

HOME RULE CHARTER

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PART 1

NAME AND BOUNDARIES

§101. Name.

The Township of Richland shall continue to be a municipal subdivision under its present name, "Township of Richland." As used in this Chapter, the word "Township" shall mean the Township of Richland in Allegheny County, Pennsylvania.

§102. Boundaries.

The boundaries of the Township shall be the actual boundaries of the Township at the time this Charter takes effect and as they may be lawfully changed thereafter by a majority vote of the registered voters of the Township.

§103. Definitions.

As used in this Charter, the word "Board" shall mean the Board of Township Supervisors.

PART 2

POWERS OF THE TOWNSHIP

§201. Powers.

The Township has, and may exercise, any power, and may perform any function not denied by the Constitution of Pennsylvania, by this Charter, or by the General Assembly, at any time.

§202. Construction.

The powers of the Township under this Charter shall be construed broadly in favor of the Township, and the specific mention of particular powers in this Charter shall not be construed as limiting in any way the general power stated in this Part. All possible powers of the Township, except as limited in §201 of this Part 2 are to be considered as if specifically and individually set forth in this Part, whether such powers are presently available to the Township or may hereafter from time to time become available.

§203. Residual Powers in the Board of Township Supervisors.

All powers of the Township, including any such power which may hereafter be conferred on the Township by amendment of the Constitution of the United States or of the Constitution of Pennsylvania or of this Charter or by Act of the General Assembly, unless otherwise specifically set forth in this Chapter, shall be vested in the Township Board. The Supervisors shall be elected, shall organize, and shall function as provided in this Charter.

PART 3

BOARD OF TOWNSHIP SUPERVISORS

§301. Board of Township Supervisors.

There shall be a Board of five Supervisors elected by the qualified voters of the Township. Four to be elected, one from each district, now established, and one to be elected from the Township at large.

§302. Terms.

The terms of all Supervisors shall be four years, commencing at 8:00 p.m. on the first Monday of January following the year in which they are elected, except that a Supervisor appointed to fill a vacancy shall serve only for the balance of the unexpired term.

§303. Election.

The regular election of Supervisors shall be held on the general municipal election day as established from time to time by the laws of the Commonwealth of Pennsylvania commencing in the year 1975. The time of election of Supervisors from the four districts and of the at-large-Supervisor shall be in accordance with the initial schedule set forth in "Transitional Provisions," §1503.

§304. Election Procedure.

The procedure for nomination and election of Supervisors shall be as established by the general laws of the Commonwealth of Pennsylvania for municipal elections.

§305. Compensation.

1. Each Supervisor shall be paid at a rate of \$25 per meeting or such other sum as may be determined by proper ordinance; provided, however, that no ordinance increasing such salary shall become effective for at least four years after the effective date of this Charter. No such increase in salary, however, shall become effective until the date of commencement of the terms of the Supervisors elected at the next regular election after such salary increase has been adopted, provided that such election follows the adoption of such ordinance by at least 180 days.
2. Supervisors shall receive no other compensation, direct or indirect, for the performance of their duties as Supervisors; they shall not be eligible for pensions, insurance or other forms of fringe benefits as are regular Township employees.

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3. They shall be entitled to receive reimbursement for travel and other actual expenses incurred when such travel and expense is authorized by the Board.

§306. Qualifications of Supervisors.

A Supervisor shall be a citizen of the United States, shall have been a resident of the Township for at least two years immediately prior to the date of his/her election, and shall be at least 21 years of age when elected to office.

§307. Authority.

All supervisory authority shall be asserted by the Board only. No individual Supervisor shall have any authority whatsoever under this Charter unless such authority is specifically delegated by the Charter or by the Supervisors acting as a body.

§308. Prohibitions.

No Supervisor shall hold any other compensated Township office or employment during the term for which he/she is elected to the Board, and no Supervisor shall hold any compensated appointive Township office or employment, nor shall he/she act as a paid consultant to the Township, until after the expiration of the term for which he/she was elected to the Board.

§309. Vacancies.

The office of a Supervisor shall become vacant upon his/her death, resignation, removal from office in any manner authorized by law or this Charter, or forfeiture of his/her office, or for death or for failure to assume such office after election thereto within 45 days after the commencement of the term thereof. A Supervisor shall forfeit his/her office if he/she lacks at any time during his/her term of office any qualification for the office prescribed by this Charter or by law or is convicted of a felony or a crime involving moral turpitude or absent from three consecutive regular meetings of the Board without being excused by the Board. In the case of failure of attendance, the Board shall declare such office vacant at least 10 days before the same shall be filled by appointment.

§310. Filling of Vacancies.

If a vacancy shall occur in the office of a Supervisor, the remaining supervisors shall fill the vacancy by appointing a person from the district in which the vacancy occurs and otherwise qualified under the terms of this Charter to hold such office for the unexpired term thereof. If the vacancy occurs in the office of a Supervisor elected at large, then the Supervisors may appoint a person residing in any of the districts and otherwise qualified under this Charter to hold such office. If the Board shall refuse, fail or neglect, or be

unable, for any reason whatsoever, to fill the vacancy within 45 days after the vacancy occurs, then the Court of Common Pleas shall, upon petition of the Board or of any 25 citizens of the Township, fill the vacancy in such office by the appointment of a qualified resident of the Township for the unexpired term of the office.

§311. Oath of Office.

The Supervisors, prior to assuming office, shall take and shall sign on oath of office as shall from time to time be prescribed by the laws of the Commonwealth of Pennsylvania. Such oath may be taken and signed before any Judge, District Magistrate, or Notary Public of the Commonwealth of Pennsylvania, and no person shall be permitted to assume such office until the oath, in written form, is filed with the Township.

§312. Organization of the Board.

The Board shall organize at 8:00 p.m. on the first Monday of January of each year, by electing one of their number as Chairman, one of their number as Vice Chairman, and select the Secretary, Treasurer and Solicitor. If the first Monday is a legal holiday, the meeting and organization shall take place the first day following. The Board may transact any further business it deems necessary or appropriate at the organization meeting.

PART 4

OPERATION AND PROCEDURES OF TOWNSHIP BOARD OF SUPERVISORS

§401. Meeting.

It shall be the duty of the Board to meet statedly at least once a month. Notices of stated meetings and the agenda shall be posted in public view at the Municipal Building at least 48 hours prior to such meeting. The Board may adjourn to a stated time for general business or for special business. If no quorum is present at a regular, adjourned, or special meeting, a majority of those who do meet shall set another date for the meeting and shall give 24 hours prior notice of the new meeting date. Special meetings may be called by the Chairman of the Board or upon written request of at least two of the members thereof. Members shall have at least 24 hours notice of such special meetings. The notice shall state whether it is for general or special purposes, and if it is for special purposes, the notice shall contain a statement of the nature of the business to be considered.

§402. Records and Minutes.

The Board shall see that proper minutes of its proceedings are maintained and that such other records and books are as required or necessary in the performance of their duties are also maintained. All such minutes, records, and books shall be open for the inspection of any Township elector, or Township taxpayer, or his/her or its duly authorized representative, or any other legally authorized person under the laws of the Commonwealth of Pennsylvania, at all reasonable times, and shall be submitted to the designated Township auditors when they meet to audit the accounts of the Treasurer and other Township officers. The Township Supervisors shall deliver such books, papers and accounts to their successors.

§403. Public Meetings.

All official meetings of the Board shall be open for public attendance. All official votes of the Board shall be taken openly.

§404. Operating Rules.

The Board shall, by ordinance, adopt rules of procedure for its meetings and for assignment of members to committees. Such rules shall be designed so as to assure full and equal participation in the deliberations of the Board by all of its members.

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§405. Quorum.

A majority of the members of the Board shall constitute a quorum. The Board shall not conduct any business except in the presence of a quorum unless otherwise stated in this Charter. The Board shall not conduct any business except by an affirmative vote of a majority of the total Board.

§406. Majority Action.

The action of a majority of the Board shall be binding upon and constitute the action of the Board.

§407. Form of Action by Board of Supervisors.

Official actions of the Board may be taken by adoption of an ordinance, of a resolution, or by motion. All ordinances and resolutions must be in written form. All actions of a legislative character shall be taken by ordinance. All other actions of the Board shall be by resolution or motion, unless otherwise required in this Charter, or in the ordinance establishing the rules of supervisory procedure. However, no such administrative action shall be void or otherwise adversely affected if it shall have been taken by ordinance. All final action in adopting ordinances or resolutions shall be by a roll call vote, and the vote of each member of the Board present shall be entered in the minutes of the meeting.

§408. Citizens' Right to be Heard.

The Board shall provide reasonable opportunity for interested citizens and taxpayers to address the Board on matters of general or special concern. This opportunity may be afforded the public either at the regular monthly supervisory meeting or at another regular monthly meeting specially set for this purpose.

PART 5

ORDINANCES AND RESOLUTIONS

§501. Certain Specific Action Requiring an Ordinance.

In addition to any other actions required by law or by this Charter to be taken by ordinance, those actions of the Board shall be by ordinance which:

- A. Adopt or amend an administrative code or establish, alter or abolish any Township department, office or agency.
- B. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed, except for fines of less than \$1 per violation.
- C. Levy taxes.
- D. Grant, renew or extend a franchise.
- E. Establish, alter or abolish rates charged for any utility or other service supplied by the Township.
- F. Authorize the borrowing of money except for Tax Anticipation Loans.
- G. Convey or lease or authorize the conveyance or lease of any lands of the Township.
- H. Amend or repeal any ordinance previously adopted unless such previous ordinance action could have been taken by resolution or motion.
- I. Establish wages, hours or fringe benefits of any employee of the Township.

§502. Enacting Clause.

The enacting clause of all ordinances shall be: "The Township of Richland hereby ordains:"

§503. General Ordinance Requirements.

Every ordinance shall contain the date of its enactment, and its enactment shall be verified by the signature of the presiding officer of the meeting where final action thereon was taken. The official seal of the Township shall be affixed to the original copy of each ordinance. However, failure on the part of the presiding officer to sign an ordinance or have affixed the official seal shall not invalidate an otherwise valid ordinance.

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§504. Enforcement.

Ordinances may be enforced and penalties imposed for violation in accordance with the provisions of the Second Class Township Code, provided that the method of civil enforcement set forth currently in the Second Class Township Code at §1601(C.1)(1) may be utilized for violation of any type of ordinance, including but not limited to types of ordinances described at §1601(C.1)(2) of the Second Class Township Code as currently written.

(As amended by Ord. 422, 7/18/2007)

§505. Publication and Effective Date of Ordinances.

Ordinances shall be advertised and shall become effective in accordance with requirements to be set forth in the Township Administrative Code.

(As amended by Ord. 422, 7/18/2007)

§506. [Reserved]¹

§507. [Reserved]²

§508. Administration of Ordinances.

The responsibility for the administration for each respective ordinance shall be assigned to the Township office or board appointed to deal with the particular ordinance so assigned.

¹ Editor's Note: Former §506, Recording of Ordinances and Resolutions, was repealed by Ord. 422, 7/18/2007.

² Editor's Note: Former §507, Ordinances Requiring Prior Public Notice, was repealed by Ord. 422, 7/18/2007.

PART 6

SUPERVISORY INQUIRIES AND INVESTIGATIONS

§601. Inquiries and Investigations.

The Board shall have power, by resolutions, to authorize inquiries and investigations to be conducted by the entire body or by any of its committees in aid of its legislative powers and functions.

§602. Witnesses and Documents.

The Board may compel the attendance of witnesses and the production of books, papers or other evidence at any meeting of the Board or any committee thereof, and for that purpose may issue subpoenas, signed by the Chairman of the Board or the Chairman of the Committee, and cause the same to be served in any part of the Commonwealth of Pennsylvania.

§603. Oaths of Witnesses.

The presiding officer of the Board or of any of its committees shall have the power to administer oaths to witnesses.

§604. Witness Fees.

No person residing outside the Township and subpoenaed as aforesaid shall be required to respond to the same until mileage and witness fees, equal to those then established by the Court of Common Pleas, shall have been first furnished to the witness.

PART 7

TOWNSHIP MANAGER, TAX COLLECTION

§701. Appointment, Qualification and Compensation.

The Board shall appoint a Township Manager for a term of one year and shall fix the compensation. The person shall be appointed on the basis of qualification and experience.

(As amended by Ord. 422, 7/18/2007)

§702. Duties of Township Manager.

1. All taxes, fees, assessments or charges that are levied or established by the Township for general or special purposes, unless Council shall designate another person or entity to collect such taxes, shall be collected by the Township Manager under a procedure established by the Board, either by separate ordinance or in the Administrative Code.
2. The Township Manager shall perform such other duties as may be assigned by the Board either by separate ordinance or in the Administrative Code.

(As amended by Ord. 422, 7/18/2007)

§703. Assistant Manager.

The Board may, by resolution, appoint an Assistant Manager, who shall, in the absence or disability of the Manager, perform the duties and exercise the powers of the Manager.

(As amended by Ord. 422, 7/18/2007)

PART 8

TOWNSHIP SOLICITOR

§801. Appointment, Qualifications and Compensation.

The Board shall appoint a Township Solicitor at the organizational meeting each year and shall fix the compensation for serving the Board as needed and required. The Township Solicitor shall be a person learned in the law and with at least five years' experience in active legal practice in the Commonwealth of Pennsylvania.

§802. Removal.

The Board may remove the Township Solicitor at any time with or without cause.

§803. Delegation of Authority.

The Township Solicitor may, from time to time, perform his/her duties by delegation of authority to persons acting as his/her agents.

§804. Duties of Solicitor.

The Township Solicitor shall be the chief legal officer of the Township. He/she or his/her representative learned in the law shall attend all stated meetings of the Board. The Township Solicitor, when directed or requested to do so, shall prepare or approve such bonds, obligations, contracts, leases, conveyances, ordinances and assurances to which the Township may be a party; he/she shall commence and prosecute all actions brought by the Township for or on account of any of the estates, rights, trusts, privileges, claims or demands, as well as defend all actions or suits against the Township, or any officer thereof, wherein or whereby any of the estates, rights, privileges, trusts, ordinances or accounts of the Township may be brought in question before any court in the Commonwealth, and shall do every professional act incident to the office which he/she may be authorized or required to do by the Board or by any resolution. The Solicitor shall, whenever required by the Board, furnish the Board with an opinion in writing upon any question of law which may be submitted by any of them in their official capacity.

PART 9

TREASURER

§901. Appointment, Qualifications and Compensation.

The Board shall appoint a Township Treasurer for a term of one year and fix the compensation. The person shall be appointed on the basis of qualification and experience in financial matters; shall be a resident of the Township at the time of the appointment.

§902. Removal.

The Board may remove the Treasurer at any time with or without cause.

§903. Powers and Duties of the Township Treasurer.

The Township Treasurer shall give bond, with a surety company or other company authorized by law to act as surety, to be approved as to the amount thereof by and filed with the Board; shall receive all monies due the Township and deposit the same promptly upon receipt thereof in a bank, banking institution or trust company in the name of the Township; shall keep distinct and accurate accounts of all sums received from taxes and all other sources, which accounts shall be open to the inspection of the Supervisors, auditing firm and the taxpayers of the Township; shall pay out all monies received only on orders drawn by the Supervisors of the Township; shall annually state the accounts, and lay same, together with the vouchers, before the Township auditor for settlement; shall deliver to his/her successor in office all the books, papers and documents of the office; and pay to such successor any balance of money belonging to the Township that may be in the Treasurer's hands.

PART 10
SECRETARY

§1001. Appointment, Qualifications and Compensation.

The Board shall appoint a Township Secretary for a term of one year and shall fix the compensation. The person shall be appointed on the basis of qualification and experience and shall be resident of the Township at the time of appointment.

§1002. Removal.

The Board may remove the Secretary at any time with or without cause.

§1003. Powers and Duties of the Secretary.

The Secretary shall attend all meetings of the Board and shall keep full minutes of its proceedings; shall transcribe the by-laws, rules, regulations, resolutions and ordinances into appropriate books kept for those purposes; shall preserve the records and documents of the Township and shall have custody of the corporate seal; shall certify copies of any book, paper, record, by-law, rule, regulation, resolution, ordinance, or other proceeding of the Township under the seal of the Township; shall attest the execution of all instruments and record all ordinances; shall file of record proof of service of all notices required by law or ordinance and the certificate thereof shall be good evidence of such notice; shall deliver to the successor the seal and all of the books, papers and other records and matters belonging to the Township.

§1004. Assistant Secretary.

The Board may, by resolution, appoint an Assistant Secretary, who shall, in the absence or disability of the Secretary, perform the duties and exercise the powers of the Secretary.

PART 11

POLICE DEPARTMENT¹

§1101. Responsibility.

The primary responsibility for the keeping of peace and order in the Township shall be in the Police Department.

§1102. Control.

The Police Department shall be under the jurisdiction and control of the Board. However, during a period of emergency affecting safety, health, and privacy of the public, when the Board is not in session, and subject to general rules and regulations of the Board, the Department shall be under the jurisdiction and control of the Chairman of the Board or such other Supervisor so designated.

§1103. Structure by Ordinance.

A Police Department shall be established by ordinance. The highest ranking police officer shall be designated as the Chief of Police. The ordinance creating the Police Department shall establish all lower ranking officers and shall define their jurisdiction, authority and responsibility.

§1104. Duties.

It shall be the duty of the Police Department to preserve the public peace, prevent and detect crime, police the streets and highways, and enforce traffic statutes, ordinances and regulations relating thereto. The Police Department and its personnel shall at all times aid in the administration and enforcement within the Township of the laws of the United States of America and of the Commonwealth of Pennsylvania and the ordinances of the Township.

§1105. Powers.

Police officers shall have all the powers and protection conferred by statute and ordinance upon members of the police force of the Township and upon constables of the Commonwealth of Pennsylvania. They shall have the power to make lawful searches, seizures and arrests for violations of any statute or ordinance in force in the Township,

¹ Editor's Note: The Township Police Department was disbanded 12/21/2005 by Ord. 409, said abolition effective as of 1/1/2006. Ord. 409 also provided that the Township join with the Townships of Pine and Marshall and the Borough of Bradford Woods as a participating member in the Northern Regional Police Department of Allegheny County.

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to serve subpoenas when ordered to do so by their superior officers, and to do such other acts as may be required of them by statute or ordinance.

PART 12

BUDGET AND FISCAL MATTERS

§1201. Fiscal Year.

The fiscal year of the Township shall begin on the first day of January and end on the last day of December of each year.

§1202. Proposed Budget.

On or before the 15th day of November of each year the Board shall cause to be prepared a proposed budget for the ensuing fiscal year. The budget shall contain an outline of the proposed financial policies of the Township for the ensuing fiscal year. It shall indicate the major changes proposed from the current year in financial policies, expenditures and revenues, together with the reasons for such changes.

§1203. Budget Content.

The budget shall provide a complete financial plan of all Township funds and activities for the ensuing fiscal year, and except as required by this Charter, shall be in such form as the Board may require. The budget shall be organized so as to use the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. The budget shall contain, inter alia, the following:

- A. It shall begin with a general summary of its contents.
- B. It shall show in detail all estimated income, indicating the existing and proposed tax levies, as well as other assessments, fees and charges.
- C. It shall show all proposed expenditures, including debt service, for the ensuing fiscal year.
- D. It shall show the number of proposed employees in every job classification.
- E. It shall be so arranged as to show comparative figures for actual and estimated income and expenditures for the current fiscal year and actual income and expenditures of the preceding fiscal year.
- F. It shall indicate proposed expenditures during the ensuing fiscal year, detailed by offices, departments and agencies, in terms of their respective work programs and the methods of financing such expenditures.

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- G. It shall indicate proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies, when practicable, and the proposed method of financing each such capital expenditure.

§1204. Balanced Budget.

The total proposed expenditures budgeted shall not exceed the total of estimated income.

§1205. Public Record.

The annual budget shall be a public record and shall be available for public inspection after submission and prior to adoption, and after adoption, during regular business hours.

§1206. Adoption of Budget.

The annual budget shall be adopted by ordinance. The action shall be taken prior to the commencement of the year for which the budget is prepared, but only after it has been available for public inspection, after due notice, for at least 10 days.

§1207. Modification of Budget.

The Board may modify the budget by ordinance during the fiscal year for which the budget was adopted; provided, however, that such modification shall not result in expenditures exceeding the estimated income determined as of the time of the modification.

§1208. Appropriations.

Adoption of the budget and modifications thereof shall constitute appropriations for the expenditures set forth therein.

§1209. Payment of Funds.

No payment of any funds of the Township shall be made unless provided for in the budget and specifically approved by the Board; provided, however, that payroll and utility expenditures may be made at the direction of the Chairman of the Board where based upon a prior ordinance or contract. All checks or drafts of the Township shall be signed by the Treasurer and shall be countersigned by the Chairman, or in his absence, the Vice Chairman of the Board.

§1210. Independent Audit.

The Board shall provide for an independent annual post audit of all Township accounts by a certified public accountant who has no personal interest, direct or indirect, in the fiscal affairs of the Township government or any of its elected or appointed officers. The Board may provide for more frequent audits, as well as special audits, as it deems necessary. The results of the annual audit and a financial statement of the fiscal affairs of the Township shall be presented to the Board and published in a newspaper circulating generally in the Township by April 1 of the year following the fiscal year audited.

§1211. Fidelity Bonds.

Before entering upon the duties of their respective offices or positions, the Township Treasurer, as well as any other officer, agent or employee of the Township as the Board may determine, shall execute and file with the Township corporate surety bonds, conditioned for the honest and faithful performance of their respective duties, in such sums as shall be fixed by the Board. All such bonds and sureties thereon, before being accepted by the Township, shall be approved by the Township Solicitor. The agency placing such bonds shall be determined by the Board and the premium therefore shall be paid by the Township. Such bonds may provide for one or more additional obligees in the event that the officer bonded is acting in a dual or similar capacity with other political subdivisions or governmental or quasi-governmental entities.

§1212. Tax Limits and Borrowing Powers.

In all matters of taxation, borrowing of money (temporary or by issuance of bonds), the Board shall be governed by the limits as established by the Legislature for second class townships and uniform general State law.

PART 13
CONTRACTS

§1301. Generally.

The Township Administrative Code shall establish a competitive procurement system which governs the procurement of goods and services. The procurement system shall establish procedures which govern, at a minimum, advertising, bonding, terms and conditions, contract awards, requests for quotations, exemptions, piggybacking, electronic bidding and emergency purchasing.

(As amended by Ord. 160, 12/16/1980; and by Ord. 422, 7/18/2007)

PART 14

RECALL

§1401. Officers Subject to Recall.

Any person holding an elective office of the Township, whether by election, succession or appointment to fill a vacancy, shall be subject to removal from office at a recall election in the manner provided in this Part.

§1402. Recall Procedure.

1. A recall of an incumbent of an elective office shall be initiated upon petition signed by 35% of the registered voters of the district from which the incumbent was elected or, if the incumbent was elected at large, then 35% of the registered voters of the Township at large. Every recall petition shall name the office and officer against whom it is directed.
2. Each elector signing a recall petition shall add to his/her signature, his/her occupation, his/her residence, his/her election district, and the date of signing. Signatures on a recall petition may be on separate sheets, but each sheet shall have appended to it the affidavit of some person, not necessarily a signer of the petition, that to the best of the affiant's knowledge and belief, the persons whose signatures appear on the sheet are registered electors of the Township, that they signed with full knowledge of the contents of the petition, and that their residences are correctly given.
3. A recall petition shall be tendered for filing to the Board of Electors having jurisdiction over elections in the Township. No signature shall be counted as valid which is dated more than 60 days prior to the date the petition is tendered for filing. Upon tender to the Board of Elections, the petition shall be available for examination by any interested person. Within 15 days after tender of the petition, the Board of Elections shall have authority to pass upon the validity of the petition and the validity and number of signatures required thereon. The decision of the Board of Elections shall be subject to immediate review on appeal to the Court of Common Pleas.

§1403. Notice to Incumbent.

As soon as the Board having jurisdiction over elections in the Township has accepted a recall petition for filing and determined its validity and sufficiency, the Chairman of the Board shall notify the incumbent named in the petition that the petition has been filed. Upon receipt of such notice, the incumbent may resign from his/her office and thereupon the recall proceedings shall terminate.

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§1404. Recall Elections.

1. If the incumbent against whom a recall petition is directed does not resign from his/her office within 10 days after notice of the filing of such petition shall have been given to him/her, the Board having jurisdiction over elections in the Township shall arrange a recall election. If a regular or special election is to be held not less than 30 days nor more than 90 days after the 10 days have expired, the recall question shall be placed before the electors at such an election. Otherwise a special recall election shall be fixed by such Board for a date not earlier than 30 days nor later than 90 days after the 10 days have expired. The incumbent against whom a recall petition is directed may resign at any time prior to the recall election, and thereupon the election shall not be held.
2. The following question shall be presented to each elector in the recall election: "Shall (name of officer) be recalled and removed from the office of (name of office)?"
3. The above question shall appear as to every officer whose recall is to be voted upon and provisions shall be made for the elector to vote "yes" or "no" on the question.
4. If a majority of the registered electors who vote on a question at a recall election shall vote "yes," the incumbent shall be deemed recalled and removed from office. But if less than a majority of such registered electors vote "yes," then he/she shall remain in office.
5. Should the result of such election be affirmative, the date of the removal and vacancy in the office shall be seven days subsequent to the date when the results of election are certified by the Board having jurisdiction thereon, unless such date is further postponed by order of Court.

§1405. Disqualification for Office.

No person who has been removed from an elective office by a recall election or who has resigned from such an elective office after a recall petition directed to him/her has been filed, shall be eligible for election or appointment to any office of the Township.

§1406. Limitations.

No recall petition shall be filed against any incumbent of an elective office within the first year or the last nine months of the term of his/her office or within nine months after an unsuccessful recall election against him/her, but an officer who has been re-elected for a successive term shall be subject to recall also during the first year of such term.

PART 15

TRANSITIONAL PROVISIONS

§1501. Ordinances, Regulations and Resolutions.

All ordinances, regulations, resolutions and any pending matters shall continue at the time this Charter takes effect which are not inconsistent with the provisions of this Charter, shall remain in force until altered, modified or repealed by or under, authority of §1502.

§1502. Personnel, Boards and Commissions.

All personnel, boards and commissions shall continue to function and serve after the effective date of this Charter. They shall continue until such time as they are changed by ordinance or resolution.

§1503. Initial and Transitional Elections Under New Charter.

At the time of the first election of Supervisors to serve under this Charter, four Supervisors shall be elected, one from each of the four districts. The Supervisors so elected from districts one and three shall serve for a period of four years. The Supervisors so elected from districts two and four shall serve for a period of two years. Thereafter, all Supervisors elected by virtue of this Charter shall be elected for a term of four years. The Supervisors presently in office shall serve until the expiration of their terms as Supervisors at large. A total of six Supervisors, four to be elected by district initially as above indicated, and the two Supervisors elected under the old Charter who are completing their terms of office, shall serve during the first two years under this Charter; at such time, two Supervisors shall be elected from districts two and four for a regular four-year term, and one of the terms of the supervisors elected under the old Charter shall expire, leaving a total of four Supervisors elected by district and the one remaining Supervisor elected under the old Charter serving at large. The first Supervisor at large to be elected after the enactment of this Charter shall be elected for a term of four years beginning at the time of expiration of the term of the last remaining Supervisor elected under the old Charter.

PART 16

GENERAL PROVISIONS

§1601. Severability.

In is the intention of the electors of the Township that if this Charter cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding invalid any part or parts hereof, the remaining provisions of the Charter shall be given full force and effect as completely as if the part or parts held invalid had not been included herein.

§1602. Effective Date.

This Charter shall become effective and shall be deemed operative on the first Monday of January of the year 1976, following its approval by the electors of the Township.

§1603. Administrative Code.

Within six months from the effective date of this Charter, the Board shall by ordinance adopt an administrative code defining the responsibilities of the various officers and agencies as it deems necessary and proper for the efficient conduct of Township affairs.

§1604. Amendments.

This Charter may be amended in the manner provided by law; if and when permitted by law, this Charter may be amended by ordinance proposed by the Board, or by petition signed by 25% of the qualified voters of the Township; however, both proposals by ordinance and petition must be approved by a majority of voters voting on the proposed amendment when it is placed on the ballot for voter consideration.