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Part 1
Elected and Appointed Officials

§101. Duties of Elected Tax Collector.

- A. The elected tax collector of the Township of Sewickley shall on or before Friday of each week make a true, verified statement, in writing, to the Secretary of the Township for all taxes collected for the Township during the preceding seven day period, giving the names of the taxables, the amount collected from each, along with discounts granted or penalties applied, if any, and the total amount of taxes received, discounts granted and penalties applied.
- B. The elected tax collector of the Township of Sewickley shall pay over on or before Friday of each week to the Treasurer of the Township all monies collected as taxes during the preceding seven day period.

§102. Tax Certifications.

- A. The duly elected Tax Collector of the Township of Sewickley shall provide, upon request, a written statement, certified by him, of the taxes and/or assessments collectible by the Tax Collector which remain due and owing for each taxable or property in the Township.
- B. The for such tax certification shall be set from time to time by Resolution of the Board of Supervisors and shall be paid to the Tax Collector at the time of the request.
- C. The Tax Collector shall remit to the Treasurer of the Township, on or before the tenth day of each and every month, all sums collected by him for the preceding calendar month for such tax certifications, along with a statement identifying the name of the requesting party, the property or taxable involved, the date of the request and certification and the sum charged and collected.
- D. The Tax Collector shall be compensated on a monthly basis for the issuance of such tax certifications in an amount equal to the amount collected by the Tax Collector and remitted to the Township Treasurer for such tax-certifications. Said compensation shall he paid to the Tax Collector on or before the 20th day of the month for the preceding calendar month.
- E. The compensation paid to the Tax Collector for such certifications shall be in addition to the other compensation due and payable to the Tax Collector for the collection of Township taxes and assessments.

§103. Compensation of Tax Collector.

- A. The elected Tax Collector of the Township of Sewickley shall receive as compensation for the collection of Real Estate Taxes and Street Light Assessments and penalties concerning the same, a sum equal to Four (4%) Percent of the amount collected, regardless of when said Tax Collector collects such Real Estate Taxes or Street Light Assessments. This compensation shall be in addition to fees received by the elected Tax Collector for Tax Certifications issued as set forth in §102 hereof.

- B. The appointed Tax Collector for the collections of current and delinquent Earned Income Taxes, Occupation Privilege Taxes, Per Capita Taxes, and Flat Rate Residential Occupation Taxes for the Township of Sewickley shall receive as compensation for the collection of all such taxes, interest penalties, and fines concerning the same, a sum equal to One and Nine Tenths (1 and 9/10%) Percent of all such taxes, penalties, interest and fines collected.

§104. Ordinance Officer.

- A. The Board of Supervisors may by motion appoint and provide for the compensation of a Township employee to be known as the Ordinance Officer. Under the direction of the Board, the Ordinance Officer shall be empowered with the authority to enforce all provisions of this Code containing enforcement provisions or are otherwise enforceable by the Township pursuant to Pennsylvania law.

§105. Township Manager.

- A. The office of Township Manager is hereby created by the Board of Supervisors of the Township of Sewickley, Westmoreland County, Pennsylvania.
- B. Appointment and Removal
The Manager shall be appointed by a majority of the Board of Supervisors. The Manager shall serve at the pleasure of the Board of Supervisors and may be removed at any time by a majority vote of all its members, subject to the terms of any applicable employment contract. At least 20 days before any such removal becomes effective, the Board of Supervisors shall furnish the Township Manager with a written statement setting forth its intention to remove said manager.
- C. Qualifications
The Manager shall be chosen solely on the basis of the Manager's executive and administrative ability, with special reference to actual experience or knowledge of accepted practices in respect to the duties of the Manager's office as herein outlined.
- D. Bond Required
Before entering upon his duties, the Manager shall give a bond to the Township with a bonding company as surety, to be approved by the Board of Supervisors in such sum as it may require, as fixed by resolution of the Board of Supervisors from time to time, conditioned for the faithful performance of duties. The premium shall be paid by the Township.
- E. Compensation
The salary of the Manager shall be fixed from time to time by resolution of the Board of Supervisors.
- F. Powers and Duties
 - 1. The Manager shall be the chief administrative officer of the Township and shall be responsible to the Board of Supervisors as a whole for the proper and efficient

- administration of the affairs of the Township. The Manager's powers and duties shall relate to the general management of all Township business not expressly by statute imposed or conferred upon other Township officers.
2. Subject to recall by ordinance of the Board of Supervisors, the powers and duties of the Township Manager shall include the following:
 - a. The Manager shall have the authority to hire and terminate employees of the Township upon the approval of the Board of Supervisors.
 - b. The Manager shall prepare and submit to the Board of Supervisors, according to an approved budget calendar, an annual operating budget for the next fiscal year and an explanatory budget message. In preparing the budget the Manager shall obtain from the head of each department, appropriate board or officer, estimates of revenue and expenditures and other supporting data as appropriate. The Manager shall be responsible for implementing the Board approved budget and shall establish and maintain efficient procedures and effective controls for all expenditures of funds in accordance with the adopted budget subject to the direction and approval of the Board of Supervisors.
 - c. The Manager shall supervise and be responsible for the activities of all municipal departments; however, operations are the direct responsibility of the respective department heads.
 - d. The Manager shall attend all meetings of the Board of Supervisors with the right to take part in the discussions, and he shall receive notice of all special meetings of the Board of Supervisors.
 - e. The Manager shall supervise the effective administration of all institutional or statutory laws, state and charter regulations and Board policy. Moreover, the Manager shall see that the provisions of all franchises, leases, permits and privileges granted by the Township are observed.
 - f. The Township Manager shall keep the Board of Supervisors informed as to the conduct of Township affairs, supply periodic reports of the condition of the Township's finances and such other reports as the Board of Supervisors requests and make such recommendations to the Board of Supervisors as he deems necessary.
 - g. The Manager shall advise the Board on the need for new or revised policies and ordinances and see that all policies and ordinances of the Board are implemented.
 - h. The Manager shall establish and maintain a centralized record system.
 - i. The Manager shall perform such other tasks as from time to time are assigned by the Board of Supervisors though not explicitly expressed in ordinance.

**Part 2
Boards and Commissions**

A – Planning Commission

§201. Planning Commission Established.

A planning commission composed of five (5) members, all of whom shall be residents of the Township, is hereby enacted and ordained.

§202. Members Appointed; Term.

All members of the planning commission shall be appointed by the board for a term of four (4) years.

§203. Powers and Duties.

A planning commission shall have the powers set forth in Pennsylvania Municipalities Planning Code and such additional powers and duties as the Board of Supervisors shall from time to time delegate or request.

§204. Reserved.

B – Reserved

**Part 3
Firemen’s Relief**

§301. Firemen’s Relief Associations Recognized.

The Volunteer Firemen’s Relief Associations of Sewickley Township, Westmoreland County, Pennsylvania, composed of the members of Volunteer Fire Companies #1, #2, #3, and #4, are officially recognized by the Sewickley Township Board of Supervisors as organizations formed for the benefit and protection of their members and their families in case of death, sickness, temporary or permanent disability or accident.

§302. Associations Designated to Receive Funds from the Treasurer of the Commonwealth.

The Sewickley Township Volunteer Firemen’s Relief Associations are hereby designated by the Sewickley Township Board of Supervisors as the official recipients of such funds as may be paid to the Township of Sewickley by the Treasurer of the Commonwealth of Pennsylvania from monies received by the Commonwealth from taxes paid on premiums for policies issued by foreign fire insurance companies.

§303. Annual Appropriations.

There is hereby appropriated from the Township Treasury, annually, all such sums of money as may hereafter be paid to the Township by the Commonwealth as set forth in §302 of this Part 3, to be paid to the Sewickley Township Firemen’s Relief Associations by the Board of Supervisors of the Township upon receipt of said sums from the Commonwealth.

Part 4
Pensions, Retirement and Social Security

A – Social Security

§401. Social Security Coverage Authorized.

The 1951 Session of the General Assembly of the Commonwealth of Pennsylvania, in regular session, enacted a statute, known as Act No. 491, which is the enabling Act provided for in Section 218 of Public Law 734, 81st Congress, which designated the Secretary of Labor and Industry of the Commonwealth of Pennsylvania to act as the "State Agency" to implement the coverage of employees and officers under the said Old Age and Survivors Insurance System. The Township of Sewickley is hereby authorized to execute and deliver to the State Agency a plan, or plans, and agreement, required under Section 6 of said enabling Act and the Social Security Act, to extend coverage to employees and officers of the Township of Sewickley and do all other necessary things to effectuate coverage of employees and officers under the Old Age and Survivors Insurance System.

§402. Payroll Deduction System Authorized.

The Clerk is hereby authorized to establish a system of payroll deduction to be matched by Township of Sewickley to be made into the Contribution Fund of the Social Security Act through the office of the State Agency, and to make charges of this tax to the fund, or funds, from which wage or salary payments are issued to employees of the Township of Sewickley. Such payments are to be made in accordance with the provisions of the law and regulations promulgated by the State Agency and the Federal Security Administrator. Such payments which are delinquent shall bear interest at the rate of ½ of 1 percent per month until such time as payments are made.

§403. Appropriation into Contribution Fund; Agreement with State Agency; Date Participation Commences.

Appropriation is hereby made from the proper fund, or funds, of the Township of Sewickley in the necessary amount to pay into the Contribution Fund as provided in Section 4 of the enabling Act and in accordance with the plan, or plans, and agreement. Authority is given to the Treasurer to enter into an agreement with the State Agency, which agreement shall be in accordance with Act No. 491 and with paragraph 218 of the Social Security Act. Such plan and agreement shall provide that the participation of the Township of Sewickley shall commence as of January 1, 1952.

B – Municipal Employees Retirement System

§421. Township Elects to Join Municipal Employees Retirement System.

Sewickley Township, being a member municipality of the Pennsylvania Municipal Retirement System, hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, as amended, and does hereby agree to be bound by all the requirements and provisions of said Article and Law, as the case may be, and to assume all obligations, financial and otherwise, placed upon member municipalities by said Amendment, as the case may be. All references hereafter shall be based on benefits negotiated between the Board and the municipality under the provisions of Article IV.

§422. Eligibility.

Membership in the Pennsylvania Municipal Retirement System shall be mandatory for all permanent, municipal employees, and selected officials of the Township. Membership for employees hired on a temporary or seasonal basis is prohibited, as is membership for individuals paid only on a fee basis.

§423. Credit for Prior Service.

Credit for prior service for original members is granted for each year or partial year thereof that the member was employed by the Township from original date of hire. Benefits provided to members in the Agreement dated June 24, 1993, shall accrue based on all credited service granted and earned in accordance with this section.

§424. Payment.

Payment for any obligation established by the adoption of this Ordinance and the Agreement between the System and Sewickley Township shall be made by the Township in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

§425. Agreement for Benefits.

As part of this Ordinance, the Township agrees that the System shall provide the benefits set forth in the Agreement between the Board and Sewickley Township, dated June 24, 1993. The passage and adoption of this Ordinance by Sewickley Township is an official acceptance of said Agreement and the financial obligations resulting from the administration of said benefit package. Sewickley Township hereby assumes all liability for any unfundedness created or which may be created due to the acceptance of the benefit structure outlined in the above-referenced Agreement.

§426. Repeal of Prior Provisions.

Sewickley Township intends this Ordinance to be the complete authorization of the Township plan and, therefore, specifically repeals the previous Agreement and Ordinance.

§427. Certified Copy to be Filed.

A duly certified copy of this Ordinance and the referenced Agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of Sewickley Township in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 1975, with the revised plan structure in the Agreement dated June 24, 1993, effective the first day of June, 1993.

**Part 5
Codification**

§501. Code Adopted.

This codification of a complete body of ordinances for the Township of Sewickley, County of Westmoreland, Commonwealth of Pennsylvania, codified and consolidated into titles, chapters and sections, together with an Appendix and Index when available, is hereby approved, adopted,

ordained and enacted as the “Code of the Township of Sewickley,” hereinafter known and referred to as the “Code,” pursuant to the appropriate provisions of the Second Class Township Code.

§502. Effective Date.

All provisions of this Code shall be in full force and effect on and after July 1, 2012. Until such time, all existing codes and ordinances shall remain in full force and effect as previously adopted.

§503. Repeal of Ordinances Not Contained in Code.

All ordinances or parts of ordinances of a general and permanent nature adopted by the Township of Sewickley and in force on the date of the adoption of this ordinance, and not contained in this Code, are hereby repealed as of the effective date of this ordinance, except as hereinafter provided.

§504. Ordinance Saved from Repeal; Matters Not Affected by Repeal.

The adoption of this Code and the repeal of ordinances provided for in Section 3 hereof shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to January 1, 2012.
- B. Any right or liability established, accrued, or incurred under any legislative provision of the Township prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the Township, or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision of the Township.
- E. Any franchise, license, right, easement, or privilege heretofore granted or conferred by the Township.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Township, or other instruments or evidence of the Township’s indebtedness.
- H. Any ordinance authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.
- I. Any ordinance annexing land to the Township.

- J. Any ordinance designating the boundaries of water or sewer districts.
- K. Any ordinance establishing the levy or imposition of taxes, special assessments or charges.
- L. Any ordinance accepting or dedicating property.
- M. Any ordinance amending the Zoning Map, which shows the boundaries of zones created by the Zoning Ordinance.

§505. Inclusion of New Legislation Prior to Adoption of Code.

All ordinances of a general and permanent nature adopted subsequent to the date given in Section 502 hereof and/or the date of adoption of this ordinance are hereby deemed to be a part of this Code and shall, upon being printed, be included therein. Attested copies of all such legislation shall be temporarily placed in the Code until printed supplements are included.

§506. Changes in Previously Adopted Ordinances.

- A. In compiling and preparing the ordinances of the Township of Sewickley for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Board of Supervisors that all such changes shall be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Certain changes of a substantive nature were made to various ordinances found within the Code and certain new materials have been added to the Code. These changes and additions were made to bring the provisions into conformity with the desired policies of the Board of Supervisors and it is the intent of said Board of Supervisors that all such changes and additions be adopted as part of the Code as if the ordinances so changed or added had been previously formally amended to read as such.

§507. Copy of Code on File.

A copy of the Code in a bound volume has been filed in the office of the Township of Sewickley and shall remain there for use and examination by the public until final action is taken on this ordinance; and if this ordinance shall be adopted, such copy shall be certified by the Secretary to the Board of Supervisors, as provided by law, and such certified copy shall remain on file in the office of the Secretary, available to persons desiring to examine the same during all times while the said Code is in effect.

§508. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such changes. Whenever such additions, deletions, amendments, or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the bound volume containing the said Code, as amendments and supplements thereto.

§509. Code Book to be Kept Up-To-Date.

It shall be the duty of the Secretary of the Township, or someone authorized and directed by the Secretary, to keep up-to-date the certified copy of the book containing the Code required to be filed in the office of the Secretary for the use of the public. All changes in said Code and all ordinances adopted by the Board of Supervisors subsequent to the effective date of this codification which the Board of Supervisors shall adopt specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§510. Sale of Code Book; Supplements Provided.

Copies of the book containing the Code may be purchased from the Secretary of the Township upon the payment of a fee to be set by resolution of the Board of Supervisors, who may also arrange, by resolution, for procedures for the periodic supplementation thereof

§511. Publication; Filing.

The Secretary of the Township, pursuant to law, shall cause to be published, in the manner required, a notice of the adoption of this ordinance adopting the Code in a newspaper of general circulation within Sewickley Township. Sufficient copies of the Code shall be maintained in the office of the Secretary for inspection by the public at all times during regular office hours. The enactment and application of this ordinance adopting the Code, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§512. Severability of Code Provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§513. Severability of Ordinance Provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§514. Altering or Tampering with Code; Penalties for Violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Sewickley to be misrepresented thereby. Anyone found by the District Justice to have violated this ordinance shall be subject to a penalty in the form of a fine not to exceed six hundred (\$600.00) dollars, plus all court costs and reasonable attorney's fees incurred by the Township of Sewickley in the enforcement of this ordinance in a summary criminal proceeding.

Part 6
Enforcement

§601. Code Enforcement.

The Township may take any appropriate action at law or equity, civil or criminal, to enforce the provisions of this Code, and the ordinances contained within shall in no way restrict any remedies otherwise provided by law. Civil penalties shall not exceed six hundred dollars (\$600.00). Criminal fines shall not exceed one thousand dollars (\$1,000.00).