

1	1933-0-0103-0069	612	1402(g)
2	1933-0-0103-0069	701 I	1501
3	1933-0-0103-0069	701 II	1502
4	1933-0-0103-0069	701 II	1503(a)-(b)
5	1933-0-0103-0069	701 II	1504
6	1933-0-0103-0069	701 III	1503(f)
7	1933-0-0103-0069	702 intro. par.	1505
8	1933-0-0103-0069	702 I	2001
9	1933-0-0103-0069	702 II.1	2002
10	1933-0-0103-0069	702 II.1	2003
11	1933-0-0103-0069	702 III	1802
12	1933-0-0103-0069	702 IV	1803
13	1933-0-0103-0069	702 IV.1	1804
14	1933-0-0103-0069	702 V	Repealed
15	1933-0-0103-0069	702 VI	Repealed
16	1933-0-0103-0069	702 VII	Repealed
17	1933-0-0103-0069	702 VIII	2101
18	1933-0-0103-0069	702 VIII	2102
19	1933-0-0103-0069	702 VIII	2104
20	1933-0-0103-0069	702 VIII	2105
21	1933-0-0103-0069	702 VIII	2106
22	1933-0-0103-0069	702 VIII	2107
23	1933-0-0103-0069	702 IX	2327
24	1933-0-0103-0069	702 X	2301(a)-(c)
25	1933-0-0103-0069	702 XI	Repealed
26	1933-0-0103-0069	702 XII	1529
27	1933-0-0103-0069	702 XII	1533
28	1933-0-0103-0069	702 XIII	1512
29	1933-0-0103-0069	702 XIV	Repealed
30	1933-0-0103-0069	702 XV	Repealed
31	1933-0-0103-0069	702 XVI	Repealed
32	1933-0-0103-0069	702 XVII	1537
33	1933-0-0103-0069	702 XVIII	1510
34	1933-0-0103-0069	702 XIX	1538
35	1933-0-0103-0069	702 XX	1534
36	1933-0-0103-0069	702 XXI	Repealed
37	1933-0-0103-0069	702 XXII	Repealed
38	1933-0-0103-0069	702 XXIII	2203(a)-(b)
39	1933-0-0103-0069	702 XXIV	2328
40	1933-0-0103-0069	702 XXV	1516
41	1933-0-0103-0069	702 XXVI	Repealed
42	1933-0-0103-0069	702 XXVII	1522
43	1933-0-0103-0069	702 XXVIII	1536
44	1933-0-0103-0069	702 XXIX	Repealed
45	1933-0-0103-0069	702 XXX	Repealed
46	1933-0-0103-0069	702 XXXI	Repealed
47	1933-0-0103-0069	702 XXXII	1805
48	1933-0-0103-0069	702 XXXIII	2203(c)
49	1933-0-0103-0069	702 XXXIV	Repealed
50	1933-0-0103-0069	702 XXXV	1530
51	1933-0-0103-0069	702 XXXVI	1908
52	1933-0-0103-0069	702 XXXVII	1520
53	1933-0-0103-0069	702 XXXVII	2329
54	1933-0-0103-0069	702 XXXVIII	2330
55	1933-0-0103-0069	702 XXXIX	1532(a)(1)
56	1933-0-0103-0069	702 XL	1507
57	1933-0-0103-0069	702 XLI	1601(a)-(c)
58	1933-0-0103-0069	702 XLI	1601(f)
59	1933-0-0103-0069	702 XLI.1	1601(d)

1	1933-0-0103-0069	702 XLI.2	1601(e)
2	1933-0-0103-0069	702 XLII	1514
3	1933-0-0103-0069	702 XLIII	1911
4	1933-0-0103-0069	702 XLIV	1513
5	1933-0-0103-0069	702 XLV	917(a)
6	1933-0-0103-0069	702 XLV	917(c)
7	1933-0-0103-0069	702 XLV.1	917(d)
8	1933-0-0103-0069	702 XLVI	1528
9	1933-0-0103-0069	702 XLVII	1527
10	1933-0-0103-0069	702 XLVIII	Repealed
11	1933-0-0103-0069	702 XLIX	Repealed
12	1933-0-0103-0069	702 L	Repealed
13	1933-0-0103-0069	702 LI	1517
14	1933-0-0103-0069	702 LII	1518
15	1933-0-0103-0069	702 LIII	1519
16	1933-0-0103-0069	702 LIV	1511
17	1933-0-0103-0069	702 LV	1508
18	1933-0-0103-0069	702 LVI	1543
19	1933-0-0103-0069	702 LVII	1524
20	1933-0-0103-0069	702 LVIII	1532(a)(4)
21	1933-0-0103-0069	702 LIX	1523
22	1933-0-0103-0069	702 LX	1541
23	1933-0-0103-0069	702 LXI	1521
24	1933-0-0103-0069	702 LXII	1506
25	1933-0-0103-0069	702 LXIII	1509
26	1933-0-0103-0069	702 LXIV	1515
27	1933-0-0103-0069	702 LXV	1525
28	1933-0-0103-0069	702 LXVI	1542
29	1933-0-0103-0069	702 LXVII	1539
30	1933-0-0103-0069	702 LXVIII	1540
31	1933-0-0103-0069	702 LXIX	1526
32	1933-0-0103-0069	702 LXX	1544
33	1933-0-0103-0069	702 LXXI	Repealed
34	1933-0-0103-0069	702 LXXII	Repealed
35	1933-0-0103-0069	702 LXXIII	1545
36	1933-0-0103-0069	702 LXXIV	2203(d)
37	1933-0-0103-0069	702 LXXV	1546
38	1933-0-0103-0069	703	1549
39	1933-0-0103-0069	801	3101
40	1933-0-0103-0069	802(a)	3102(a)
41	1933-0-0103-0069	802(a.1)	3102(b)
42	1933-0-0103-0069	802(b)	3102(d)
43	1933-0-0103-0069	802(c)	3102(e)
44	1933-0-0103-0069	802(d)	3102(g)
45	1933-0-0103-0069	802(e)(1)	3102(h)(1)
46	1933-0-0103-0069	802(e)(2)	3102(h)(2)
47	1933-0-0103-0069	802(e)(3)	3102(h)(7)
48	1933-0-0103-0069	802(e)(4)	3102(h)(3)
49	1933-0-0103-0069	802(e)(5)	3102(h)(4)
50	1933-0-0103-0069	802(f)	3102(i)-(j)
51	1933-0-0103-0069	802(g)	3102(l)
52	1933-0-0103-0069	802(h)	3102(m)
53	1933-0-0103-0069	802.1	3104
54	1933-0-0103-0069	803	3105
55	1933-0-0103-0069	803.1	3106
56	1933-0-0103-0069	804	3107
57	1933-0-0103-0069	805	3108
58	1933-0-0103-0069	806	3109
59	1933-0-0103-0069	807	Repealed

1	1933-0-0103-0069	808	Repealed
2	1933-0-0103-0069	901	3201
3	1933-0-0103-0069	902 A	3202(a)-(c)
4	1933-0-0103-0069	902 A	3202(e)-(f)
5	1933-0-0103-0069	902 B	3203
6	1933-0-0103-0069	902.1	3204
7	1933-0-0103-0069	902.2	3202(d)
8	1933-0-0103-0069	903	Repealed
9	1933-0-0103-0069	904	Repealed
10	1933-0-0103-0069	905 A	3205(a)(1)-(8)
11	1933-0-0103-0069	905 B	3206
12	1933-0-0103-0069	905 C	3207
13	1933-0-0103-0069	905 D	Repealed
14	1933-0-0103-0069	905.1	3210
15	1933-0-0103-0069	906	3208
16	1933-0-0103-0069	907	3205(b)
17	1933-0-0103-0069	908	Repealed
18	1933-0-0103-0069	909	3209
19	1933-0-0103-0069	910	3205(a)(9)
20	1933-0-0103-0069	911	3205(a)(9)
21	1933-0-0103-0069	912	3205(a)(10)
22	1933-0-0103-0069	1001	3401
23	1933-0-0103-0069	1002	3402
24	1933-0-0103-0069	1006	3403
25	1933-0-0103-0069	1016	3404
26	1933-0-0103-0069	1024	3405
27	1933-0-0103-0069	1025	3406
28	1933-0-0103-0069	1052	3407
29	1933-0-0103-0069	1101	2304
30	1933-0-0103-0069	1102	2305
31	1933-0-0103-0069	1103	2306
32	1933-0-0103-0069	1104	Repealed
33	1933-0-0103-0069	1105	2307
34	1933-0-0103-0069	1110	2308
35	1933-0-0103-0069	1111	2309
36	1933-0-0103-0069	1112	2310
37	1933-0-0103-0069	1115	2311
38	1933-0-0103-0069	1120	2312
39	1933-0-0103-0069	1125	2312
40	1933-0-0103-0069	1130	2313(a)
41	1933-0-0103-0069	1131	2313(b)
42	1933-0-0103-0069	1132	Repealed
43	1933-0-0103-0069	1133	2313(c)
44	1933-0-0103-0069	1135	2314(a)
45	1933-0-0103-0069	1136	2314(b)
46	1933-0-0103-0069	1137	2314(c)
47	1933-0-0103-0069	1138	2314(d)
48	1933-0-0103-0069	1140	2316(a)
49	1933-0-0103-0069	1140.1	2317(a)
50	1933-0-0103-0069	1141	2317(b)-(d)
51	1933-0-0103-0069	1142	2317(e)
52	1933-0-0103-0069	1143	2318
53	1933-0-0103-0069	1144	2317(f)
54	1933-0-0103-0069	1145	2317(g)
55	1933-0-0103-0069	1146	2319
56	1933-0-0103-0069	1147	2316(b)-(c)
57	1933-0-0103-0069	1148	Repealed
58	1933-0-0103-0069	1150	Repealed
59	1933-0-0103-0069	1151	Repealed

1	1933-0-0103-0069	1152	2320	
2	1933-0-0103-0069	1155	2321	
3	1933-0-0103-0069	1156	2322	
4	1933-0-0103-0069	1160	Repealed	
5	1933-0-0103-0069	1161	2323	
6	1933-0-0103-0069	1165	2324	
7	1933-0-0103-0069	1170	Repealed	
8	1933-0-0103-0069	1175	2325(a)	
9	1933-0-0103-0069	1177	2325(b)	
10	1933-0-0103-0069	1178	2325(c)	
11	1933-0-0103-0069	1179	2325(d)	
12	1933-0-0103-0069	1180	2325(e)	
13	1933-0-0103-0069	1185	2326	
14	1933-0-0103-0069	1201	2332	
15	1933-0-0103-0069	1202	2332	
16	1933-0-0103-0069	1205	2332	
17	1933-0-0103-0069	1210	2332	
18	1933-0-0103-0069	1215	2332	
19	1933-0-0103-0069	1220	2332	
20	1933-0-0103-0069	1225	2332	
21	1933-0-0103-0069	1230	2332	
22	1933-0-0103-0069	1301	2301(a)	
23	1933-0-0103-0069	1302	Repealed	
24	1933-0-0103-0069	1303	Repealed	
25	1933-0-0103-0069	1305	Repealed	
26	1933-0-0103-0069	1310	2331	
27	1933-0-0103-0069	1401	2401(c)(1)	
28	1933-0-0103-0069	1402	2401(c)(2)-(3)	
29	1933-0-0103-0069	1403	2401(a)-(b)	
30	1933-0-0103-0069	1404	2401(c)(4)	
31	1933-0-0103-0069	1501	2501	<—
32	1933-0-0103-0069	1501	2502	
33	1933-0-0103-0069	1501.1	2502	
34	1933-0-0103-0069	1501(A)	2502(A)	<—
35	1933-0-0103-0069	1501(B)	2502(B)	
36	1933-0-0103-0069	1501(C)	REPEALED	
37	1933-0-0103-0069	1501(D)	2502(D)	
38	1933-0-0103-0069	1501(E)	2502(E)	
39	1933-0-0103-0069	1501(F)	2502(F)	
40	1933-0-0103-0069	1501.1	2502(A)	
41	1933-0-0103-0069	1502	2503	
42	1933-0-0103-0069	1503	Repealed	
43	1933-0-0103-0069	1504	2505	
44	1933-0-0103-0069	1505	2504	
45	1933-0-0103-0069	1507	2506	
46	1933-0-0103-0069	1508	2507	
47	1933-0-0103-0069	1509	2508	
48	1933-0-0103-0069	1510	2509	
49	1933-0-0103-0069	1511	2510	
50	1933-0-0103-0069	1512	2511	
51	1933-0-0103-0069	1525	2512	
52	1933-0-0103-0069	1526	Repealed	
53	1933-0-0103-0069	1530	2513	
54	1933-0-0103-0069	1531	2514	
55	1933-0-0103-0069	1535	2515	
56	1933-0-0103-0069	1540	2516	
57	1933-0-0103-0069	1541	2517	
58	1933-0-0103-0069	1501-A	3303(a)	
59	1933-0-0103-0069	1502-A	3303(b)	

1	1933-0-0103-0069	1503-A	3303(c)
2	1933-0-0103-0069	1504-A	3303(d)
3	1933-0-0103-0069	1505-A	3303(e)
4	1933-0-0103-0069	1601	2601
5	1933-0-0103-0069	1602	2602
6	1933-0-0103-0069	1602.1	2603
7	1933-0-0103-0069	1602.2	Repealed
8	1933-0-0103-0069	1602.2	2603
9	1933-0-0103-0069	1602.3	Repealed
10	1933-0-0103-0069	1602.4	Repealed
11	1933-0-0103-0069	1602.5	Repealed
12	1933-0-0103-0069	1603	2604
13	1933-0-0103-0069	1604	2605
14	1933-0-0103-0069	1605	2606
15	1933-0-0103-0069	1606	2607
16	1933-0-0103-0069	1607	2608
17	1933-0-0103-0069	1608	2609
18	1933-0-0103-0069	1609	2611
19	1933-0-0103-0069	1610	2612
20	1933-0-0103-0069	1611	2613
21	1933-0-0103-0069	1612	2614
22	1933-0-0103-0069	1601-A	2801
23	1933-0-0103-0069	1602-A	2802
24	1933-0-0103-0069	1603-A	2803
25	1933-0-0103-0069	1604-A	2804
26	1933-0-0103-0069	1605-A	2805
27	1933-0-0103-0069	1606-A	2806
28	1933-0-0103-0069	1702	1701
29	1933-0-0103-0069	1703	1704
30	1933-0-0103-0069	1704	1701
31	1933-0-0103-0069	1705	Repealed
32	1933-0-0103-0069	1706	1703
33	1933-0-0103-0069	1707	1702
34	1933-0-0103-0069	1801	1532(a)(1)
35	1933-0-0103-0069	1802	1532(b)
36	1933-0-0103-0069	1811	1532(a)(1)
37	1933-0-0103-0069	1812	1532(a)(1)
38	1933-0-0103-0069	1813	Repealed
39	1933-0-0103-0069	1901	2201
40	1933-0-0103-0069	1902	2204(a)
41	1933-0-0103-0069	1903	2204(b)
42	1933-0-0103-0069	1904	2204(c)
43	1933-0-0103-0069	1905	2205
44	1933-0-0103-0069	1906	Repealed
45	1933-0-0103-0069	1907	2206
46	1933-0-0103-0069	1908	2207(a)
47	1933-0-0103-0069	1909	Repealed
48	1933-0-0103-0069	1910	2207(b)
49	1933-0-0103-0069	1911	Repealed
50	1933-0-0103-0069	1912	2207(c)
51	1933-0-0103-0069	1913	2207(d)
52	1933-0-0103-0069	1914	2207(e)
53	1933-0-0103-0069	1915	2207(f)
54	1933-0-0103-0069	1916	Repealed
55	1933-0-0103-0069	1917	2207(g)
56	1933-0-0103-0069	1901-A.1	3001
57	1933-0-0103-0069	1902-A	3002
58	1933-0-0103-0069	1903-A	3003
59	1933-0-0103-0069	1904-A	3004

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1	1933-0-0103-0069	1905-A	3005
2	1933-0-0103-0069	1906-A	3006
3	1933-0-0103-0069	1907-A	3007
4	1933-0-0103-0069	1908-A.1	3008
5	1933-0-0103-0069	1909-A.1	3009
6	1933-0-0103-0069	1910-A	3010
7	1933-0-0103-0069	1901-B	2901
8	1933-0-0103-0069	1902-B	2902
9	1933-0-0103-0069	1903-B	2903
10	1933-0-0103-0069	1904-B	2904
11	1933-0-0103-0069	1905-B	2905
12	1933-0-0103-0069	1906-B	2906
13	1933-0-0103-0069	1907-B	2907
14	1933-0-0103-0069	1908-B	Repealed
15	1933-0-0103-0069	1909-B	2908
16	1933-0-0103-0069	1910-B	2909
17	1933-0-0103-0069	1911-B	2910
18	1933-0-0103-0069	2106	3601
19	1933-0-0103-0069	2201	3701