

Chapter 1

Administration and Government

Part 1 Preliminary Provisions

- §1-101. Short Title
- §1-102. Citation of Code of Ordinances
- §1-103. Arrangement of Code
- §1-104. Headings
- §1-105. Tenses, Gender and Number
- §1-106. Construction
- §1-107. Normal Numbering
- §1-108. Special Numbering Problems
- §1-109. Amending Code
- §1-110. Altering Code
- §1-111. Penalties

Part 2 Board of Commissioners

A. Meetings

- §1-201. Meetings of the Board of Township Commissioners
- §1-202. Procedure
- §1-203. Public Participation in Meetings
- §1-204. Minutes

Part 3 Appointed Officials

A. Township Manager

- §1-301. Creation of Office
- §1-302. Appointment
- §1-303. Vacancy
- §1-304. Removal
- §1-305. Qualifications
- §1-306. Compensation
- §1-307. Bond
- §1-308. Chief Administrative Officer
- §1-309. Powers and Duties
- §1-310. Administrative Services
- §1-311. Departments Responsible to Township Manager
- §1-312. Responsible for Disciplinary Actions for Township Employees

B. Fire Marshal and Deputy Fire Marshal

§1-321. Fire Marshal and Deputy Fire Marshal

C. Independent Auditor

§1-331. Appointed Independent Auditors

D. Building Code Official

§1-341. Building Code Official

**Part 4
Elected Officials**

A. Treasurer/Tax Collector

§1-401. Compensation

§1-402. Providing Rent Free, Office Space

§1-403. Cost of Postage

**Part 5
Police Department**

A. Chief of Police

§1-501. Creation of Office

B. Manual of Policies, Rules and Regulations

§1-511. Ross Township Police Department Manual of Policies, Rules and Regulations

**Part 6
Volunteer Fire Companies**

A. Firefighters Relief Association

§1-601. Recognition of Firefighters Relief Association

§1-602. Certification to Auditor General

§1-603. Annual Appropriation

B. Benefits for Death in Line of Duty

§1-611. Township's Payment to Beneficiary

§1-612. Exception of Township's Payment to Beneficiary

§1-613. Definition of the Word "Killed"

**Part 7
Committees and Agencies**

A. Police Pension Advisory Committee

- §1-701. Authorizing the Creation of a Police Pension Advisory Committee
- §1-702. Pension Issues
- §1-703. Recommendations Related to Said Pension
- §1-704. Addressing Pension Issues
- §1-705. Initial Appointment

B. General Employees Pension Advisory Committee

- §1-711. Creation Authorized
- §1-712. Powers
- §1-713. Recommendations Advisory Only
- §1-714. Jurisdiction
- §1-715. Initial Appointment

C. CATV Regulatory Agency

- §1-721. CATV Franchising Authority
- §1-722. CATV Regulatory Agency
- §1-723. Granted Such Powers, Duties, Rights and Obligations

**Part 8
Finances**

A. Attorneys Fees for Collection of Claims

- §1-801. Enforced Collection Authorized
- §1-802. Schedule of Attorney Fees
- §1-803. Charge and Collect Such Fees
- §1-804. Local Tax Collection Law, Penalties
- §1-805. Executions Authorized
- §1-806. Ross Township to Cooperate
- §1-807. Costs to Be Advanced
- §1-808. Attorney Fees Collected
- §1-809. Charges, Expenses, and Fees to Be Compensation
- §1-810. Reasonable Compromises
- §1-811. Solicitor and/or Designated Service to Exercise Ross Township's Rights as a Creditor
- §1-812. Application of Proceeds
- §1-813. Solicitor and/or Designated Service to Act as Agents
- §1-814. Solicitor Permitted to Inspect Township Records

B. Contracts in Excess of \$10,000 to Be in Writing

- §1-821. Applicable to Every Contract
- §1-822. Absence of a Written Contract
- §1-823. Notification of Existence

**Part 9
Employees**

A. Employees Manual

§1-901. Adoption

§1-902. Mandating the Implementation

§1-903. Directing the Township Manager

Part 1**Preliminary Provisions****§1-101. Short Title.**

The short title of this Code of Ordinances prepared and published for the Township of Ross Township shall be the "Township of Ross Township Code of Ordinances."

(*Ord. 2288, 4/12/2010*)

§1-102. Citation of Code of Ordinances.

The Township of Ross Township Code of Ordinances may be cited by Section number. The approved short form is "Code." Thus, "Code, §27-101" refers to §101 of Chapter 27 of this Code of Ordinances.

(*Ord. 2288, 4/12/2010*)

§1-103. Arrangement of Code.

1. This Code is divided into Chapters which are subdivided as follows:
 - A. Subchapters, identified by capital letters, beginning with a Chapter title and number.
 - B. Parts, identified by Arabic numerals, beginning with a Part title and number.
 - C. Subparts, identified by Arabic numerals, beginning with a title.
2. The Sections of the Code are subdivided as follows:
 - A. Subsections, identified by Arabic numerals.
 - B. Paragraphs, identified by capital letters.
 - C. Subparagraphs, identified by Arabic numerals enclosed within parentheses.
 - D. Clauses, identified by lower case letters enclosed within parentheses.
 - E. Subclauses, identified by Arabic numerals followed by a parenthesis.
 - F. Items, identified by lower case letters followed by a parenthesis.
 - G. Subitems, identified small Roman numerals.

(*Ord. 2288, 4/12/2010*)

§1-104. Headings.

Chapter, Subchapter, Part, Subpart, Section, Subsection, Paragraph, Subparagraph, Clause, and Subclause headings contained in the Code may not be deemed to govern, limit, modify or affect the scope, meaning or intent of the Code. The headings of Sections, Subsections or other divisions of this Code are intended as mere captions to indicate the contents of the Section, Subsection or other division and shall not be deemed to be taken as titles of such Section, Subsection or other division, nor as any part of said Section, Subsection or other division unless expressly so provided.

(*Ord. 2288, 4/12/2010*)

§1-105. Tenses, Gender and Number.

Except as may be otherwise stated in any provision of this Code, the present tense includes the past and future tenses, and the future the present; the masculine gender includes the feminine and neuter, the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine; and the singular includes the plural, and the plural the singular.

(Ord. 2288, 4/12/2010)

§1-106. Construction.

1. Except as may be otherwise specifically provided by any provision of this Code, the Statutory Construction Act of 1972, 1 Pa.C.S.A. §1501 *et seq.*, shall be applied in construing this Code.

2. *Effect of Repeal or Expiration of Code Section.*

A. The repeal of a Code Section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

B. When any ordinance repealing a former Code Section, ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former Code Section, ordinance, clause or provision, unless it shall be expressly so provided.

3. *Saving Clause.* The provisions of this Code, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of this Code, are intended as a continuation of such ordinances, resolutions and regulations and not as a new enactment. The provisions of this Code shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations. Except as specifically stated in this Code or in the ordinance adopting this consolidation, codification and revision of the ordinances and regulations of the Township of Ross, it is the intention of the Board of Commissioners that no ordinance or regulation of the Township be amended, revised or repealed by implication.

4. *Resolutions.* The provisions of this Code of Ordinances may contain resolutions, that is, actions of the Board of Commissioners of the Township of Ross Township (in written form and designated “resolution”) which did not require prior public notice in accordance with the provisions of the First Class Township Code, 53 P.S. §55101 *et seq.*, at the time of their passage by the Board of Commissioners. Such “resolutions” are included herein for ease of reference and the Board of Commissioners does not intend by their inclusion herein to require prior public notice before amending, revising or repealing such resolution or resolutions as may have been included herein in the future. It is the intention of the Board of Commissioners that such actions of the Board of Commissioners that may be included in this Code and specifically cited and designated as a resolution shall not become an ordinance (requiring prior public notice before amendment, revision or repeal) by the simple fact of inclusion in this Code.

(Ord. 2288, 4/12/2010)

§1-107. Normal Numbering.

1. *Chapters.* Chapters are numbered sequentially in Arabic throughout this Code.
2. *Parts.* Parts are numbered sequentially in Arabic throughout this Code.
3. Whenever other divisions are necessary, Chapters shall be divided into Subchapters, Parts into Subparts and designated with the Chapter or Part number followed by a capital letter. For instance, Chapter 1 may be divided into Subchapters 1A and 1B.
4. *Sections.* Sections are numbered sequentially throughout a Chapter and a Part such that the first number or numbers is the Chapter number, followed by a hyphen, followed by the Part number, followed by the Section number within the Part. For example, “§1-101” designates Chapter 1, Part 1, Section 1. Similarly, “§27-305” designates Chapter 27, Part 3, Section 5.
5. *Internal Divisions of Sections.* Whenever internal divisions are necessary, Sections shall be divided into Subsections, Subsections into Paragraphs, Paragraphs into Subparagraphs, Subparagraphs into Clauses, and Clauses into Subclauses, and Subclauses into Items, designated as follows:

1. Subsection.
 - A. Paragraph.
 - (1) Subparagraph.
 - (a) Clause.
 - 1) Subclause.
 - a) Item.
 - i. Subitem

(Ord. 2288, 4/12/2010)

§1-108. Special Numbering Problems.

1. *Addition of New Units Between Existing Units.* If it becomes necessary to introduce a new Chapter, Part or Section between existing Chapters, Parts or Sections, the new Chapter, Part or Section shall be designated by the addition of a capital letter suffix to the preceding Chapter, Part or Section number. Thus, a Chapter introduced between Chapters 5 and 6 would be Chapter 5A and Sections in that Chapter would be numbered, for instance, “§5A-101.” If it becomes necessary to introduce a Part between existing Parts 5 and 6 the new Part would be Part 5A and Sections in that Part would be numbered, for instance, “§5-5A01.” A new Section introduced between existing Sections 5 and 6 would be “§5-105A.” When a number of new Parts or Sections have been introduced the Chapter or Part shall be renumbered.
2. If it becomes necessary to introduce a Subsection between Subsections, for instance, Subsections .5 and .6, the new Subsection would be numbered Subsection .5-A.
3. If it becomes necessary to introduce a unit smaller than a Subsection between existing units, the entire Subsection shall be revised and renumbered.
4. *Vacated Numbers.* Whenever a number is vacated by a revocation or repeal, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked: “[Reserved].”

(Ord. 2288, 4/12/2010)

§1-109. Amending Code.

1. All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed Chapters, Parts, Sections, Paragraphs, Clauses or other part or provision hereof, by subsequent ordinance, such repealed portions may be excluded from this Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as this Code and subsequent ordinances omitted are readopted as a new Code by the Board of Commissioners.

2. Amendment to any provision of this Code shall be made by specific reference to the Chapter, Part, Section and/or Subsection number of this Code in the following language:

A. *Amendment or Revision.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby amended (revised) to read as follows” The amended or revised provisions may then be set out in full as desired.

B. *Addition.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby amended by the addition of the following” The new provision shall then be set out in full as desired.

C. *Repeal.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby repealed in its entirety.”

3. It is the intention of the Board of Commissioners that the numbering scheme of this Code be adhered to in enacting future ordinances. In the event that any ordinance or other enactment be adopted which does not conform to the numbering system of this Code, it is the intention of the Board of Commissioners that such enactment be renumbered in the process of supplementing, revising or updating this Code to conform to the numbering scheme of this Code. The Board of Commissioners hereby acknowledges and confirms that the numbering scheme herein is for ease of reference and that the renumbering of any enactment when added to this Code shall not in any manner affect the validity of said enactment.

(Ord. 2288, 4/12/2010)

§1-110. Altering Code.

It shall be unlawful for any person to change or amend by addition or deletion any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the Board of Commissioners.

(Ord. 2288, 4/12/2010)

§1-111. Penalties.

1. *Penalty Where No Penalty Provided.* Whenever in this Code or in any ordinance of the Township any act is prohibited or is declared to be unlawful, or whenever in this Code or other ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor:

A. *Violations of Health, Safety and Welfare Provisions.* For violations of

ordinances adopting building, housing, property maintenance, health, fire or public safety codes; and for ordinances regulating water services, water pollution, air pollution and noise, the following penalty shall be provided:

(1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

B. *Other Violations.* All other penalties, except for penalties in Chapter 15, “Motor Vehicles and Traffic” (based on the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*), penalties and ordinances adopted under the authority of the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, earned income tax ordinances adopted under the Local Tax Enabling Act, 53 P.S. §6913, should provide, generally:

(1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

2. The imposition of a penalty under the provisions of this Code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the laws of the Commonwealth of Pennsylvania and the United States of America. In addition, the Township may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Code. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

(*Ord. 2288, 4/12/2010*)

Part 2**Board of Commissioners****A. Meetings****§1-201. Meetings of the Board of Township Commissioners.**1. *Organization.*

A. The Township Commissioners shall organize on the first Monday of January of each even-numbered year. If the first Monday is a legal holiday, the meeting shall be held on the first day following. The Township Commissioners shall assemble for such purpose at their place of meeting at 7:30 p.m., prevailing time.

B. The Board shall organize by the election of one of their members as President and one as Vice-President, who as long as they continue to be Commissioners, shall hold office until their successors are elected and qualified. The President, or if absent, the Vice-President, shall preside at all meetings of the Board.

C. The organizational meeting may be considered as a regular monthly meeting for transaction of such business as comes before it; however, the first order of business at this meeting shall be organization of the Board.

2. *Regular.* Regular meetings of the Board shall be held twice a month in accordance with a schedule of regular meetings to be adopted at the organization meeting. Public notice of the schedule of regular meetings shall be given once for each calendar year, and shall show the regular dates and times for meetings and the place at which meetings are held, such notice to be published as defined in the Sunshine Act, 65 Pa.C.S.A. §701 *et seq.* The times set for each meeting shall be prevailing time. [*Ord. 2288*]

3. *Special.*

A. Special meetings may be called by the President or Vice-President, or upon receipt of a written or oral request concurred in by at least five Commissioners, the President, or Vice-President, shall call a special meeting. In the event the President, or Vice-President, fails, neglects or refuses to call such meeting in such circumstances, the five or more Commissioners requesting same may call such meeting. Public notice of the date, time and place of such special meeting shall be given at least 24 hours prior to the time of the meeting. The public notice as herein required shall be as defined in such circumstances in the Sunshine Act, 65 Pa.C.S.A. §701 *et seq.* [*Ord. 2288*]

B. At least 24 hours prior to the time of a specially called meeting, each member of the Ross Township Board of Commissioners shall be given a meeting agenda which shall be adhered to unless two-thirds of the members present at the special meeting agree to address any other item of Ross Township business. [*Ord. 1894*]

4. *Emergency.* Emergency meetings may be called by the President, or Vice-President, or by any Commissioner without public notice, to deal with an emergency involving a clear and present danger to life or property. A majority of the

members of the Board which shall constitute a quorum must be present, and emergency action may be taken if two-thirds of those members present agree that an emergency exists.

5. *Continued.* Any meeting may be adjourned by the President or the Vice-President of the Board or by action of the Board, to meet again upon a day certain, in which event public notice shall be given as provided in the Sunshine Act, 65 Pa.C.S.A. §701 *et seq.* [Ord. 2288]

(Res. 1213, 12/12/1988, §1; as amended by Ord. 1894, 9/4/1995, §1; and by Ord. 2288, 4/12/2010)

§1-202. Procedure.

1. All of the meetings as herein defined shall be held in the Municipal Building except when the nature of an emergency makes it impossible to meet in the Municipal Building. All such meetings shall be open to the public at all times where formal action is scheduled or taken.

2. The Board of Commissioners does hereby adopt the current edition of *Robert's Rules of Order* for the conduct of its meetings where not inconsistent with the laws of the Commonwealth of Pennsylvania and subsection .6 hereof. [Ord. 2143]

3. A majority of the members of the Board shall constitute a quorum, and no business shall be conducted in the absence of a quorum. So long as a quorum is present, the affirmative vote of a majority of Commissioners present and voting shall be required to constitute action by the Board.

4. The vote on ordinances, resolutions and motions may be by roll call and so recorded in the minutes of the meeting, unless the vote shall be unanimous, in which event the minutes shall so state.

5. The Secretary or other designee shall take and maintain minutes of all meetings as required by law. Whenever possible, all such meetings shall be recorded on tape; provided, nevertheless, that failure or inability to so record shall not justify cancellation or postponement of any meeting.

6. *Special Rules of Order.* These special rules of order apply to all voting meetings of the Board wherein a quorum exists. These special rules may be amended at any meeting of the Board by a majority of members attending the meeting.

A. The impartiality of the presiding officer precludes his exercising his right to debate while he is presiding. To participate in any form of debate or discussion the Chairperson must physically relinquish the chair to an appropriately designated person. The method of selecting the interim chair is set forth in *Robert's Rules of Order*. The presiding officer who relinquishes the chair shall not return to the chair until the issue before the Board has been disposed of. Upon disposing of the issue the presiding officer may reclaim the chair.

B. All votes shall be voice votes. Any member may request a roll call vote on any issue voted upon by the members.

C. A member shall obtain the floor only after being recognized by the presiding officer.

D. A member may remain seated while obtaining the floor, speaking and voting.

- E. All motions require a second except motions to nominate.
- F. Discussion of an issue may occur prior to a motion related to it being made.
- G. There is a self-imposed limit on the number and length of times a member may speak on any given issue, viz: two times at 10 minutes each.
- H. The presiding officer may vote on every issue.

This subsection and any rules contained herein supercede and replace any rules which may conflict with it which are contained in the current edition of *Robert's Rules of Order* or in any part of any Township ordinance.

[Ord. 2143]

(Res. 1213, 12/12/1988, §2; as amended by Ord. 2143, 4/11/2005, §§1, 2)

§1-203. Public Participation in Meetings.

1. The first matter on the agenda of each regular meeting shall be public hearing of petitions and complaints concerning any subject which a resident of the Township desires to bring to the attention of the Board.

2. The petitions and complaints portion of such meeting shall not exceed 1 hour and any individual presentation by a citizen shall not exceed 10 minutes.

3. A resident shall be placed on the agenda for such purpose upon written or telephoned request to the Township Secretary not later than 4 p.m. prevailing local time, on the Friday preceding the meeting regardless of the day thereof.

4. One who is not on the agenda shall not address the Board, unless by a majority vote of those Commissioners present, subsection .3 above is set aside based upon an emergency situation, the consideration of which is deemed to be extremely essential.

5. The last matter on the agenda of each regular meeting shall allow public comment by any person in attendance. This portion of the agenda shall not exceed 15 minutes, and any individual comment shall not exceed 5 minutes.

(Res. 1213, 12/12/1988, §3)

§1-204. Minutes.

1. Written minutes shall be kept of all open meetings conducted in Ross Township by the Ross Township Board of Commissioners or any other Board subject to the Pennsylvania Sunshine Act, 65 Pa.C.S.A. §701 *et seq.*, and this Administrative Code.

2. The minutes shall include only the following:

- A. The date of the meeting.
- B. The time of the meeting.
- C. The place of the meeting.
- D. The names of the Commissioners in attendance.
- E. The name of the Chairperson.
- F. The subject discussed under each agenda heading.
- G. Motions:
 - (1) The name of the maker.
 - (2) The name of the seconder.

- (3) The content of the motion.
 - H. A record by individual member of the roll call vote, if taken.
 - I. The result, i.e. past, failed, or tabled.
 - J. A brief summary of the motion in its entirety.
 - K. The Solicitor's opinion (verbatim).
 - L. The names of all citizens who appeared and spoke.
 - M. A brief summary of the theme of comments made by attendee (example: citizen "a" was in favor of tree planting at Sangree Park)
 - N. Status of approval of previous minutes.
 - O. All points of order and appeals including the reasons therefore and the ruling thereon.
 - P. The results of any appointments and/or elections including the roll call vote thereon if necessary.
 - Q. All numbers or teller's reports announced by the Chair.
 - R. Time of adjournment.
- 3. Draft minutes will be made public and provided for public inspection at or before the meeting, which is set to approve said minutes.
- 4. Minutes to be approved at public meeting not sooner than 1 week after receipt by Commissioners.
- 5. Commissioners only have final determination on any changes requested by an individual, including other Commissioners and members of the citizenry.
- 6. That a reasonable fee for copying said minutes of meeting recordings be charged for any citizen desiring a copy of said minutes, which fee shall be in an amount as established from time to time by resolution of the Board of Commissioners. [*Ord. 2288*]
- 7. The recorded minutes on tape shall be kept for a period of 7 years.
- 8. The *Robert's Rules of Order* adopted by the Board in this Part, §1-202.2, are hereby repealed to the extent that they are inconsistent with this Section of this Part. (*Res. 1213, 12/12/1988; as added by Ord. 2077, 10/14/2002, §1; and as amended by Ord. 2288, 4/12/2010*)

Part 3**Appointed Officials****A. Township Manager****§1-301. Creation of Office.**

Pursuant to the terms and provisions of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §55101 *et seq.*, the office of Township Manager be and is hereby created.

(*Ord. 1693, 2/26/1990, §1*)

§1-302. Appointment.

The Township Manager shall be appointed on the first Monday of January of each even-numbered year when the Board of Commissioners of the Township of Ross Township shall organize, or as soon thereafter as is reasonably possible.

(*Ord. 1693, 2/26/1990, §2*)

§1-303. Vacancy.

In the event of a vacancy in the office of Township Manager, the Board of Commissioners shall, within 90 days or as soon thereafter as is reasonably possible, fill said office.

(*Ord. 1693, 2/26/1990, §3*)

§1-304. Removal.

The Township Manager shall be subject to suspension or removal for justifiable cause from office at any time by the Board of Commissioners by the affirmative vote of a majority of its members.

(*Ord. 1693, 2/26/1990, §4*)

§1-305. Qualifications.

The Township Manager shall be a citizen of the United States of America.

(*Ord. 1693, 2/26/1990, §§5, 6; as amended by Ord. 1727, 2/25/1991*)

§1-306. Compensation.

The compensation of the Township Manager shall be fixed by the Board of Commissioners and may be increased during 2-year term of office by an affirmative vote of a majority of all the members of the Board of Commissioners.

(*Ord. 1693, 2/26/1990, §7*)

§1-307. Bond.

The Township Manager shall post such bond as may be required from time to time by the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S.

§55101 *et seq.*, or in such greater amount as the Board of Commissioners may determine. The bond premium shall be paid by Ross Township .

(*Ord. 1693, 2/26/1990, §8*)

§1-308. Chief Administrative Officer.

The Township Manager is designated as the chief administrative officer of the Township and shall be responsible to the Board of Commissioners for the proper administration of the affairs of the Township, the enforcement of the ordinances of the Township and such other duties as may be delegated to said Manager by the affirmative vote of a majority of all of the members of the Board of Commissioners.

(*Ord. 1693, 2/26/1990, §9*)

§1-309. Powers and Duties.

1. The Township Manager shall not perform any duties or powers specifically imposed or conferred upon other Township officials or the Board of Commissioners by the First Class Township Code, 53 P.S. §55101 *et seq.*, or other applicable statutes of the Commonwealth of Pennsylvania.

2. The powers and duties of the Township Manager shall include:

A. Attendance at all regular meetings of the Board of Commissioners.

B. Attendance at such Committee meetings of the Board of Commissioners when requested by the Committee Chairperson.

C. Recommending such actions as shall be appropriate and necessary.

D. State a Manager's report at each meeting of the Board of Commissioners giving them such information as may be necessary to enable them to fulfill their duties as members thereof.

E. Advise the Board of Commissioners of the Township's financial condition and financial needs.

F. Prepare, in conjunction with the Finance Director, a preliminary budget and submit the same to the Finance Committee.

G. Prepare, in conjunction with the Finance Director, and submit a proposed budget to the Board of Commissioners before the end of any fiscal year for the ensuing fiscal year.

H. Secure bids for the letting of contracts in the form prescribed by law.

I. Retain such personnel as may be necessary to ascertain the fulfillment of contracts, but the Manager may not expend an amount in excess of \$2,500 for this purpose.

J. To make capital purchases in an amount not to exceed \$1,000 per item; provided, the Manager shall advise the Board of Commissioners of each such purchase. The Manager shall have the power to purchase ordinary maintenance supplies and equipment for the use of the Township subject to the bidding provisions of the First Class Township Code, 53 P.S. §55101 *et seq.*

K. To account for all purchases made and to submit a written report thereof when directed by the affirmative vote of a majority of all the members of the Board

of Commissioners.

L. Present, in conjunction with the Finance Director, within 60 days after the close of each fiscal year, a financial statement for the fiscal year.

M. Perform such duties as may from time to time by resolution or ordinance duly resolved or ordained by a majority of the members of the Board of Commissioners voting thereon.

N. Assume responsibility for the supervision of the operation, repair and maintenance of all Township property.

(Ord. 1693, 2/26/1990, §§10 & 11)

§1-310. Administrative Services.

Individual members of the Board of Commissioners shall deal with the administrative, public works and police services solely through the Township Manager.

(Ord. 1693, 2/26/1990, §12)

§1-311. Departments Responsible to Township Manager.

The supervisor of each operating department shall be responsible to the Township Manager, and this shall include, but shall not be limited to:

- A. Police Department.
- B. Building Inspection.
- C. Fire Inspection.
- D. Recreation.
- E. Public Works.
- F. Collector of all taxes other than real estate.
- G. Finance.
- H. Code Enforcement.
- I. Zoning.

(Ord. 1693, 2/26/1990, §13)

§1-312. Responsible for Disciplinary Actions for Township Employees.

The Township Manager shall have the authority to temporarily suspend any employee for disciplinary reasons. The Manager shall immediately report the suspension to the Board of Commissioners. The Manager shall make a recommendation to the Board of Commissioners at the next duly convened meeting thereof which recommendation may include, but not be limited to, temporary suspension with or without pay, and/or termination of employment. The Board of Commissioners may ratify or reverse the temporary suspension. The Board must give approval to any disciplinary action from the date of its duly convened meeting. The Board of Commissioners must approve the termination of employment. A majority vote of the members present at said Board meeting shall be necessary to formally adopt any measure set forth in this Section. The Township Manager shall meet with the suspended and/or terminated employee prior to the invocation of the suspension, other disciplinary action or termination, and advise the employee of the reason for said action. The Township

Manager shall obtain written verification from the employee that said employee has met with the Manager or Manager's designee pursuant to the requirement contained in this Section. Nothing in this Section shall be construed to limit the authority of the Township to terminate employment for disciplinary reasons only. This Section and the content thereof shall, however, expressly be subject to the Civil Service provisions of the First Class Township Code, 53 P.S. §55101 *et seq.*, and any appropriate collective bargaining agreement.

(*Ord. 1693, 2/26/1990, §14*)

B. Fire Marshal and Deputy Fire Marshal**§1-321. Fire Marshal and Deputy Fire Marshal.**

1. The Ross Township Board of Commissioners does hereby establish the offices of Fire Marshal and Deputy Fire Marshal.

2. *Appointment of Fire Marshal and Deputy Fire Marshals.*

A. The Fire Marshal shall be appointed by the Ross Township Board of Commissioners from a list of candidates to be recommended by the Ross Township Fire Chiefs Association.

B. One or more Deputy Fire Marshals may be selected for appointment by the Fire Marshal subject to the approval by the Ross Township Fire Chiefs Association and appointment by the Ross Township Board of Commissioners.

3. Requirements for office:

A. Ten years current active service as a member of a fire department, whether in the Township of Ross Township or otherwise.

B. A minimum of 100 hours of “certified” arson training.

C. Qualified to:

(1) Determine the cause and/or origin of a fire.

(2) Enforce the provisions of the International Fire Code unless the Township shall designate another employee or official to perform these duties. [Ord. 2288]

(3) Interpret the provisions of the International Fire Code unless the Township shall designate another employee or official to perform these duties. [Ord. 2288]

(4) Make recommendations to the Ross Township Board of Commissioners or other body designated by it for:

(a) Fire prevention.

(b) Fire protection.

(5) Inspect property situate in the Township of Ross Township for fire hazards.

4. *Duties.*

A. Attend every structural fire.

B. Attend any other fire scene at the request of the controlling Fire Department officer in charge.

C. Aid in protecting any property from damage and pillage, and shall have the right to call upon any Ross Township police officer for assistance in fulfilling this obligation.

D. Investigate to determine:

(1) Cause of a fire.

(2) The amount of loss resulting therefrom.

(3) The name(s) of the owner(s) of the property.

(4) The amount of fire insurance thereon.

(5) The name of the fire insurance carrier.

E. Keep a record, open to the public, of all fires in Ross Township .

F. Make quarterly reports of her/his activities to the Ross Township Board of Commissioners.

G. Advise the Ross Township Board of Commissioners of any relevant matters that she/he deems appropriate.

H. Make recommendations to the Ross Township Board of Commissioners for the adoption of any ordinance and/or regulation deemed necessary.

5. *Authority Restrictions.* The Fire Marshal and/or Deputy Fire Marshal shall not have the power or authority to direct, take charge, dispatch equipment and power, or issue orders at the scene of any fire or on the fire or on the fire ground unless necessitated for the preservation of evidence of a criminal act. The duties of directing, taking charge, dispatching of equipment and manpower shall be performed by the fire chiefs of the various fire companies of the Township of Ross Township or the next officer in the chain of command in her/his respective district.

6. *Suspicious Fires.* When the Fire Marshal or a Deputy Fire Marshal believes, during the course of investigation, that the origin of the fire is suspicious in nature, she/he shall immediately notify the Ross Township Police Department officer in charge (OIC) and request her/his response to the scene. The Fire Marshal or Deputy Fire Marshal shall confer with the OIC and if, in the course of the investigation, the Fire Marshal or Deputy Fire Marshal and the OIC believe it to be necessary, they shall request the assistance of the Allegheny County Fire Marshal. The role of the Ross Township Police Department OIC shall be to secure any and all evidence that may be necessary for criminal charges to be filed, and the OIC has the sole authority to restrict access to the scene at her/his discretion for the purpose of securing such evidence.

(*Ord. 2199, 11/13/2006, §2; as amended by Ord. 2288, 4/12/2010*)

C. Independent Auditor**§1-331. Appointed Independent Auditors.**

1. Pursuant to the authority contained in the Commonwealth of Pennsylvania First Class Township Code, 53 P.S. §55520, the Ross Township Board of Commissioners does hereby provide for the audit of the accounts of Ross Township by an independent auditor who shall be a certified public accountant, registered in Pennsylvania, a firm of certified public accountants so registered, or a competent public accountant, or a competent firm of public accountants.

2. The independent auditors shall be appointed, annually, by resolution before the close of the fiscal year to make an independent examination of all the accounts and accounting records of Ross Township for the fiscal year then closing.

3. Said appointment shall be made at least 30 days prior to the close of the fiscal year.

4. The independent auditors shall have and possess all of the powers and perform all the duties provided in the First Class Township Code, 53 P.S. §55101 for elected auditors.

5. The compensation of the appointed auditor shall be fixed by the Ross Township Board of Commissioners.

6. The office of elected auditor is hereby abolished.

(Ord. 1874, 3/13/1995, §1)

D. Building Code Official**§1-341. Building Code Official.**

1. Ross Township does hereby create the position of “Building Code Official.”
2. The holder of that office will be appointed by resolution of the Board of Commissioners adopted from time to time.
3. The salary of the Building Code Official shall be as determined by the Ross Township Board of Commissioners from time to time.
4. The Building Code Official shall be employed by the Township of Ross as a full-time employee and subject to all the terms and provisions of the Ross Township Employee Handbook.
5. It is hereby mandated that the Building Code Official be and shall always be fully accredited by the Commonwealth of Pennsylvania to perform all of the duties of the Building Code Official as promulgated by the statutes of the Commonwealth of Pennsylvania, and all rules and regulations relating thereto.

(Ord. 2245, 9/10/2007, §§1-6)

Part 4**Elected Officials****A. Treasurer/Tax Collector****§1-401. Compensation.**

The per annum compensation of the Ross Township Treasurer/Tax Collector is hereby established at \$10,000.

(Ord. 1873, 1/23/1995, §1)

§1-402. Providing Rent Free, Office Space.

The Township of Ross Township shall provide, rent free, office space to the Ross Township Treasurer/Tax Collector, the same being that space now presently occupied in the Ross Township Municipal Building by that office.

(Ord. 1873, 1/23/1995, §2)

§1-403. Cost of Postage.

The Township of Ross Township shall share equally with the North Hills School District all costs of postage, printing and office supplies incurred by the Treasurer related to the collection of the real estate taxes. The tax collection office shall be automated and the Township of Ross Township shall share equally with the North Hills School District the cost of said automation including, but not being limited to, hardware and software. The purchased automation equipment and software shall be maintained in the Ross Township Municipal Building. The cost to Ross Township of said automation shall not exceed \$5,000.

(Ord. 1873, 1/23/1995, §3)

Part 5**Police Department****A. Chief of Police****§1-501. Creation of Office.**

The Board of Commissioners of the Township of Ross Township does hereby create the office of Chief of Police of the Township of Ross; establishes the specifications and job description for the position of Chief of Police as shall be adopted by the Board of Commissioners from time to time.

(Ord. 1442, 5/23/1983, §II)

B. Manual of Policies, Rules and Regulations**§1-511. Ross Township Police Department Manual of Policies, Rules and Regulations.**

1. The Board of Commissioners of the Township of Ross Township does hereby adopt the “Ross Township Police Department Manual of Policies, Rules and Regulations” prepared and submitted by Chief of Police Gregory G. Tenos as the official Ross Township Police Department Manual of Policies, Rules and Regulations.

2. The Manual consists of: Title I “Organization”
Title II “Administration”
Title III “Operations”

and the Chapters thereunder all as set forth on Exhibit “A”¹ attached hereto.

3. The Manual is designed to provide the officers of the Ross Township Police Department with policies and procedures to guide them through the operations and responsibilities of their position.

4. All Ross Township police officers are directed to refer to the Manual on a regular basis.

5. From time to time the policies and procedures contained in the Manual may be amended, changed or modified to meet the changing needs of Ross Township and the Ross Township Police Department; provided, however, that all changes will be in the form of amended policy or written memorandum or directive reviewed and approved by the Ross Township Board of Commissioners.

6. The Manual is not intended to create any contractual or other legal rights in any party, but is designed solely as a guide and does not alter any police officer’s employment status.

7. The policies and procedures are for internal use only and no part of the Manual shall be provided to any persons or entities outside of the Township of Ross.

8. The polices and procedures contained in the Manual are not intended to enlarge any Ross Township police officers, civil or criminal liability in any manner whatsoever. Nor should they be construed as creating any higher standard of safety or care in an evidentiary sense with respect to third party claims.

9. Any violation of the policies and procedures can formulate the basis of a disciplinary action against any Ross Township police officer.

10. All previously published and enacted polices, rules, regulations and procedures are hereby declared null, void and of no effect whatsoever.

(*Ord. 2010, 4/24/2000; as amended by Ord. 2092, 6/16/2003*)

¹Editor’s Note: Exhibit “A” is on file in the Ross Township Police Department.

Part 6**Volunteer Fire Companies****A. Firefighters Relief Association****§1-601. Recognition of Firefighters Relief Association.**

1. The following association is hereby recognized as actively engaged in providing fire protection and/or emergency services in the Township of Ross:

Ross Township Firemen's Relief Association

The above-named association has been formed for the benefit of its members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

2. The above named association of the Township of Ross Township is designated the proper association to receive such funds as are due and payable to the Township Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

(*Ord. 1726, 10/14/1991, §1-401*)

§1-602. Certification to Auditor General.

The Board of Commissioners shall annually certify to the Auditor General of the Commonwealth, the name(s) of the active associations and the percentage of service they contribute to the protection of the Township of Ross. Such certification shall be on forms prescribed by the Auditor General.

(*Ord. 1726, 10/14/1991, §1-402*)

§1-603. Annual Appropriation.

There is annually appropriated from the Township Treasury all such sums of money that may hereafter be paid into the Township Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of Act of December 18, 1984, No. 205, 53 P.S. §895.701 *et seq.* as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Township Treasurer from the State Treasurer shall be distributed to the duly recognized association(s) within 60 days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act.

(*Ord. 1726, 10/14/1991, §1-403*)

B. Benefits for Death in Line of Duty**§1-611. Township's Payment to Beneficiary.**

In the event a member of the Ross Township volunteer fire company is killed in the performance of his duty, the Township of Ross Township shall pay or provide for the payment of the sum of \$25,000 as a benefit to the surviving spouse, or if there is no surviving spouse, to the minor children of the volunteer fireman, and when no spouse or minor children survive, the benefit shall be paid to the parent or parents of such volunteer fireman. A volunteer firefighter shall be deemed to be acting in the performance of his or her duties for the purpose of this Part 6B going to or directly returning from a fire which the fire company or fire department attended, including travel from and direct return to a firefighter's home, place of business or other place where he or she shall have been when he or she received the call or alarm, or while participating in instructional fire drills in which the fire department or fire company shall have participated, or while repairing or doing other work about, or on the fire apparatus or buildings and grounds of the fire company or fire department upon the authorization of the chief of the fire company or the fire department or other person in charge, or while answering any emergency calls for any purposes, or while riding upon the fire apparatus which is owned or used by the fire company or fire department, or while performing any other duties of such fire company or fire department as authorized by the municipality, or while performing duties imposed by §15, Act of April 27, 1927, P.L. 465, No. 299, referred to as the Fire and Panic Act, 35 P.S. §1235. The fire police shall be considered to be members of the volunteer fire company subject to call, either by the fire department, company or the municipality.

(Ord. 1424, 12/13/1982, §I)

§1-612. Exception of Township's Payment to Beneficiary.

The benefit provided for in §1-611 hereof shall be paid in the event that the payment of such benefit by the Commonwealth of Pennsylvania was refused for any reason, but it shall not be paid in those cases where a similar benefit is paid by the Commonwealth of Pennsylvania, pursuant to the Act of June 26, 1976, its supplements and amendments, 53 P.S. §891 *et seq.*

(Ord. 1424, 12/13/1982, §II)

§1-613. Definition of the Word "Killed".

1. As used herein, the word "killed" shall mean:

A. Death as the result of a wound or other condition of the body caused by external force or caused by stress, strain or exertion while going to or returning or attending fires.

2. The word "killed" shall not mean:

A. Death as the result of intentional afflictions or as a result of any matters that may not be related to the fire.

(Ord. 1424, 12/13/1982, §III)

Part 7**Committees and Agencies****A. Police Pension Advisory Committee****§1-701. Authorizing the Creation of a Police Pension Advisory Committee.**

The Ross Township Board of Commissioners does hereby authorize the creation of a Police Pension Advisory Committee comprised of two members of the Ross Township Board of Commissioners, and one member of the Ross Township Police Association to be nominated by the Association and submitted to the Board of Commissioners for approval.

(Ord. 2123, 5/24/2004, §1)

§1-702. Pension Issues.

The Police Pension Advisory Committee shall be empowered to address pension issues of any nature whatsoever that shall be brought to it periodically from the employees, or the Ross Township Board of Commissioners, or the Ross Township Administration.

(Ord. 2123, 5/24/2004, §2)

§1-703. Recommendations Related to Said Pension.

The Police Pension Advisory Committee shall be advisory in nature only, and shall provide recommendations related to said pension to the Board of Commissioners for their review and action. Pursuant to all statutes, rules and regulations related to pensions, final authority relative to any such recommendations shall vest in the Ross Township Board of Commissioners in the proper exercise of its fiduciary duties.

(Ord. 2123, 5/24/2004, §3)

§1-704 Addressing Pension Issues..

That the Police Pension Advisory Committee shall address any and all pension issues including, but not limited to, addressing questions to the actuary, short of seeking an actuarial study, which shall be only done at the direction of the Board of Commissioners; reviewing, periodically, and recommending to the Board of Commissioners concerning the appointment of an actuary and/or investment manager(s); reviewing and recommending to the Board of Commissioners for action as to expenditures concerning the pension fund and making recommendations concerning said investments and/or the employment of an investment manager(s) to the Board of Commissioners for the action on said recommendation; and/or recommendation for action by the Board of Commissioners concerning proposed amendments to the pension plan.

(Ord. 2123, 5/24/2004, §4)

§1-705. Initial Appointment.

Following the initial appointment by the Board of Commissioners of two members

from said Board, as well as one employee nominated by the Police Association, thereafter said membership shall be subject to review and approval at each re-organization meeting of the Board of Commissioners.

(Ord. 2123, 5/24/2004, §5)

B. General Employees Pension Advisory Committee**§1-711. Creation Authorized.**

The Ross Township Board of Commissioners does hereby authorize the creation of a General Employees Pension Advisory Committee comprised of two members of the Ross Township Board of Commissioners, and one member of the Ross Township clerical staff, one member of the administrative staff, and one member of the Public Works Department to be nominated by their respective departments and submitted to the Board of Commissioners for approval.

(Ord. 2131, 8/23/2004, §1)

§1-712. Powers.

The General Employees Pension Advisory Committee shall be empowered to address pension issues of any nature whatsoever that shall be brought to it periodically from the employees, or the Ross Township Board of Commissioners, or the Ross Township administration.

(Ord. 2131, 8/23/2004, §2)

§1-713. Recommendations Advisory Only.

The General Employees Pension Advisory Committee shall be advisory in nature only, and shall provide recommendations related to said pension to the Board of Commissioners for their review and action. Pursuant to all statutes, rules and regulations related to pensions, final authority relative to any such recommendations shall vest in the Ross Township Board of Commissioners in the proper exercise of its fiduciary duties.

(Ord. 2131, 8/23/2004, §3)

§1-714. Jurisdiction.

The General Employees Pension Advisory Committee shall address any and all pension issues including, but not limited to, addressing questions to the actuary, short of seeking an actuarial study, which shall be only done at the direction of the Board of Commissioners; reviewing, periodically, and recommending to the Board of Commissioners concerning the appointment of an actuary and/or investment manager(s); reviewing and recommending to the Board of Commissioners for action as to expenditures concerning the pension fund and making recommendations concerning said investments and/or the employment of an investment manager(s) to the Board of Commissioners for the action on said recommendation; and/or recommendation for action by the Board of Commissioners concerning proposed amendments to the pension plan.

(Ord. 2131, 8/23/2004, §4)

§1-715. Initial Appointment.

Following the initial appointment by the Board of Commissioners of two members from said Board, as well as three employees nominated by the respective departments, thereafter said membership shall be subject to review and approval at each re-

organization meeting of the Board of Commissioners.
(*Ord. 2131, 8/23/2004, §5*)

C. CATV Regulatory Agency**§1-721. CATV Franchising Authority.**

Pursuant to the Cable Television Act of 1992, the Ross Township Board of Commissioners, as the CATV Franchising Authority, has the power to appoint a CATV Regulatory Agency.

(Ord. 1833, 4/11/1994, §141)

§1-722. CATV Regulatory Agency.

The Ross Township Board of Commissioners is hereby appointed as the CATV Regulatory Agency.

(Ord. 1833, 4/11/1994, §142)

§1-723. Granted Such Powers, Duties, Rights and Obligations.

The CATV Regulatory Agency is hereby granted such powers, duties, rights and obligations as are granted to it by the Cable Television Act of 1992 and the FCC.

(Ord. 1833, 4/11/1994, §143)

Part 8**Finances****A. Attorneys Fees for Collection of Claims****§1-801. Enforced Collection Authorized.**

The Ross Township Solicitor and/or service designated by resolution of the Board of Commissioners are hereby authorized to pursue the enforced collection of Ross Township revenues.

(*Ord. 2211, 12/11/2006, §1; as amended by Ord. 2288, 4/12/2010*)

§1-802. Schedule of Attorney Fees.

Ross Township hereby adopts Exhibit "A"² establishing a schedule of reasonable attorney fees in accordance with Act 1 of 1996 and a schedule of other charges, expenses and fees in accordance with the Municipal Claim and Tax Lien Law, 53 P.S. §7106, and taxing authority.

(*Ord. 2211, 12/11/2006, §2*)

§1-803. Charge and Collect Such Fees.

Ross Township hereby authorizes its Solicitor and/or designated service to charge and collect such fees set forth on Exhibit "A" attached hereto. The Ross Township Solicitor and/or designated service by resolution are hereby authorized to bring appropriate collection proceedings by and on behalf of Ross Township in the name of Ross Township in both State and Federal courts including, but not being limited to, notice, correspondence, agreements, claims, liens, pleadings, motions and petition in both in rem and in personam proceedings pursuant to applicable laws.

(*Ord. 2211, 12/11/2006, §3; as amended by Ord. 2288, 4/12/2010*)

§1-804. Local Tax Collection Law, Penalties.

In pursuing collection through in personam proceedings and in accordance with the Local Tax Collection Law, 72 P.S. §5511.1 *et seq.*, the Ross Township Solicitor and/or designated service are authorized to collect and retrieve from defendant(s) in each judgment obtained the statutorily authorized additional penalty and is further authorized to retain such additional penalties as compensation for legal services in connection with such proceedings.

(*Ord. 2211, 12/11/2006, §4; as amended by Ord. 2288, 4/12/2010*)

§1-805. Executions Authorized.

The Ross Township Solicitor and/or designated service are authorized to execute any and all tax and municipal claims, bankruptcy claims, liens, satisfactions, revivals, pleadings, correspondence, notices and any other documents relating to the collection

²Editor's Note: Exhibit "A" is on file in the Township office.

of Ross Township revenues, in the name of and on behalf of Ross Township as Ross Township Solicitor and/or designated service for Ross Township in matters relating solely to the collection of Ross Township revenues in any applicable local, State, or Federal department, office, or court.

(*Ord. 2211, 12/11/2006, §5; as amended by Ord. 2288, 4/12/2010*)

§1-806. Ross Township to Cooperate.

Ross Township shall provide assistance and cooperate with its Solicitor and/or designated service in all reasonable ways in adopting relevant resolutions and ordinances and any and all amendments to existing resolution or ordinances as requested by its Solicitor and/or designated service relating to the collection of Ross Township revenues.

(*Ord. 2211, 12/11/2006, §6; as amended by Ord. 2288, 4/12/2010*)

§1-807. Costs to Be Advanced.

The Ross Township Solicitor and/or designated service shall advance all applicable costs imposed by the Prothonotary, Sheriff, and any other relevant local, State, or Federal agency in connection with the collection of Ross Township's revenues, subject to reimbursement of such advanced costs by Ross Township on a monthly basis and thereafter subject to reimbursement to Ross Township after collection by said designated service and/or its Solicitor.

(*Ord. 2211, 12/11/2006, §7; as amended by Ord. 2288, 4/12/2010*)

§1-808. Attorney Fees Collected.

All attorney fees collected in accordance with Act 1 of 1996, 53 P.S. §7106, and in connection with the filing of any and all of Ross Township's claims and liens shall serve solely and exclusively as compensation of its Solicitor and to reimburse designated service for its actual expenses incurred in connection with maintaining its in-house legal staff for pursuing Ross Township's enforcement proceedings. In no event shall designated service profit in any way from the collection of reasonable attorney fees recovered in connection with any collection proceeding.

(*Ord. 2211, 12/11/2006, §8; as amended by Ord. 2288, 4/12/2010*)

§1-809. Charges, Expenses, and Fees to Be Compensation.

All charges, expenses, and fees adopted by Ross Township in Exhibit "A" shall be included as part of the revenue collected and shall be recovered and retained by said designated service as compensation to said designated service for services provided to Ross Township.

(*Ord. 2211, 12/11/2006, §9; as amended by Ord. 2288, 4/12/2010*)

§1-810. Reasonable Compromises.

Ross Township shall not unreasonably object to any further request by designated service and/or its Solicitor to seek a judicial compromise of any tax or municipal claim or lien or to pursue any reduction of the upset price at Sheriff's sale of any property subject to such tax or municipal claim or lien if it is determined that the value of said

property subject to each tax or municipal claim or lien is exceeded by the upset price at Sheriff's sale. In such event, designated service shall be entitled to reimbursement of all costs, charges, expenses, and fees; and the Solicitor shall be entitled to reimbursement of reasonable attorney fees concerning the sale of such property prior to any distribution of costs advanced, tax or municipal claims or liens to Ross Township. Any subsequent distribution of tax or municipal claim or liens under such circumstances shall be made in strict compliance with the laws of the Commonwealth of Pennsylvania and paid according to each tax or municipal claim or lien's priority in any such sale brought pursuant to §7281 of the Municipal Claim and Tax Lien Law, 53 P.S. §7281, after payment of the costs and expenses of sale.

(*Ord. 2211, 12/11/2006, §10; as amended by Ord. 2288, 4/12/2010*)

§1-811. Solicitor and/or Designated Service to Exercise Ross Township's Rights as a Creditor.

Ross Township authorizes its Solicitor and/or designated service to exercise all of Ross Township's right as a creditor pursuant to applicable provisions of local, State, and Federal law including pursuing collection in response to third-party action which might affect Ross Township's revenues.

(*Ord. 2211, 12/11/2006, §11; as amended by Ord. 2288, 4/12/2010*)

§1-812. Application of Proceeds.

Payments received by the Solicitor and/or designated service in connection with the collection of Ross Township's revenues shall first be applied to attorney fees and then to costs, charges, expenses, and fees advanced or otherwise due and owing. Partial payments shall be applied to attorney fees first and then to costs, fees, charges, and expenses before being applied to Ross Township's revenues. Partial payments received which are insufficient to pay an entire year's tax, municipal claim, service charge, or other of Ross Township's revenues, shall be held on account and shall not be applied to payment of any portion of a year's revenue amount until such time as sufficient sums are received by designated service to pay the year's revenue item in full. Interest or interest and penalties, as the case may be, will continue to accrue on the entire year's revenue item upon which partial payment has been received until such time as payment of the total amount necessary to satisfy the year's revenue item is paid, unless specifically provided by law to the contrary.

(*Ord. 2211, 12/11/2006, §12; as amended by Ord. 2288, 4/12/2010*)

§1-813. Solicitor and/or Designated Service to Act as Agents.

The Solicitor and/or designated service shall act as agent for Ross Township in collection of Ross Township's revenues as provided herein and as provided in any other agreement between designated service and Ross Township. Ross Township shall adopt or amend appropriate ordinances and/or resolutions and shall approve and execute appropriate powers of attorney and any other documents which may be necessary to assist the Solicitor and/or designated service in the collection of Ross Township's revenues and otherwise performing under this Part and pursuant to applicable laws.

(*Ord. 2211, 12/11/2006, §13; as amended by Ord. 2288, 4/12/2010*)

§1-814. Solicitor Permitted to Inspect Township Records.

The Solicitor shall be permitted to view, inspect and utilize Ross Township's revenue information including earned income information and any other similar information or data whether or not considered to be confidential under applicable laws to carry out Solicitor's obligations hereunder.

(Ord. 2211, 12/11/2006, §14)

B. Contracts in Excess of \$10,000 to Be in Writing**§1-821. Applicable to Every Contract.**

Every contract entered into by Ross Township for a consideration of \$10,000 or more shall be reduced to writing.

(Ord. 2126, 6/28/2004, §1)

§1-822. Absence of a Written Contract.

In the absence of a written contract, neither Ross Township nor the Board of Commissioners shall be bound by the terms and provisions thereof.

(Ord. 2126, 6/28/2004, §2)

§1-823. Notification of Existence.

The notification and existence of the within Part 8B and the terms and provisions thereof shall be provided to prospective bidders and/or proposers by including said notice in all specifications and/or requests for proposals.

(Ord. 2126, 6/28/2004, §3)

Part 9**Employees****A. Employees Manual****§1-901. Adoption.**

The Ross Township Board of Commissioners does hereby adopt the Ross Township Employee Handbook, Policy, Procedures and Code of Conduct Manual attached hereto as Exhibit “A”³ as the official Ross Township Employee Manual.

(Ord. 1883, 8/28/1995, §1)

§1-902. Mandating the Implementation.

The Ross Township Board of Commissioners does hereby mandate the implementation of the same and directs each employee to adhere to the provisions thereof.

(Ord. 1883, 8/28/1995, §1)

§1-903. Directing the Township Manager.

The Ross Township Board of Commissioners does hereby direct the Township Manager to enforce the disciplinary provisions thereof in accordance with the terms and provisions therein.

(Ord. 1883, 8/28/1995, §1)

³Editor’s Note: Exhibit “A” is on file in the Township office.

