

## **Chapter 5**

### **ADMINISTRATION OF GOVERNMENT**

#### **ARTICLE I**

##### **Short Title and Definitions**

- § 5-1. **Short title.**
- § 5-2. **Definitions and interpretations.**

#### **ARTICLE II**

##### **Administrative Departments**

- § 5-3. **Administrative departments.**
- § 5-4. **Duties of heads of departments.**
- § 5-5. **Office of the Township Manager.**
- § 5-6. **Township Treasurer.**
- § 5-7. **Department of Building Inspections, Planning and Zoning.**
- § 5-8. **Police Department.**
- § 5-9. **Road Department.**

#### **ARTICLE III**

##### **Appointed Officials**

- § 5-10. **Township Engineer.**

#### **ARTICLE IV**

##### **Authorities**

- § 5-11. **Authorities.**

WEST DEER CODE

ARTICLE V  
**Committees, Boards and Commissions**

- § 5-12. **Committees.**
- § 5-13. **Boards and commissions.**
- § 5-14. **Special provisions applicable to committees, boards and commissions.**
- § 5-15. **Assignment of committees, boards and commissions to departments.**
- § 5-16. **Rules of procedure applicable to boards and commissions.**

ARTICLE VI  
**General Provisions**

- § 5-17. **Expenses.**

ARTICLE VII  
**Interpretation, Effective Date**

- § 5-18. **Severability.**
- § 5-19. **Effective date.**

**Table of Organization**

**[HISTORY: Adopted by the Board of Supervisors of the Township of West Deer 8-14-1980 by Ord. No. 140; amended in its entirety 11-16-2005 by Ord. No. 342. Subsequent amendments noted where applicable.]**

GENERAL REFERENCES

Authorization for Administrative Code — See Charter, Section C-1201.  
Internal policies — See Ch. 42, Art. I.

ARTICLE I  
**Short Title and Definitions**

**§ 5-1. Short title.**

This chapter shall be known and may be cited as "The Administrative Code of West Deer Township, Pennsylvania."

**§ 5-2. Definitions and interpretations.**

A. As used in this chapter, these words and terms shall have the following meanings:

ADMINISTRATIVE — The function of carrying out the policies, ordinances or mandates of the Board of Supervisors.

ADVISORY — The function of gathering facts and making recommendations to the Board of Supervisors or to any other body designated by the Board.

BOARD — A body established under the provisions of the law or by a valid ordinance of the Township, on a permanent basis and for indefinite duration, to perform those functions of a judicial or quasijudicial nature that are specified in the ordinance creating the board or the law governing it, and to be composed of three or more individuals, appointed by the Board of Supervisors for definite terms of office; provided: where a body falling within this definition of "board" shall, by law, be required to be designated as a "commission," that fact shall be clearly stated in the ordinance creating or governing that "commission," and that ordinance shall specify that the "commission" shall perform the functions of a "board" rather than a "commission."

BOARD OF SUPERVISORS — The Board of Supervisors as provided for in the Home Rule Charter.

COMMISSION — A body established under the provisions of the law or by a valid ordinance of the Township, on a

permanent basis and for indefinite duration, to perform those functions of an advisory or administrative nature that are specified in the ordinance creating the commission or in the law governing it, and to be composed of three or more individuals, appointed by the Board of Supervisors for definite terms of office; provided: where a body falling within this definition of "commission" shall, by law, be required to be designated as a "board," that fact shall be clearly stated in the ordinance creating or governing that "board," and that ordinance shall specify that "board" shall have only the authority of a "commission," as defined in this paragraph.

**COMMITTEE** — A body serving for a designated period of time on an ad hoc and purely advisory basis, comprising three or more individuals appointed by the Board of Supervisors.

**HOME RULE CHARTER** — The Home Rule Charter of the Township of West Deer, as approved by the electors of the said Township in May 1975, with amendments, if any, thereafter lawfully adopted and approved,

**JUDICIAL** — The function of hearing and deciding cases or controversies arising from the application of ordinances, regulations or laws.

**LAW** — The Constitution and laws of the United States of America and the Commonwealth of Pennsylvania.

**TOWNSHIP** — The Township of West Deer, Allegheny County, Pennsylvania.

- B. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

ARTICLE II  
**Administrative Departments**

**§ 5-3. Administrative departments.**

The Township shall have the following departments which shall be structured in accordance with the West Deer Township table of organization, which is presented at the end of this chapter, and which is hereby incorporated as part of this chapter, setting forth lines of communication that shall be followed by Township officials.

- A. Township Manager.
- B. Treasurer.
- C. Department of Building Inspections, Planning and Zoning.
- D. Police Department.
- E. Road Department.

**§ 5-4. Duties of heads of departments.**

Under the direction of the Township Manager, each department head shall:

- A. Direct the performance of all duties and responsibilities of his department or its subordinate agencies as provided by statute and Home Rule Charter, this Administrative Code or other ordinances of the Township, and such other duties not in conflict therewith as may be required by the Board of Supervisors.
- B. Be immediately responsible to the Township Manager for the effective administration of his department and all activities assigned to it.
- C. Subject to provisions of the Home Rule Charter, the Township's adopted Personnel Policies and Procedures Manual, and the adopted Police Department Manual Policy Standard Operating Procedures and Rules and

Regulations, recommend appointments, suspensions, and removals of employees within his respective department to the Township Manager

- D. Supervise the work of the department in accordance with this Administrative Code and the Township's adopted Personnel Policies and Procedures Manual, and the adopted Police Department Manual Policy Standard Operating Procedures and Rules and Regulations.
- E. Submit monthly and annual reports to the Board of Supervisors of the activities of his department and such other reports as the Board may require.
- F. Maintain all departmental records.
- G. Be responsible for the proper custody and maintenance of all Township property and equipment used in his department.

**§ 5-5. Office of the Township Manager.**

The Office of the Township Manager shall perform the administrative service functions for the Township, its departments and agencies not otherwise provided by the Home Rule Charter or this Administrative Code and in accordance with the provisions of the Township's adopted Personnel Policies and Procedures Manual. The areas of responsibility of the Office of the Township Manager shall include, but not be limited to, the following:

- A. Insuring the recording, filing, indexing and safekeeping of all proceedings of all Township boards, agencies, and commissions.
- B. The maintenance of records and files of general application to Township operations, departments and agencies.
- C. Supervisor of personnel policies and practices as set forth in the Township's adopted Personnel Policies and Procedures Manual.

- D. Administration of a centralized purchasing system for all departments and agencies.
- E. Development of the final aspects of the capital improvement and development programs of the Township.
- F. Preparation of the annual operating budget for enactment by the Township's Board of Supervisors.
- G. In addition to the duties and responsibilities as head of a department, the Office of the Township Manager shall be directly responsible for the efficient operation of all departments in the Township.

**§ 5-6. Township Treasurer.**

The Township Treasurer shall have those duties and responsibilities as outlined in the Second Class Township Code section concerning the appointment of Treasurer.

**§ 5-7. Department of Building Inspections, Planning and Zoning.**

The Department of Inspections shall include both the Zoning Officer and Building Inspector. The areas of responsibility of the Department of Building Inspections, Planning and Zoning shall include but not be limited to, the following:

- A. Coordinate all zoning enforcement actions of the Township.
- B. Receive and process applications for permit requests and issue permits in accordance with Township rules and regulations.
- C. In cooperation with the Township Police Department, investigate any reported violations of ordinances and take legal action when necessary and appropriate, including citing violators of Township ordinances and representing the Township at magisterial hearings.

- D. Compile all information and prepare an agenda for the Zoning Hearing Board and Planning Commission.
- E. Accept applications for subdivisions, for zoning changes, for special exceptions, for variances and for challenges to be submitted to the appropriate board or commission, making sure all the necessary materials are submitted and fees are paid.
- F. Assist the Zoning Hearing Board and Planning Commission.
- G. Maintain all records pertaining to zoning.
- H. Inspect all new construction to assure compliance with the regulations of the Township as well as zoning and grading ordinances, and issue occupancy permits when the structure has met all the requirements of the Township.
- I. Inspect any damaged property within the Township to determine the safety thereof.
- J. Have custody of and maintain all Township maps, engineering plans, and real estate records.

#### **§ 5-8. Police Department.**

The Police Department shall be headed and directed by the Chief of Police. The Police Department shall be governed by those applicable federal and state regulations, along with the Township's adopted Police Department Manual Policy Standard Operating Procedures and Rules and Regulations

#### **§ 5-9. Road Department.**

The Road Department shall be headed and supervised by the Road Superintendent. The Department shall be responsible for all matters relating to the construction, maintenance and operation of the physical properties of the Township to the extent that such responsibilities are not expressly charged to

any other department or office. The areas of responsibility of the Road Department shall include:

- A. The administration, direction and supervision of the maintenance and construction of streets and bridges.
- B. The administration, direction and supervision of the maintenance and construction of storm sewers.
- C. The administration, direction and supervision of the maintenance of the Township property.
- D. The administration, direction and supervision of the maintenance of parks, playgrounds and other recreational facilities of the Township.
- E. The administration, direction and supervision of snow and ice control activities with the Township.
- F. Performance of such other functions and duties as may be required by the Township Manager.

### ARTICLE III Appointed Officials

#### § 5-10. Township Engineer.

The Township Engineer shall be appointed by the Board of Supervisors on a consulting basis and shall perform work as directed by the Township Manager.

### ARTICLE IV Authorities

#### § 5-11. Authorities.

- A. Authorities, as referred to in this article, shall mean those bodies political and corporate created under the Municipality Authorities Act of 1935 and its amendments; the Municipality Authorities Act of 1945 and its

amendments; and the Parking Authority Law and its amendments.

- B. Those Authorities that were established by the Township before the effective date of this chapter or of which the Township became a member before the effective date of this chapter, shall continue in existence under the provisions of the enabling legislation under which they were created, as previously or in the future supplemented or amended, or any of those Authorities may be terminated as provided by law.

## ARTICLE V

### **Committees, Boards and Commissions**

#### **§ 5-12. Committees.**

The Board of Supervisors shall have the authority, at its discretion, to establish and appoint committees, and to specify the purpose, functions and duration of existence of every committee in the charge to that Committee.

#### **§ 5-13. Boards and commissions.**

Boards and Commissions established before the effective date of this chapter, shall continue in existence subject to the right of the Board of Supervisors, by ordinance, to abolish any board or commission not required by law to be maintained or, where not in conflict with the law, to change the name, composition, tenure, functions, powers or duties of any existing board or commission. By ordinance, the Board of Supervisors shall have the authority to establish any new Board or Commission, and to specify its powers, duties and functions, and afterward, to modify the provisions of any ordinance governing any new Board or Commission. All members of boards and commissions shall be appointed by the Board of Supervisors.

**§ 5-14. Special provisions applicable to committees, boards and commissions.**

In addition to any specific qualifications or requirements contained in the law or any ordinance applicable to a particular committee, board or commission, the following provisions shall apply to all committees, boards and commissions:

- A. No member of a committee, board or commission shall receive any salary or other compensation for his services, but he shall be reimbursed by the Township for authorized expenses in connection with those services.
- B. Every committee, board or commission established by ordinance or required by law to be established shall continue to be maintained for as long as the applicable law or ordinance remains in effect and has not been repealed.
- C. The failure of any member of a committee, board or commission to attend three consecutive regularly scheduled meetings may be cause for removal by the Board of Supervisors.

**§ 5-15. Assignment of committees, boards and commissions to departments.**

The Board of Supervisors shall have authority to assign any committee, board or commission to a specific department for administrative purposes, unless the assignment is contrary to law.

**§ 5-16. Rules of procedure applicable to boards and commissions.**

- A. A quorum is a majority of the members of any board or commission shall be present at any meeting where official action is to be taken.
- B. Each board and commission shall provide for rules and regulations governing its operation. Such rules and

regulations shall provide for the keeping of records pertaining to its duties, the conduct of meetings and public hearings and a periodic reporting to the Board of Supervisors. All such rules and regulations shall be approved by the Board of Supervisors and not in contravention with any law or ordinance of the Township.

#### ARTICLE VI **General Provisions**

##### **§ 5-17. Expenses.**

Elected or appointed Township officers, employees, and delegates, including members of the Board of Supervisors, shall be paid by the Township the actual expenses incurred, or in place of transportation expenses, mileage at a rate to be established by the Board of Supervisors, from time to time, when authorized by the Board of Supervisors to attend meetings, conferences, institutes and schools in order to discuss and resolve the various questions arising in the discharge of the duties and functions of the respective officers, employees, and delegates and to provide uniform, efficient, and economical methods of administering their Township duties.

#### ARTICLE VII **Interpretation, Effective Date**

##### **§ 5-18. Severability.**

If any provision of this chapter shall be held by any court of competent jurisdiction to be invalid, the invalidity of that provision shall not affect any other provision of this chapter. It is the intent of the Board of Supervisors that *the remaining* provisions of this chapter shall be given as full force and effect as if the invalid provision had not been included in this chapter.

§ 5-19

ADMINISTRATION OF  
GOVERNMENT

§ 5-19

**§ 5-19. Effective date.**

This amendment and restatement to Ordinance No. 140 shall become effective immediately.



ADMINISTRATION OF GOVERNMENT

5 Attachment 1

**WEST DEER TOWNSHIP**  
**TABLE OF ORGANIZATION**



