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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1448 Session of  
2011

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INTRODUCED BY ROSS, GINGRICH, CREIGHTON, FREEMAN AND  
SANTARSIERO, MAY 3, 2011

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 3, 2011

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AN ACT

1 Amending the act of May 24, 1956 (1955, P.L.1674, No.566),  
2 entitled "An act authorizing council of any incorporated town  
3 to create the office of town manager, and prescribe his  
4 powers and duties," further providing for the office of town  
5 manager and for powers and duties of a town manager.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Sections 1 and 2 of the act of May 24, 1956  
9 (1955, P.L.1674, No.566), entitled "An act authorizing council  
10 of any incorporated town to create the office of town manager,  
11 and prescribe his powers and duties," are amended to read:

12 Section 1. Town Manager May Be Created by Ordinance;  
13 Election.--The council of any town may, at its discretion, at  
14 any time, create by ordinance the office of town manager and  
15 may, in like manner, abolish the same. While said office exists,  
16 the council shall, from time to time and whenever there is a  
17 vacancy, elect, by a vote of a majority of all the members, one  
18 person to fill said office, who shall serve until the first  
19 Monday of January of the even-numbered year succeeding his

1 election and until his successor qualifies[, subject, however,  
2 to removal by the council at any time by a vote of the majority  
3 of all the members]. The town manager shall serve at the  
4 pleasure of council, subject to contractual rights that may  
5 arise under an employment agreement that may be entered in  
6 accordance with section 2.

7 Section 2. Powers and Duties; Bond.--The powers[, ] and  
8 duties [and compensation] of the town manager shall be regulated  
9 by ordinance. Council may enter into an employment agreement  
10 with the town manager. The employment agreement may set forth  
11 the terms and conditions of employment, and the agreement may  
12 provide that it shall remain in effect for a specified period  
13 terminating no later than two years after the effective date of  
14 the agreement or the date of the organization meeting of council  
15 following the next municipal election, whichever shall first  
16 occur. An employment agreement entered into pursuant to this  
17 section may specify conditions under which a town manager would  
18 be entitled to severance compensation, but in no event shall an  
19 employment agreement guarantee employment through the term of  
20 the agreement or confer upon the town manager any legal remedy  
21 based on specific performance. The council and the president of  
22 the council, when authorized by ordinance, may delegate subject  
23 to recall any of their respective nonlegislative and non-  
24 judicial powers and duties to the town manager. He shall give a  
25 bond to the town with one or more sureties or one bonding  
26 company, to be approved by the council, in such sum as it shall  
27 by ordinance direct, conditioned for the faithful performance of  
28 his duties.

29 Section 2. This act shall take effect in 60 days.