Exhibit 1

SECOND CLASS TOWNSHIP CODE

Act of May 1, 1933

Reenacted and amended November 9, 1995

This is an partial version of the Code, containing the information relevant to the organization of Townships under the Code. The full version can be found at:

www.psats.org (click on Second Class Township Code)

ARTICLE I
PRELIMINARY PROVISIONS

Section 101. Short Title.-This act shall be known and may be cited as "The Second Class Township Code." (53 P.S. §65101)

Section 102. Definitions.-The following words, terms and phrases, as used in this act shall have the following meanings, unless the context clearly indicates otherwise:

"Census" or "official census," the latest United States Census Bureau population count resulting from a decennial or special census conducted by the United States Census Bureau.

"Highway" or "State highway," any highway, road or street which qualifies as a State highway or a portion of the rural State highway system as provided in section 102 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law."

"Municipal corporation," any city, borough, incorporated town, township of the second class, township of the first class or home rule municipality, except home rule counties.

"Road" or "public road," the entire width between the boundary lines of every way, street, lane, alley, court or public square maintained by the township which is open to the use of the public for purposes of vehicular travel.

"Township," a township of the second class.
(53 P.S. §65102)

Section 103. Excluded Provisions.--(a) This act does not repeal any acts relating to:
(1) The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal claims by liens.
(2) The method of incurring or increasing indebtedness.
(3) Election officers and conduct of elections.
(4) Public schools and school districts.
(5) Constables.
(6) District justices.
(7) State highways and private roads.
(8) Validations of elections, bonds, ordinances and acts of corporate officers.
(9) Free nonsectarian libraries.
(10) Intergovernmental cooperation.
(11) Planning and land use.
(12) Public meetings.
(13) Inspection of records.
(14) Ethics of elected officers and employes.
(15) The levy or collection of taxes under general law.
(b) It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of townships except as to the several matters enumerated in subsection (a). (53 P.S. §65103)

Section 104. Construction of Act Generally.-The provisions of this act, insofar as they are the same as those of existing laws, are intended as a continuation of those laws and not as new enactments. The repeal by this act of any State law or part thereof does not revive any act or part thereof previously repealed or superseded The provisions of this act do not affect any act done, liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any repealed laws. (53 P.S. §65104)

Section 105. Constitutional Construction.-The provisions of this act are severable, and, if any of the provisions are held to be unconstitutional, that decision shall not affect the validity of any of the remaining provisions of this act. It is the legislative intent that this act would have been adopted had the unconstitutional provision not been included. (53 P.S. §65105)

Section 106. Construction of References.-When, in this act, reference is made to any act by title, it includes any codification in which the provisions of the act referred to are substantially reenacted. (53 P.S. §65106)

Section 107. How Act Applies.-This act shall apply to all townships of the second class as now exist and those created, established or reestablished after this act takes effect. (53 P.S. §65107)

Section 108. Saving Clauses When Class of Township Changed.-When any township of the second class is reestablished as a township of the first class or when any township of the first class is reestablished as a township of the second class, all liabilities incurred, rights accrued or vested, obligations issued or contracted and all suits and prosecutions pending or to be instituted to enforce any right or penalty accrued or punish any offense committed before the change of class and all resolutions, rules and regulations shall continue with the same force and effect as if no change had been made.(53 P.S. §65108)

Section 109. Legal Advertising.-When notice is required to be published by a township in one or more newspapers, unless otherwise specified, publication shall be made in the legal notice section in a newspaper of general circulation in the township, as defined by 45 Pa.C. S. (relating to legal notices). When the notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation, the notice shall also be published in the legal newspaper of the county, if any, so designated by the rules of court. Auditors' statements, summaries of auditors' statements, notices of public meetings and hearings, notices of budget proposals, ordinances, lists of delinquent taxpayers and advertisements inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation. (53 P.S. §65109)

ARTICLE II
CLASSIFICATION, CREATION, REESTABLISHMENT AND CHANGE OF NAME OF TOWNSHIPS

Section 201. Classification of Townships.-The townships now in existence and those to be created after this act takes effect are divided into two classes, townships of the first class and townships of the second class. Townships of the first class are those having a population of at least three hundred inhabitants to the square mile, which are now established as townships of the first class, or which may be created townships of the first class under laws relating to townships of the first class. All townships that are not townships of the first class or home rule townships are townships of the second class. A change from one class to the other shall be made only under this act or the laws relating to townships of the first class. (53 P.S. §65201)

Section 202. Reestablishment of Townships.-A township of the first class may, irrespective of population, be reestablished a township of the second class in the following manner:

(1) The board of commissioners of the township of the first class on its own initiative may, or within fifteen days after the receipt of a petition signed by at least five percent of the electors of the township of the first class shall, pass a resolution and record it on its minutes, submitting the question of whether the township of the first class shall be reestablished as a township of the second class to the electors of the township of the first class.

(2) At the next primary, general or municipal election occurring at least ninety days after the passage of the resolution, the question, whether the township of the first class shall be reestablished as a township of the second class, shall be submitted to the voters of the township; and the county board of elections shall place the question of reestablishment as a township of the second class on the ballot under the election laws of this Commonwealth.

(3) The election officers shall compute the votes cast at the election and certify them to the county board of elections, which shall compute them and certify the result to the county commissioners and the board of commissioners of the township of the first class and to the clerk of the court of common pleas. If a majority of the votes cast at the election are in favor of the reestablishment of the township of the first class as a township of the second class, the government of the township of the second class shall be organized and become effective on the first Monday of January after the election, when the terms of the officers of the township of the first class shall cease, and the officers appointed by the court for the township under section 205 shall take office. If a majority of the votes cast at the election are in favor of remaining a township of the first class, no further proceedings shall be initiated for a period of two years from the date of the election. (53 P.S. §65202)

Section 203. Creation of Townships by Annulment of Charter of Borough. - Townships of the second class may be created by the annulment of a charter of a borough under laws governing boroughs.(53 P.S. §65203)

Section 204. Classification of New Townships.-When a new township is created either by consolidation of two or more townships or reestablishment of a township of the first class as a township or by annulment of a charter of a borough, the new township shall be classified as a township of the second class.(53 P.S. §65204)

Section 205. Appointment and Election of Officers of New Townships.- When a new township results from the consolidation of townships or is created as a result of the annulment of a charter of a borough or when a township of the first class is reestablished as a township of the second class, the court of common pleas shall appoint the elective officers for the new township and determine the polling place or places in the new township. The appointed officers shall hold their offices until the first Monday of January after the next municipal election which occurs at least ninety days after the appointments. At the municipal election, a tax collector shall be elected for a regular four-year term if the election occurs in the year when such officer is elected for a regular term, and, if not, he shall be elected for a term of two years and his successor shall be

elected for a four-year term. At the first municipal election, one supervisor and one auditor shall be elected for terms of six years each, one supervisor and one auditor for terms of four years each, and one supervisor and one auditor for terms of two years each. All officers shall take office on the first Monday of January after their election. (205 Amended by Act 166 of 2006) (53 P.S. §65204)

Section 206. Certificates of Clerk of Court; Fee; Penalty.--(a) When a township of the second class results from the consolidation of two or more townships or is created or reestablished, the clerk of the court of common pleas within thirty days shall certify the action to the Department of Community Affairs and the Department of Transportation. The clerk may charge a fee of three dollars and fifty cents ($3.50) to be paid as part of the costs of the proceedings.

(b) A clerk who fails to furnish the certifications, or either of them, shall, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of not more than fifty dollars ($50) and, in default of the payment of the fine and costs, undergo imprisonment of not more than ten days. (53 P.S. §65206)

Section 207. Change of Name of Township.-(a) Upon petition to the court of common pleas of at least ten percent of the electors of a township or upon passage of a resolution by the board of supervisors seeking a change of the name of the township, the court shall order a referendum on the question.

(b) If the court determines that the petition or resolution for change of name of the township is in proper form and properly executed, the original petition or resolution shall be filed with the clerk of the court. A copy of the petition or resolution and order of the court shall be filed with the county board of elections, which shall frame the question to be submitted to the electors at the next general or municipal election which occurs at least sixty days after the court order.

(c) The election officers shall compute the votes cast on the question and certify them to the clerk of the court of common pleas, who shall tabulate them and certify the result. If a majority of the votes cast at the election are in favor of the change of township name, the court shall so order and shall order the record of the proceedings to be permanently recorded. If a majority of the votes are against the change, there shall be no further proceedings on the petition or resolution. (53 P.S. §65207)

ARTICLE III
TOWNSHIP LINES AND BOUNDARIES

Section 301. Stream Boundaries.-When any township is bounded by the nearest margin of any navigable stream and the opposite municipal corporation is also bounded by the nearest margin of the same stream, the middle of the stream is the boundary between the township and the opposite municipal corporation. This section does not repeal any local or special law. (53 P.S. §65301)

Section 302. Ascertainment of Boundaries.--(a) The courts of common pleas may upon the presentation of a petition:

(1) require the lines or boundaries of townships to be ascertained and

(2) ascertain disputed lines and boundaries between two or more townships or between townships and any municipal corporation.

(b) When any petition is presented, the court may require the petitioners to file a bond in a sufficient sum to secure the payment of all costs of the proceeding. (53 P.S. §65302)

Section 303. Petition to Court; Commissioners' Report.-Upon application by petition, the court shall appoint three impartial citizens as commissioners, One of whom shall be a registered surveyor or engineer, to inquire into the request of the petition. After giving notice to parties interested as directed by the court, the commissioners shall hold a hearing and view the lines or boundaries; and they shall make a plot or draft of the lines and boundaries proposed to be ascertained and established if they cannot be fully designated by natural lines or boundaries. The commissioners shall make a report to the court, together with their recommendations. Upon the filing of the report it shall be confirmed nisi, and the court may require notice to be given by the petitioners to the parties interested. (53 P.S. §65303)

Section 304. Exceptions and Procedure.-Exceptions to the report may be filed by any interested person or municipal corporation or school district within thirty days after the filing of the report, and the court shall set a day for the hearing of the exception. Notice of the hearing shall be given as the court may direct. After hearing, the court may sustain the exceptions or dismiss them and confirm the report or refer the report back to the same or new commissioners with authority to make another report. If no exceptions are filed within thirty days after the filing of the report, the court shall confirm the report absolutely. When any report is confirmed absolutely, the court shall enter a decree establishing the lines and boundaries as shown in the report. (53 P.S. §65304)

Section 305. Costs.-The compensation and expenses of commissioners appointed to ascertain and establish township lines shall be in the amount approved by the court. The court shall ascertain how the costs of the proceeding, including the furnishing and placing of markers, shall be paid and may assess them against the petitioners, any affected township or municipal corporations and school districts affected. (53 P.S. §65305)

Section 306. Adjustment of Indebtedness.-When the boundaries of any township are ascertained and established, the court of common pleas may adjust the taxes, debts and expenses for township, municipal and school purposes between the townships, municipal corporations and school districts affected. (53 P.S. §65306)

Section 307. Adjustment for Costs or Values of Improvements.- (a) When the boundaries of any townships have been ascertained and established or when an annexation procedure is consummated with the result that a portion of a township is determined to be within the boundaries of another municipal corporation the township shall be paid by the municipal corporation the following costs or value of improvements located within the portion of the

township affected:

(1) The value of all improvements to roads by the township within five years.

(2) The cost of sanitary sewer systems constructed by the township within fifteen years.

(3) The value of public buildings and all improvements other than roads and sewers.

(b) All costs or values shall be paid within one year after the final confirmation by the court or before the completion of the annexation process. This section does not apply to the cost of any road, sanitary sewer systems or facilities which have been assessed against the real property within the affected territory.

(c) If any present indebtedness of the township losing the affected area exists by reason of any improvements located in the affected area and the municipal corporation gaining the affected area assumes a portion of the indebtedness, any payment on account of the indebtedness shall be a credit to the municipal corporation gaining the affected area on account of the cost of the improvement.

(d) When an amicable settlement cannot be made on the amount to be paid under this section, the court of common pleas, upon application by any one of the municipal corporations involved, shall determine the amount to be paid. (53 P.S. §65307)

ARTICLE IV
ELECTION OF OFFICERS; VACANCIES IN OFFICE

Section 401. Township Officers to be Electors.-No person is eligible for the office of supervisor, auditor or tax collector in any township unless that person is an elector of the township. (401 Amended by Act 166 of 2006) (53 P.S. §65401)

Section 402. Officers to be Elected.--(a) Except as provided in subsection (b), the electors of each township shall elect three supervisors, three auditors and one tax collector. No person shall at the same time hold more than one elective township office.

(b) Upon petition of at least five percent of the electors of the township or under a resolution of the board of supervisors and upon approval by a majority of those electors voting at the next municipal or general election, there shall be elected two additional supervisors. The referendum petition or resolution of the board of supervisors certified by the township secretary shall be filed with the county board of elections not later than the thirteenth Tuesday before the next municipal or general election. The county board of elections shall place the question before the electors as provided under the act of June 3, 1937 (P.L. 1333, No. 320), known as the "Pennsylvania Election Code." The form of the question shall be as follows:

Should two additional supervisors be elected to serve in the township?
Yes
No

The county board of elections shall tabulate and publish the results of the referendum within thirty days of the election. The total number of supervisors shall not exceed five. In no event shall the question of additional supervisors be voted on more than once in any three-year period.

(c) At the first municipal election following approval at a general election of the question providing for the election of two additional supervisors, one of the additional supervisors shall be elected for a term of four years and one for a term of six years, each to serve from the first Monday of January after the election. At the first general election following approval at a municipal election of the question providing for the election of two additional supervisors, one of the additional supervisors shall be elected for a term of three years and one for a term of five years, each to serve from the first Monday of January after the election. After that time, the additional supervisors shall be elected for terms of six years each to serve from the first Monday of January after the election.

(d) In townships in which the electorate has opted for a five-member board, the township shall return to a three-member board of supervisors upon petition of at least five percent of the electors of the township, or under a resolution of the board of supervisors, and upon approval by a majority of electors voting at the next municipal or general election. The referendum petition shall be filed with the county board of elections not later than the thirteenth Tuesday before the next municipal or general election. The county board of elections shall place the question before the electors as provided under the "Pennsylvania Election Code." The form of the question shall be as follows:

Should the township return to a three member board of supervisors?
Yes
No

The county board of elections shall tabulate and publish the results of the referendum within thirty days of the election. In no event shall the question of reducing the five-member board of supervisors be voted on more than once in any five-year period.

(e) At the first municipal election following approval of the question providing for a return to a three-member board, three supervisors shall be elected to serve from the first Monday of January after the election, when the terms of the officers of the five-member board of supervisors shall cease. The three candidates receiving the highest number of votes for the office of supervisor

shall be elected. The candidate receiving the highest number of votes shall serve for a term of six years. The candidate receiving the second highest number of votes shall serve for a term of four years. The candidate receiving the third highest number of votes shall serve for a term of two years. After that, supervisors shall be elected under section 403. (402 Amended by Act 166 of 2006) (53 P.S. §65402)

Section 403. Supervisors.–(a) Except as provided under section 402(b) for the election of additional supervisors or under section 402(e) for a return to a three-member board, or when vacancies create shorter terms, at each municipal election, the electors of each township shall elect one supervisor to serve for a term of six years from the first Monday of January after the election.

(b) Except as otherwise provided in this act, no supervisor shall at the same time hold any other elective or appointive township office or position. Nothing in this subsection shall prohibit a supervisor from being a member of a township planning commission created under the act of July 31, 1968 (P.L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code."

(c) Supervisors shall reside in the township from which elected and shall have resided in that township continuously for at least one year before their election. (53 P.S. §65403)

Section 404. Auditors-(a) Except when vacancies create shorter terms, at each municipal election, the electors of each township shall elect one auditor to serve for a term of six years from the first Monday of January after the election. Auditors shall reside in the township from which elected and shall have resided in that township continuously for at least one year immediately preceding their election.

(b) No auditor shall at the same time hold any other elective or appointive township office or position or be an employe of the township for which he has been appointed. ((b) amended Dec. 18, 1996, P.L.1142, No.172)

(c) In the event that there concurrently exists two or more vacancies for the position of township auditor, a person shall be ineligible to seek nomination or election to fill more than one such vacancy. (53 P.S. §65404)

Section 405. Repealed by Act 166 of 2006. (53 P.S. §65405)

Section 406. Tax Collector.-(a) At the municipal election in the year 1993 and at the municipal election every four years after that, the electors of each township shall elect one tax collector to serve for a term of four years, except when vacancies create shorter terms, from the first Monday of January after the election. Tax collectors shall reside in the township from which elected and shall have resided in that township continuously for at least one year immediately preceding their election.

(b) If the electors of any township fail to choose a tax collector or if any person elected to the office fails to give the required bond or to take the required oath, the vacancy shall be filled under section 407. (53 P.S. §65406)

Section 407. Vacancies in General-If the electors of any township fail to choose a supervisor, tax collector or auditor or if any person elected to any office fails to serve in the office or if a vacancy occurs in the office by death, resignation, removal from the township or otherwise, the board of supervisors may appoint a successor who is an elector of the township and has resided in that township continuously for at least one year prior to their appointment, and, upon their failure to make the appointment within thirty days after the vacancy occurs, the vacancy shall be filled within fifteen additional days by the vacancy board. The vacancy board shall consist of the board of supervisors and one elector of the township, who shall be appointed by the board of supervisors at the board's first meeting each calendar year or as soon after that as practical and who shall act as chairman of the vacancy board. If the vacancy board fails to fill the position within fifteen days, the chairman shall, or if there is a vacancy in the chairmanship the remaining members of the vacancy board shall, petition the court of common pleas to fill the vacancy. If two or more vacancies in the office of supervisor occur on a three-member board or three or more

vacancies on a five-member board, the court of common pleas shall fill the vacancies upon presentation of petition signed by not less than fifteen electors of the township. The successor so appointed shall hold the office until the first Monday in January after the first municipal election which occurs more than sixty days after the vacancy occurs, at which election an eligible person shall be elected for the unexpired term.(407 Amended by Act 166 of 2006) (53 P.S. §65407)

ARTICLE V
TOWNSHIP OFFICERS GENERALLY

Section 501. Oath of Office.--Every person elected or appointed to any township office shall before assuming the duties of the office take and subscribe an oath or affirmation before a notary public, district justice or judge to support the Constitutions of the United States and of the Commonwealth and to perform the duties of the office with fidelity. A copy of the oath or affirmation shall be filed with the township secretary before assuming the duties of the office. (53 P.S. §65501)

Section 502. Bonds.-When any officer or employe of any township is required to give bond for the faithful performance of the duties of the office, the bond shall be with a surety company or other company authorized by law to act as surety, and the township may pay the premium on the bond. (53 P.S. §65502)

Section 503. Removal for Failure to Perform Duties.-If any township officer fails to perform the duties of the office, the court of common pleas upon complaint in writing by five percent of the electors of the township may issue a rule upon the officer to show cause why the office should not be declared vacant. The officer shall respond to the rule within thirty days from its date of issue. Upon hearing, the court may declare the office vacant and require the vacancy to be filled under section 407.(53 P.S. §65503)

ARTICLE VI
TOWNSHIP SUPERVISORS

Section 601. Supervisors and Government of Townships.--Townships shall be governed and supervised by boards of supervisors. Boards of supervisors shall consist of three members or, if approved by the electors under section 402(b), five members. (53 P.S. §65601)

Section 602. Organization Meeting; Appointment of Secretary and Treasurer. –(a) The board of supervisors shall meet at a convenient time and place on the first Monday in January of each year. If the first Monday is a legal holiday, the meeting shall be held the following day. The board of supervisors shall elect one member as chairman and another as vice-chairman, and it shall appoint a treasurer and a secretary. The secretary shall be an individual; however, the board of supervisors may select either a trust company, a banking institution or an individual to serve as treasurer, or the board of supervisors may appoint one individual to serve as both secretary and treasurer. Members of the board of supervisors may be appointed as secretary-treasurer, secretary or treasurer. With regards to boards of supervisors which are designated as three-member boards, any supervisor who is to be considered by the board for any appointed township position or for employment by the township as authorized by law shall not be excluded from voting on the issue of such appointment or employment. Action taken by a supervisor shall be deemed to be within the scope of authority as a supervisor and shall not be deemed to constitute an illegal or an improper conflict of interest. ((a) amended Dec. 18, 1996, P.L.1142, No. 172)

(b) The meeting under this section may be considered a regular monthly meeting of the board of supervisors. The first order of business at this meeting shall be organization of the board of supervisors.

(c) The board of supervisors may appoint a supervisor to be employed as roadmaster, laborer, secretary, treasurer, assistant secretary, assistant treasurer or in any employe capacity not otherwise prohibited by this or any other act.

(d) The board of supervisors may authorize a supervisor who is employed by the township to be compensated at the supervisor's regular employe rate and a supervisor who is not employed by the township to receive total or partial reimbursement for lost wages or salary if the supervisor's presence is required in a court of law concerning a township-related matter or the supervisor's attendance is required at any meeting of a board, council of government, commission, authority or county government-sponsored committee to which the supervisor has been appointed by the board of supervisors, board of county commissioners or county council of the county in which the supervisor resides. The compensation may be granted at the discretion of the board of supervisors and any rate may be granted to the supervisor up to the supervisor's normal pay rate or lost wages or salary. This subsection shall be subject to the following conditions:

(1) The court must be in session or other meeting must occur during the supervisor's normal working hours.

(2) The supervisor must not receive any compensation from the other board, council of government, commission, authority or county government committees for the particular meeting the supervisor attends.

(3) No supervisor may be compensated for attending more than 120 hours of court sessions, other board, council of government, commission, authority or county government committee meetings within a calendar year. The secretary or manager of the township shall keep an accurate and timely accounting of the number of hours that a supervisor has accrued.(602 amended by Act 101 of 2006) (53 P.S. §65602)

Section 603. Monthly Meetings; Quorum and Voting.-The board of supervisors shall meet for the transaction of business at least once each month at a time and place determined by the board of supervisors. A quorum is two members of a three-member board of supervisors or three members of a five-member board of supervisors. An affirmative vote of a majority of the entire board of supervisors at a public meeting is necessary in order to transact any business. A member shall not be disqualified from voting on any issue before the board solely because the

member has previously expressed an opinion on the issue in either an official or unofficial capacity. (53 P.S. §65603)

Section 604. Special Meetings.-Upon call of the chairman or by agreement of a majority of its members, the board of supervisors may schedule special meetings of the board of supervisors after notice required under the act of July 3, 1986 (P.L.388, No. 84), known as the "Sunshine Act." Notice of a special meeting shall state the nature of the business to be conducted at the meeting. (53 P.S. §65604)

Section 605. Minutes and Records.-(a) The board of supervisors shall provide for the recording of minutes of its proceedings and other books it may find necessary in the performance of its duties. The records shall be made available to the board of auditors during the annual audit. Unless the custodian of the records agrees otherwise, the records shall be audited or inspected at the place where they are normally maintained. Supervisors who leave office shall deliver all township records in their possession to their successors or to the township secretary.

(b) All township records required to be recorded or transcribed are valid if typewritten, printed, photostated or microfilmed, and, where recording in a specified book of record is required, including minutes of the proceedings of the board of supervisors, the records may be recorded or transcribed in a mechanical post binder book capable of being permanently sealed, with consecutively numbered pages with a security code printed thereon and a permanent locking device with the township seal being impressed upon each page, or bound book with pages being consecutively numbered by transcribing directly upon the pages of the book of record, or may be attached to the book of record by stapling or by glue or any other adhesive substance or material, and all records previously recorded or transcribed in any manner authorized by this section are validated. When any record is recorded or transcribed by attaching the record or a copy of it to the book of record, the township seal shall be impressed upon each page to which the record is attached, each impression covering both a portion of the attached record and a portion of the page of the book of record to which the record is attached.

(c) Original or certified copies of ordinances may also be stored in a locking or mechanical post binder book, capable of being permanently sealed, without being fastened onto pages in the binder. (53 P.S. §65605)

Section 606. Compensation of Supervisors.---(a) Supervisors may receive as compensation an amount established by ordinance not in excess of the following:

Township Population	Annual Maximum Compensation
not more than 4,999	$1,875
5,000 to 9,999	$2,500
10,000 to 14,999	$3,250
15,000 to 24,999	$4,125
25,000 to 34,999	$4,375
35,000 or more	$5,000

Salaries are payable monthly or quarterly for the duties imposed by this act. The population is determined by the latest official census figures, except that no township shall be required to reduce the salary of a supervisor as a result of a decrease in population. The compensation of supervisors, when employed as roadmasters, laborers, secretary, treasurer, assistant secretary, assistant treasurer or in any employe capacity not otherwise prohibited by this or any other act, shall be determined by the board of auditors, at an hourly, daily, weekly, semi-monthly or monthly basis, which shall be comparable to compensation paid in the locality for similar services. The board of supervisors may establish a mileage allowance, under the act of July 20, 1979 (P.L. 156, No. 51), referred to as the Uniform Mileage Fee Law, to be paid to officers and employes for the use of a personal vehicle when required and actually used for authorized township business. No supervisor may receive compensation as an employe for attending a meeting of the board of supervisors. Supervisors may continue to be compensated under prior law until such time as an ordinance is enacted under this act. Any change in salary, compensation or emoluments of the

elected office becomes effective at the beginning of the next term of the supervisor. A decision by the township to pay, in whole or in part, to include supervisors not employed by the township in insurance plans, as authorized in subsection (c), shall not be implemented with regard to any nonemploye supervisor until the beginning of the next term of that supervisor.

(b) Any benefit provided to or for the benefit of a supervisor employed by the township in any employe capacity under this act in the form of inclusion in a pension plan paid for in whole or in part by the township is compensation within the meaning of this act to the extent that benefit is paid for by the township and is determined by the board of auditors; however:

(1) Supervisors are eligible for inclusion in township pension plans only if they are employed by the township in any employe capacity under this act. In order to be eligible for inclusion in the plans, supervisor-employes must meet the same requirements as other employes of the township who are eligible to participate in a pension plan. Pension plans shall not improperly discriminate in favor of a supervisor-employe.

(2) Once given, auditor approval for inclusion of supervisor-employes shall not be rescinded in any subsequent years as long as the pension plan remains in effect and the supervisors remain employed by the township and continue to meet the same requirements as other employes of the township who are eligible to participate in a pension plan, nor shall the auditors act in any way that disqualifies the pension plan under Federal law.

(3) No change in the nature or rate of the contributions of a defined contribution plan and no change in the benefit formula of a defined benefit plan shall be initiated by the board of supervisors with respect to a supervisor-employe without auditor approval.

(4) A pension or annuity contract made by a township between January 1, 1959, and March 31, 1985, that includes or provides for benefits for supervisor-employes or retired supervisor-employes at township expense is not void or unlawful solely because the inclusion of supervisor-employes or retired supervisor-employes was not previously approved by the township auditors. No penalty, assessment, surcharge, forfeiture or disciplinary action of any kind may occur as a result of that participation by supervisor-employes,

(5) All premium, contribution or similar payments made by a township on pension or annuity contracts on behalf of supervisor-employes between January 1, 1959, and March 31, 1985, which would have been proper but for the absence of auditor approval are hereby approved. Any benefits payable to any supervisor-employe or his beneficiaries on account of any premium, contribution or similar payments made by a township during that period shall continue. Any premium, contribution or similar payments made by a township after March 31, 1985, requires auditor approval under this subsection.

(6) If a supervisor-employe personally contributed toward a township-sponsored pension plan or annuity that is not approved by the township auditors or not approved by this act, he shall receive a refund of his total contributions thereto plus any interest accumulated thereon. In lieu of a refund of contributions plus accumulated interest, a supervisor-employe who personally contributed toward a pension or annuity plan in which he participated may elect to purchase that portion of his pension or annuity funded by the township. A qualified actuary, who shall report his determination under the act of December 18, 1984 (P.L. 1005, No.205), known as the "Municipal Pension Plan Funding Standard and Recovery Act," shall determine the amount the supervisor-employe shall pay to purchase the township-funded portion of the annuity or pension.

(7) Supervisors who are not employes of the township are not eligible for participation in any pension or annuity contract paid in whole or in part by the township. No supervisor who was not an employe of the township but was included in a township-paid pension or annuity plan made by a township between January 1, 1959, and March 31, 1985, is subject to any penalty, assessment, surcharge, forfeiture or disciplinary action. Any residual interest, value, refund of premium or benefits payable on or after March 31, 1985, arising out of the township-paid interest of a supervisor who was not an employe is the exclusive property of the township.

(c) In addition to the compensation authorized under this section, supervisors while in office or while in the employ of the township may be eligible for inclusion in township-paid insurance plans, as follows:

(1) Supervisors, whether or not they are employed by the township, and their dependents are eligible for inclusion in group life, health, hospitalization, medical service and accident insurance plans paid in whole or in part by the township. Supervisors and their dependents who are over

sixty-five years of age are eligible for inclusion in supplemental Medicare insurance coverage paid in whole or in part by the township. Their inclusion in those plans does not require auditor approval, but does require submission of a letter requesting participation at a regularly scheduled meeting of the board of supervisors before commencing participation. The insurance shall be uniformly applicable to those covered and shall not give eligibility preference to or improperly discriminate in favor of supervisors. No policy of group life insurance shall contain any provision for a cash surrender value, loan value or any other benefit beyond the face amount of insurance. The policy may contain a provision that when the insurance ceases because of termination of employment or term of office, the person is entitled to have issued to him by the insurer, without evidence of insurability, an individual policy of insurance on any form customarily issued by the insurer at the age and for the amount applied for if the amount is not in excess of the amount of life insurance which ceases because of the termination and the application for the individual policy is made and first premium is paid to the insurer within thirty-one days after termination.

(2) Any life, health, hospitalization, medical service or accident insurance coverage contract made by a township between January 1, 1959, and March 31, 1985, that includes or provides coverage for supervisors not employed by the township is not void or unlawful because inclusion of those supervisors was subsequently found to be without lawful authority. No penalty, assessment, surcharge, forfeiture or disciplinary action may occur as a result of participation by those supervisors. Insurance benefits paid or payable to insureds or their beneficiaries arising out of or on account of deaths, injuries, accidents or illnesses occurring before March 30, 1988, are the property of the insureds or their beneficiaries.

(3) All payments made by a township on any group life, health, hospitalization, medical service or accident insurance coverage contracts on behalf of supervisors who were not employes between January 1, 1959, and March 31, 1985, which would have been proper but for the absence of auditor approval are hereby approved. Any benefits payable to any supervisor or his beneficiaries on account of those payments during that time shall continue.

(4) The township may deduct from any compensation payable to a supervisor such part of any insurance premium or charge which is payable by the supervisor within the terms of the particular township's insurance plan.

(5) The township may pay the cost, in whole or in part, of supplemental Medicare insurance coverage for supervisors and employs who are over sixty-five years of age.
(606(c) Amended by Act 14 of 2012) (53 P.S. §65606)

Section 607. Duties of Supervisors. -The board of supervisors shall:

(1) Be charged with the general governance of the township and the execution of legislative, executive and administrative powers in order to ensure sound fiscal management and to secure the health, safety and welfare of the citizens of the township.

(2) Have the responsibility for maintenance of township-owned equipment and facilities.

(3) Employ persons as may be necessary for the general conduct of the business of the township and provide for the compensation, organization and supervision of the persons so employed. Records shall be kept and reports made and filed giving the names of all persons employed, dates on which work was done and the number of hours worked with compensation paid to each person and the capacity in which employed.

(4) Authorize attendance at conferences, institutes, schools and conventions. Any supervisor, elected or appointed officer or township employe may if directed by the board of supervisors attend any conference, institute, school or convention dealing with the duties and functions of elected or appointed officers or employes. The expenses for attending the meetings may be paid by the township and are limited to the registration fee, mileage for the use of a personal vehicle or reimbursement of actual transportation expense going to and returning from the meeting plus all other actual expenses that the board of supervisors agrees to pay. Every attendee shall submit to the board of supervisors an itemized account of expenses incurred at the meeting. The board of supervisors may authorize employes to be compensated at their regular employe rate, and auditors to be compensated at the rate of ten dollars ($10) for each hour up to a maximum of eight hours per day, during their attendance at the meeting.

(5) Annually, on or before the first day of February, furnish to the board of auditors information

on the construction or maintenance of roads or other matters that may be required by any department of the Commonwealth to be included in the annual township report.

(6) Provide for the annual tax duplicate to be prepared and presented to the tax collector.

(7) Perform duties and exercise powers as may be imposed or conferred by law or the rules and regulations of any agency of the Commonwealth.(607 amended by Act 101 of 2006)

(53 P.S. §65607)

ARTICLE VII
TOWNSHIP TREASURER

Section 701. Township Treasurer.-The board of supervisors shall appoint a township treasurer to serve at the pleasure of the board of supervisors. (53 P.S. §65701)

Section 702. Treasurer's Bond.-The township treasurer, if an individual, shall give bond with a surety company in an amount established by the board of supervisors for the faithful performance of the duties of the office. The amount of the bond shall equal the highest amount of township funds estimated by the board of supervisors to be available to the township treasurer at any time during the current year. The bond shall be filed with the board of auditors of the township. (53 P.S. §65702)

Section 703. Treasurer's Compensation.-The board of supervisors shall determine the compensation of the township treasurer. When a supervisor is appointed as township treasurer, the board of auditors shall determine the compensation. A person may not receive hourly compensation for work as a superintendent, roadmaster or laborer for time spent in the performance of the duties of township treasurer. (53 P.S. §65703)

Section 704. Treasurer's Duties.-The township treasurer shall:
(1) Receive all moneys due the township and deposit them promptly in a designated depository in the name of the township.
(2) Keep distinct and accurate accounts of all sums received from taxes and other sources, which accounts shall be open to the inspection of the board of supervisors and any citizen of this Commonwealth.
(3) Pay out all moneys of the township only on direction by the board of supervisors.
(4) Annually state the accounts and make them available to the board of auditors for settlement.
(5) Preserve the account books, papers, documents and other records of the office and turn them over to the successor in office. (53 P.S. §65704)

Section 705. Assistant Treasurer. The board of supervisors may appoint an assistant treasurer who shall assist the township treasurer or, in the absence or disability of the township treasurer, perform the duties of the township treasurer. The assistant treasurer may be appointed from the membership of the board of supervisors. The assistant treasurer shall be bonded for the same amount as the township treasurer when acting in the capacity of township treasurer. The board of supervisors shall determine the compensation of the assistant treasurer. When a supervisor is appointed assistant treasurer, the board of auditors shall determine the compensation. (53 P.S. §65705)

Section 706. Use of Special Funds; Penalty.-When any moneys are collected for any special purpose, no township treasurer or board of supervisors may apply those moneys to any purpose other than that for which they were collected. Every misapplication shall be a misdemeanor of the third degree, and, in addition to the fine or penalty which may be imposed upon conviction, the defendant shall be required to pay restitution in the amount of moneys improperly spent. (53 P.S. §65706)

Section 707. Penalty for Failure to Perform Duties.-A township treasurer or assistant treasurer who fails to perform any duties of the office other than those for which specific penalties are provided commits a summary offense and, in addition to the fine or penalty which may be imposed upon conviction, is required to pay to the township an amount equal to the amount of the financial loss that occurred, if any, for not performing the duties of the office. That person is disqualified from holding the office of township treasurer or assistant treasurer. (53 P.S. §65707)

Section 708. Depositories of Township Funds.-(a) The board of supervisors shall designate by resolution a depository or depositories for township funds. Any funds deposited with any banking institution of this Commonwealth shall be insured with the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successor agencies, to the extent that accounts are so insured. The board of supervisors shall require each banking institution to furnish additional bond, insurance or security to cover the amount of any deposits in excess of the insured limits. The designation is valid for a period of one year or until another depository or other depositories are designated by similar action of the board of supervisors.

(b) The depository or depositories shall be banks, banking institutions or trust companies located in this Commonwealth.

(c) The township treasurer or assistant treasurer shall, upon the designation of the depository or depositories by the board of supervisors, immediately transfer thereto the township funds and after that make deposits solely in the depository or depositories in the name of the township.

(d) No township treasurer or assistant treasurer complying with the provisions of this section, nor his surety or sureties, shall be chargeable with losses of township funds caused solely by the failure or negligence of the depository or depositories.(53 P.S. §65708)

ARTICLE VIII
TOWNSHIP SECRETARY

Section 801. Township Secretary.--The board of supervisors shall appoint a township secretary to serve at the pleasure of the board of supervisors. (53 P.S. §65801)

Section 802. Secretary's Duties.-The township secretary is a clerk to the board of supervisors. The township secretary shall:
(1) Record the proceedings of the board of supervisors and all court orders relative to the laying out, opening and vacating of roads in a minute book.
(2) Preserve the minute book and other records and turn them over to the successor in office.
(3) With the consent of the board of supervisors and in conformity with other laws governing the retention and disposition of municipal records, have the authority to destroy records and papers of the township other than the minute book and account book after the lapse of six years from the date of the records.
(4) Inform supervisors of all township meetings, including special meetings of the board of supervisors. (53 P.S. §65802)

Section 803. Secretary's Compensation.-The board of supervisors shall determine the compensation of the township secretary. When a supervisor is appointed township secretary, the board of auditors shall determine the compensation. A person may not receive hourly compensation for work as a superintendent, roadmaster or laborer for time spent in the performance of the duties of township secretary. (53 P.S. §65803)

Section 804. Assistant Secretary.-The board of supervisors may appoint an assistant secretary who shall assist the township secretary or, in the absence or disability of the township secretary, perform the duties of the township secretary. The assistant secretary may be appointed from the membership of the board of supervisors. The board of supervisors shall determine the compensation of the assistant secretary. When a supervisor is appointed assistant secretary, the board of auditors shall determine the compensation. (53 P.S. §65804)

ARTICLE IX
AUDITORS; ACCOUNTANTS

Section 901. Township Auditors; Meetings; Duties; Quorum.-(a) The board of auditors shall meet annually at the place of meeting of the board of supervisors on the day following the day designated by this act for organization of the board of supervisors, and they shall organize by the election of a chairman and secretary. The board of auditors shall audit, settle and adjust the accounts of all elected or appointed officials of the township and its boards or agencies that received or disbursed funds of or owing to the township during the immediately preceding calendar year. The board of auditors shall determine the compensations for the current year authorized in section 606 for supervisors employed by the township. Two auditors shall constitute a quorum. The auditors may also make an audit of the dockets, transcripts and other official records of the district justices to determine the amount of fines and costs paid over or due the township, and the dockets and records of the district justices shall be open to inspection by the auditors for that purpose. Unless otherwise agreed to by the board of auditors and the officer being audited, the audit shall be conducted at the place the records of the officer are normally kept.

(b) Upon the death or resignation of any of the officials designated in this section to be audited, the board of auditors , upon call of the chairman, shall meet and audit the accounts of the former incumbent and determine the compensation of the successor if so authorized by this act. (53 P.S. §65901)

Section 902. Auditor's Compensation.-(a) Each auditor shall receive ten dollars ($10) for each hour necessarily employed in the duties of the office upon presentation to the board of supervisors of an itemized listing of the dates, times, places and hours worked to perform the audit. No auditor in a township having a population of ten thousand or less is entitled to receive more than one thousand dollars ($1,000) for completing the annual audit, settlement and adjustment. No auditor in a township having a population in excess of ten thousand is entitled to receive more than two thousand dollars ($2,000) for completing the annual audit settlement and adjustment.

(b) In addition to the time actually used by the board of auditors to complete the audit settlement and adjustment, each auditor may be compensated at the rate of ten dollars ($10) each hour for not more than fifty hours to audit the accounts of any public official who handles public funds when a vacancy occurs in the office of the public official.

(c) Each auditor shall be reimbursed for travel costs incurred in the performance of the auditing duties at the rate established by the board of supervisors under the act of July 20, 1979 (P.L.156, No.51), referred to as the Uniform Mileage Fee Law, and for other expenses, including postage, notary fees or publication costs, incurred during the audit. (902 amended June 22, 1999, P.L.114, No. 17) (53 P.S. §659092)

Section 903. Subpoenas; Oaths; Perjury. The board of auditors may issue subpoenas to obtain the attendance of the offices whose accounts they are required to audit or adjust, of their executors and administrators and of any person whom it may be necessary to examine as a witness and to compel their attendance, by attachment, the same as any court of common pleas may in cases pending before them and may also compel the production of all books, vouchers and papers relative to township accounts. The subpoena and attachment shall be issued by a district justice. The board of auditors may administer oaths and affirmations to all persons brought or appearing before them, whether accountants, witnesses or otherwise. All persons swearing or affirming falsely upon examination are guilty of perjury. (53 P.S. §65903)

Section 904. Completion, Filing and Publication of Annual Township Report and Financial Statement.-(a) The board of auditors shall complete their audit, settlement and Adjustment before the first day of March of each year.

(b) The board of auditors shall make a report of the affairs of the township, executed copies of which report shall be filed not later than ninety days after the close of the fiscal year by the

secretary of the board of auditors with the township secretary, the clerk of the court of the county or the prothonotary under local rules of court, the Department of Community Affairs and the Department of Transportation. Each copy of the report shall be signed by at least a majority of the board of auditors and duly verified by the oath of the secretary of the board of auditors. Any secretary of the board of auditors who fails to file the township report or to publish the required financial statement commits a summary offense.

(c) The township report shall be presented on a uniform form prepared and furnished under section 3203.

(d) The township report shall contain the names and addresses of the chairman and members of the board of supervisors, the township secretary and the township treasurer, a statement of the receipts of the township from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year, a statement of the disbursements of the township during the fiscal year, a statement of the balance in the township treasury at the beginning of the fiscal year, a statement of the resources and liabilities of the township at the end of the fiscal year, a detailed statement of the indebtedness of the township at the close of the fiscal year and the provisions made for the payment thereof together with the purposes for which it was incurred, a statement of the cost of ownership and operation of each public service industry owned, maintained or operated by the township and other information as may be required in this act.

(e) On or before the tenth day of March of each year, the board of auditors shall publish once in one newspaper of general circulation in the township a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year, all revenues received during the fiscal year by major classifications, all expenses paid during the fiscal year by major functions and the current resources and liabilities of the township at the end of the fiscal year, the gross liability and net debt of the township, the amount of the assessed valuation of the township, the assets of the township with the character and value thereof, the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund.

(f) If any township has a population of less than two hundred, as shown by the latest official census, the board of auditors may post five copies of the financial statement in public places in the township in lieu of publication in a newspaper. (53 P.S. §65904)

Section 905. Penalty for Failure to Perform Duty.--Any auditor who fails to comply with this article commits a summary offense. (53 P.S. §65905)

Section 906. Employment and Compensation of Attorney. If a disagreement occurs with the board of auditors and any official it is required to audit the board of auditors may petition the court of common pleas to appoint an attorney to represent or advise the board of auditors on the matter. The court shall not appoint an attorney unless reasonable effort to reach an agreement has been made and only after the board of auditors has given notice to the official or the board of supervisors of its intent to petition the court for the appointment. The board of auditors, with the agreement of the board of supervisors, shall determine the compensation of the attorney. If the dispute results in litigation or if the board of auditors and the board of supervisors cannot agree upon the compensation to be paid to the attorney, the court shall establish the compensation for the attorney appointed for the board of auditors. The compensation for the attorney shall be paid out of the general township fund. (53 P.S. §65906)

Section 907. Surcharge by Auditors.--(a) The board of auditors shall surcharge any elected or appointed officer for the amount of any loss to the township caused in whole or in part by the officer's act or omission in violation of law or beyond the scope of the officer's authority. If the auditors find an absence of intent to violate the law or exceed the scope of authority and find the result of the officer's act could have been achieved by legal means and authorized procedures, the surcharge imposed shall be limited to the difference between the costs actually incurred by the township and the costs that would have been incurred had legal means and authorized procedures been employed. Provisions of this section which limit the amount of surcharge do not apply to cases involving fraud or collusion on the part of the officers or to any penalty ensuing to the benefit of or payable to the Commonwealth.

(b) Any balance in any report of the board of auditors against any officer of the township constitutes a surcharge against the officer as fully as if expressly stated in the report to be a surcharge. The board of auditors shall direct the clerk of court of common pleas to certify the amount of every balance or surcharge from which no appeal has been taken under sections 909 and 910 to the court of common pleas, and the prothonotary shall enter the balance or surcharge as a judgment against the officer in favor of the township. (53 P.S. §65907)

Section 908. Collection of Surcharge; Bond.-Any auditor, elector or taxpayer of the township may enforce the collection of a judgment entered for a surcharge for the benefit of the township, by any appropriate action or execution, upon filing in the court of common pleas a bond (in the case of an elector or taxpayer), with one or more sureties, conditioned to indemnify the township for all costs which may accrue in the proceedings undertaken, subject, however, to all rights of appeal from the report of the board of auditors. (53 P.S. §65908)

Section 909. Appeals from Report.- The board of supervisors or any elector or taxpayer of the township or any officer whose account is settled or audited by the board of auditors may appeal from any settlement or audit of the board of auditors to the court of common pleas within forty-five days after the settlement has been filed in the court of common pleas. (53 P.S. §65909)

Section 910. Taxpayer's Appeal; Bond.- No appeal by any elector, taxpayer of officer shall be allowed unless the appellant enters into recognizance to prosecute the appeal with effect, and to pay all costs accuring thereon, in case, if the appellant is an elector or taxpayer, he fails to obtain a final decision more favorable to the township than that awarded by the board of auditors or, if the appellant is an officer, he fails to obtain a final decision more favorable to the officer than that awarded by the board of auditors. (53 P.S. §65910)

Section 911. Consolidation of Appeals.-When more than one appeal from the report of the board of auditors is taken, whether by the board of supervisors, by an officer thereof or by an elector or taxpayer, the court may direct that the several appeals be consolidated. (53 P.S. §65911)

Section 912. Report; Prima Facie Evidence; Burden of Proof.-The accounts of the officer in question may be investigated de novo. The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims. (53 P.S. §65912)

Section 913. Findings; Judgment.-After hearing, the court shall file findings of fact and law and enter judgment, and the judgment so entered may be enforced by appropriate proceedings by any auditor, officer, elector or taxpayer of the township. (53 P.S. §65913)

Section 914. Costs.-In all cases of appeal from the report or audit of the board of auditors to the court of common pleas, the costs shall be determined by the court. (53 P.S. §65914)

Section 915. Attorney Fees.-Upon final determination of an appeal taken under section 909 from any report, audit or settlement of the account of any township officer, attorney fees shall be awarded as follows:

(1) If in the opinion of the court the final determination is more favorable to the township officer involved than that awarded by the board of auditors, the township shall pay reasonable attorney fees, or under paragraph (3) a portion of reasonable attorney fees, incurred by the officer in connection with the surcharge proceeding.

(2) In the case of an appeal taken by the township, an elector or a taxpayer, if in the opinion of the court the final determination is more favorable to the township than that awarded by the board of auditors, the township officer who is the subject of the surcharge proceeding shall pay

reasonable attorney fees, or under paragraph (3) a portion of reasonable attorney fees, incurred by the township, elector or taxpayer in connection with the surcharge proceeding.
(3) If in the opinion of the court the final determination is in part more favorable to the township and in part more favorable to the township officer involved in the surcharge proceeding than that awarded by the board of auditors, the court may order the township to pay a portion of reasonable attorney fees incurred by the officer in connection with the surcharge proceeding, or it may order the township officer who is the subject of the surcharge proceeding to pay a portion of reasonable attorney fees incurred by the township, elector or taxpayer in connection with the surcharge proceeding. (53 P.S. §65915)

Section 916. Interest in Township Transactions.-Any auditor who is financially interested, directly or indirectly, in any township transaction commits a summary offense. The auditor shall forfeit the office and forfeit to the township any financial benefit derived from the transaction. (53 P.S. §65916)

Section 917. Appointment of Accountant-(a) The board of supervisors may contract with a certified or competent public accountant or a firm of certified or competent public accountants, either of which shall be registered in this Commonwealth, to be appointed by the court of common pleas at least thirty days before the close of the fiscal year to audit the accounts of the township and the township officers if a petition has been presented to the supervisors by at least twenty-five taxpayers of the township asking for the appointment. The amount paid to the accountant or firm in any year shall not exceed the maximum allowed by law to be paid to the board of auditors in any year unless the payment of an additional amount is approved by the court.
(b) (1) Subject to the provisions of paragraph (2), at its annual organization meeting, or any time thereafter, the board of supervisors may by resolution appoint a certified or competent public accountant or a firm of certified or competent public accountants, either of which shall be registered in this Commonwealth, to make an examination of all the accounts of the township for the fiscal year stated in the resolution. The board of supervisors shall determine the compensation of the appointed accountant.
(2) At least thirty days prior to the organizational meeting or thirty days prior to any vote to appoint a certified or competent public accountant or a firm of certified or competent public accountants to replace the elected auditors, the board of supervisors shall advertise in a newspaper of general circulation the intent to appoint a certified or competent public accountant or a firm of certified or competent public accountants to replace the elected auditors.
((b) amended Dec. 18, 1996, P.L.1142, No. 172)
(c) When an accountant or firm is appointed under subsection (a) or (b), the board of auditors shall not audit, settle or adjust the accounts audited by the appointee but shall perform the other duties of the office. The accountant or firm has the powers given to the board of auditors under this act except the audit shall be made in accordance with generally accepted auditing standards, and further provide that the accountant or firm appointed under subsection (a) or (b) shall not have the power to determine compensations, and they are subject to the same penalties as the elected auditors under this act. The report of the accountant or firm is subject to appeals the same as reports of the board of auditors under this act.
(d) For the purposes of meeting Federal or State requirements, the board of supervisors may contract with an independent certified or competent public accountant to audit the fiscal affairs of the township, independent of that conducted by the elected or appointed auditors.
(53 P.S. §65917)

ARTICLE X
TAX COLLECTOR

Section 1001. Tax Collector; Powers, Duties and Liabilities.-The tax collector shall collect all county, township, school, institution district and other taxes levied within townships by authorities authorized to levy taxes. The tax collector may also be designated in the tax-levying ordinance or resolution or be employed by the tax-levying authority to collect taxes levied under the act of December 31, 1965 (P.L. 1257, No. 511), known as "The Local Tax Enabling Act." In addition to the powers, duties and responsibilities under this act, the tax collector shall exercise all the powers and perform all the duties and be subject to all the obligations and responsibilities for the collection of taxes as are conferred upon tax collectors by law. (53 P.S. §66001)

Section 1002. Repealed by Act 166 of 2006. (53 P.S. §66002)

ARTICLE XI
TOWNSHIP SOLICITOR

Section 1101. Township Solicitor.--The board of supervisors may appoint and determine the compensation of a township solicitor. The township solicitor shall be licensed to practice law in this Commonwealth and may be one person or a law firm, partnership, association or professional corporation. The township solicitor serves at the pleasure of the board of supervisors. (53 P.S. §66101)

Section 1102. Solicitor to Have Control of Legal Matters-The township solicitor shall direct and control the legal matters of the township, and no official or official body of the township, except as otherwise provided under law, shall employ an additional attorney without the assent or ratification of the board of supervisors. (53 P.S. §66102)

Section 1103. Duties of Solicitor.--The township solicitor, when directed or requested so to do, shall prepare or approve any bonds, obligations, contracts, leases, conveyances, ordinances and assurances to which the township may be a party. The township solicitor 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 the township or any township officer against all actions or suits brought against the township or township officer in which any of the estates, rights, privileges, trusts, ordinances or accounts of the township may be brought in question before any court in this Commonwealth and do every professional act incident to the office which the township solicitor may be authorized or required to do by the board of supervisors or by any resolution. The township solicitor shall furnish the board of supervisors, upon request, with an opinion in writing upon any question of law. (53 P.S. §66103)

ARTICLE XII
TOWNSHIP ENGINEER

Section 1201. Township Engineer.-The board of supervisors may appoint and determine the compensation of a township engineer who shall be a registered professional engineer. The township engineer serves at the pleasure of the board of supervisors. (53 P.S. 66201)

Section 1202. Engineer's Duties; Preparation of Plans.-The township engineer shall perform duties as the board of supervisors may direct for the construction, reconstruction, maintenance and repair of streets, roads, pavements, sanitary sewers, bridges, culverts and other engineering work. The township engineer shall prepare plans, specifications and estimates of the work undertaken by the township and furnish the board of supervisors with reports, information or estimates on any township engineering work or on questions submitted by the board of supervisors. (53 P.S. §66202)

Section 1203. Certificate of Commencement and of Completion of Municipal Improvements-The township engineer shall certify to the township secretary the date of commencement and of completion of all municipal improvements, the cost of which, in whole or in part, is to be paid by the owners of the abutting property. The certification shall be made a part of the permanent records of the township. The certified tune of commencement and completion is collusive on all parties. The term "certified time of completion" means the time of the completion of the whole contract for the improvement. (53 P.S. §66203)

ARTICLE XIII
TOWNSHIP MANAGER

Section 1301. Township Manager; Appointment, Removal, Powers and Duties; Compensation; Bond.--(a) The board of supervisors may by ordinance at any time create the office of township manager and may in like manner abolish the office. While the office exists, the board of supervisors shall appoint one person to fill the office. The township manager shall serve at the pleasure of the board of supervisors, subject to contractual rights that may arise under and employment agreement that may be entered in accordance with subsection (a1).

(a1) The board of supervisors may enter into an employment agreement with the township manager. The employment agreement may set forth the terms and conditions of employment, and the agreement may provide that it shall remain in effect for a specified period terminating no later than two years after the effective date of the agreement or the date of the board of supervisors' organizational meeting following the next municipal election, whichever shall first occur. An employment agreement entered into pursuant to this subsection may specify conditions under which a township manager would be entitled to severance compensation, but in no event shall an employment agreement guarantee employment through the term of the agreement or confer upon the township manager any legal remedy based on specific performance.

(b) The powers and duties of the township manager shall be established by ordinance. The compensation shall be set by resolution and paid out of the general fund of the township. The board of supervisors may delegate, subject to recall, any of their nonlegislative powers and duties to the township manager. The township manager shall give bond to the township, with sufficient surety, in the amount directed by the board of supervisors, conditioned for the faithful performance of the duties of the office.

(c) The office of township manager is not incompatible with the office of township secretary, township treasurer or any other township office or employment, except that of supervisor, auditor or township police officer. (1301 Amended by Act 74 of 2011) (53 P.S. §66301)

ARTICLE XIV
COUNTY AND STATE ASSOCIATIONS OF TOWNSHIPS

Section 1401. County Associations. -(a) County associations of township officials may be formed. County associations shall hold annual or semi-annual conventions at places determined by the association to consider and discuss questions and subjects pertaining to improvement of township government, assessment of property, collection of taxes and construction, improvement and maintenance of roads. Associations of two or more adjacent counties may arrange to meet in joint sessions.

(b) The supervisors, auditors, tax collectors, managers, solicitors, engineers, treasurer and secretary of the board of supervisors shall attend the conventions when possible.

(c) (1) Each supervisor, auditor, tax collector, manager, solicitor, engineer, treasurer and secretary attending the convention shall receive a certificate, signed by the secretary of the county association, attesting their presence at the convention. The certificate entitles the official to collect from the township treasurer the sum of fifty dollars ($50) for each day's attendance, expenses which are limited to the registration fee, mileage for use of a personal vehicle or reimbursement of actual transportation expense going to and returning from the meeting plus all other actual expenses that the board of supervisors agrees to pay. Every delegate attending the meeting shall submit to the board of supervisors an itemized account of expenses incurred at the meeting.

(2) If the meeting is held during township employes' normal work schedule, the board of supervisors may authorize township employes, including supervisors employed by the township, to be compensated at their regular employe rate during their attendance at the meeting, in which case the employe is not entitled to the fifty dollars ($50) mentioned in this section.

(3) The board of supervisors may authorize a supervisor who is not employed by the township to receive total or partial reimbursement for lost wages or salary while attending the annual meeting, in which case the supervisor is not entitled to the fifty dollars ($50) mentioned in this section, provided that sufficient documentation of such wages or salary is presented to the board of supervisors to justify the reimbursement.

(4) No supervisor, auditor, tax collector, manager, solicitor, engineer, treasurer or secretary shall be paid for more than two days' attendance in any one year.

(d) The officers of the association shall consist of a president, one or two vice-presidents, a secretary and a treasurer, all of whom, except the secretary, shall be members of the association and shall hold office for one year or until their successors are chosen. The secretary of the association may be compensated for services an amount determined by the members of the association. Every supervisor, tax collector, manager, secretary, treasurer and auditor attending the convention may vote on policy matters and in the election of officers of the association.

(d.1) If a meeting of the officers and members of the executive board of the county association is held during the township employes' normal work schedule, the board of supervisors may authorize a supervisor who is employed by the township to be compensated at the supervisor's regular employe rate and a supervisor who is not employed by the township to receive total or partial reimbursement for lost wages or salary during the supervisor's attendance at the meeting, for up to six days total in a year. A supervisor may not be compensated by the township under this subsection if the supervisor receives any other compensation from the county association for attending the meeting.

(e) Expenses of each county association convention shall be paid from dues assessed by the association on each member township or from other funds as the members of the county association determine.

(f) Each county association of township officials may elect one township supervisor, township manager, township treasurer or township secretary for each ten townships, or fraction thereof, within the county, as a voting delegate to each annual meeting of the State association, but each county association is entitled to a minimum of two delegates at each meeting. These delegates' expenses may be paid by the respective county association. (1401 amended by Act 101 and 166 of 2006) (53 P.S. §66401)

Section 1402. State Association of Township Supervisors Authorized. --(a) The formation of a State Association of Township Supervisors is authorized.

(b) The State association shall hold annual meetings, at a time and place within this Commonwealth as it may designate, to discuss questions and subjects pertaining to the duties of elected and appointed township officials and the improvement of township government.

(c) The State association, at its annual meeting, by majority vote of all qualified voting delegates present, may adopt and amend bylaws to govern the State association. The bylaws shall govern the qualification of delegates, election of officers, their designation, qualifications and duties, payment of dues and other organizational matters. The State association shall function under the bylaws to advance the interest of township government.

(d) The board of supervisors may designate one or more of the following elected or appointed officials of the township to attend the annual meeting of the State association: supervisors, secretary, treasurer and manager. The convention shall be held in this Commonwealth under the procedures adopted by the State association.

(e) Each township with dues paid in the State association shall elect one of those delegates designated in subsection (d) to be the voting delegate at the convention.

(f) Each township shall certify the name and address of its delegate or delegates and the designated voting delegate to the State association at least thirty days before the opening of the State convention.

(g) (1) The expenses allowed to the delegates attending the annual meeting are limited to the registration fee, mileage for use of a personal vehicle or reimbursement of actual transportation expense going to and returning from the meeting plus all other actual expenses that the board of supervisors agrees to pay. Every delegate attending the annual meeting shall submit to the board of supervisors an itemized account of expenses incurred at the meeting.

(2) The board of supervisors may authorize township employes, including supervisors employed by the township, to be compensated at their regular employe rate during their attendance at the annual meeting.

(3) The board of supervisors may authorize a supervisor who is not employed by the township to receive total or partial reimbursement for lost wages or salary while attending the annual meeting, provided that sufficient documentation is presented to the board of supervisors to justify the reimbursement.

(4) No delegate shall receive expenses for attending more than four days each year.

(h) Membership dues of the State association are legal expenses of the townships and shall be used for the payment of expenses incurred, including, but not limited to, the rental or acquisition of real estate to be used for State association purposes and activities, cost of publications, salaries, cost of services provided to or for townships and other expenses incurred on behalf of the State association.

(i) The State association may purchase, receive, lease as lessee, accept by gift or devise or otherwise acquire and own, use and otherwise deal with any real estate in its own name for association purposes and mortgage, sell and convey, lease as lessor and otherwise dispose of all or part of the real estate. (1402 amended Feb. 21, 2002, P.L. 100, No. 9)

(j) The board of supervisors may authorize a supervisor who is employed by the township to be compensated at the supervisor's regular employe rate and a supervisor who is not employed by the township to receive total or partial reimbursement for lost wages or salary if the supervisor attends a meeting for which the supervisor is a member of the executive committee, a standing committee or a trustee of the state association of township supervisors subject to the following limitations:

(1) A supervisor on a standing committee of the state association of township supervisors shall be limited to two days per year of regular employe rate compensation or lost wages or salary, as applicable.

(2) A supervisor on the board of trustees insurance fund of the state association of township supervisors shall be limited to four days per year of regular employe rate compensation or lost wages or salary, as applicable.

(3) Any supervisor on the executive board or committee of the state association of township supervisors shall be limited to fifteen days per year of regular employe rate compensation or lost wages or salary, as applicable.

(4) A supervisor on any of the committees, funds or boards identified under paragraph (1), (2) or (3) may not be compensated by the township under this section if the supervisor receives any compensation from the committee, fund or board for attending that meeting. (1402 amended by Act 101 of 2006) (53 P.S. §66402)

ARTICLE XV
CORPORATE POWERS

Section 1501. Suits.-Any township may sue and be sued. (53 P.S. §66501)

Section 1502. Property; Penalty for Violation.--(a) The board of supervisors may purchase, acquire by gift or otherwise, hold, lease, let and convey, by sale or lease, any real and personal property it judges to be to the best interest of the township.
(b) Any supervisor who votes in favor of or knowingly participates in the sale or lease of township real or personal property in violation of this article is subject to surcharge to the extent of any loss or injury to the township as a result of the sale or lease. (53 P.S. §66502)

Section 1503. Real Property. – (a) No real estate owned by the township having a value in excess of fifteen hundred dollars ($1,500) may be sold except to the highest bidder after due notice by advertisement for bids or advertisement of a public auction in one newspaper of general circulation in the township. The advertisement shall be published once not less than ten days before the date set for the opening of bids or public auction, and the date for opening bids or public auction shall be announced in the advertisement. The award of contracts shall be made only by public announcement at a regular or special meeting of the board of supervisors or at the public auction. All bids shall be accepted on the condition that the payment of the purchase price in full shall be made within sixty days of the acceptance of bids.
(b) The board of supervisors may reject all bids if the bids are deemed to be less than the fair market value of the property. In the case of a public auction, the board of supervisors may establish a minimum bid based on the fair market value of the real property.
(b.1) The board of supervisors may sell real property under the act of October 27, 1979 (P.L.241, No.78), as amended, "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," if no bids are received on real property after proper notices.
(c) The requirements of this section do not apply to conveyances or leases of real property by a township to any of the following:
(1) A municipal corporation.
(2) The Federal Government.
(3) The Commonwealth.
(4) An institution district.
(5) A school district.
(6) A municipal authority.
(7) A county.
(8) A public utility.
(9) A volunteer fire company.
(10) A nonprofit corporation engaged in community industrial, commercial or affordable housing development.
(11) A volunteer ambulance service or volunteer rescue squad located within the township.
(12) A nonprofit corporation organized as a public library.
(13) A nonprofit medical service corporation.
(14) A nonprofit housing corporation.
(15) A nonprofit organization providing community service or development activities.
(16) A nonprofit corporation established for the preservation of historical, architectural or aesthetic sites or artifacts.
(17) A nonprofit association or nonprofit corporation organized to acquire and maintain real property for the preservation, conservation and stewardship of open space.
(18) A council of government, consortium, cooperative or other similar entity created pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation).
Such conveyances or leases shall be at the sole discretion of the township.
((c) amended May 18, 2004, P.L.219, No.29 and May 18, 2004, P.L.226, No.33)

(d) When real property is sold to a nonprofit corporation organized as a public library or to a nonprofit medical service corporation, nonprofit housing corporation, volunteer fire company, volunteer ambulance service, volunteer rescue squad, or a council of government, consortium, cooperative or other similar entity created pursuant to 53 Pa.C.S. Ch. 23 Subch. A involving one or more of the entities listed in this subsection, the board of supervisors may elect to accept any nominal consideration for the property as it believes appropriate. Real property sold under this subsection is subject to the condition that when the property is not used for the purposes of the corporation or volunteer fire company, the property reverts to the township.

(e) No real estate may be purchased by a township unless the board of supervisors obtains at least one appraisal on the real property in question by a person authorized to perform an appraisal on the subject property under the act of July 10, 1990 (P.L.404, No.98), known as the "Real Estate Appraisers Certification Act," and the township supervisors may require that an environmental impact statement be prepared, indicating the potential liability of the township for any environmental problems associated with the real estate to be purchased. The person making the appraisal shall not be interested directly or indirectly in any aspect of the sale of the real estate. The price paid by the board of supervisors for the purchase of the real estate shall not exceed the price established by the appraisal: Provided, however, That if more than one appraisal is obtained, the price paid by the board of supervisors shall not exceed the average of the appraisals.

(f) When real property has been dedicated, deeded or devised to a township to be used for a designated purpose and the real property is accepted and used for that purpose, or the real property is not used for the purpose designated for a period of ten years or more, and the township supervisors determine that it is not possible or not desirable for the best interest of the township to use the real property for the purpose designated, the township supervisors, with the prior approval of the court of common pleas, may by ordinance reconvey to the original owners or their successors, heirs or assigns, or otherwise dispose of, the real property free and clear of any public right.

(1503 amended by Act 30 of 2012 and May 18, 2004, P.L. 226, no. 33) (53 P.S. §66503)

Section 1504. Personal Property. –(a) No personal property of the township shall be sold or disposed of without the approval of the board of supervisors. No personal property owned by the township, the estimated fair market value of which is one thousand dollars ($1,000) or more, shall be sold except to the highest bidder after due notice by advertisement for bids or for public auction in one newspaper of general circulation in the township. The advertisement shall be published once not less than ten days before the date set for the opening of bids or public auction, and the date for opening bids or public auction shall be announced in the advertisement. The advertisement for electronic auction sales authorized in subsection (d) shall include the Internet address or means of accessing the electronic auction and the date, time and duration of the electronic auction. If after attempting twice to receive bids or if at a public auction no bid was received, the board of supervisors may by resolution adopt a procedure by which the personal property may be sold without further action of the board of supervisors. A procedure adopted pursuant to this authorization shall be subject to and shall conform with the requirements of any law governing the sale of property by municipal corporations generally when no bids have been received. The awarded of contracts shall be made only by public announcement at a regular or special meeting of the board of supervisors or at the public auction. Except as provided in subsection (d), all bids shall be accepted on the condition that payment of the purchase price in full is made immediately upon acceptance of the successful bid. The board of supervisors may reject any bids received if the bids are believed to be less than the fair market value of the property.

(b) With respect to personal property, either individual items or lots of items, the fair market value of which is estimated to be less than one thousand dollars ($1,000), the board of supervisors shall by resolution adopt a procedure by which the property may be sold without further action by the board of supervisors. The board of supervisors may arrange for the sale of the item or items at public auction.

(b.1) The board of supervisors may sell personal property under the Act of October 1979 (P.L.241), entitled, as amended, "an act authorizing political subdivisions, municipality authorities

and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," if no bids are received on personal property after proper notices.
(c) The bidding and advertising requirements of this section do not apply to the following transactions:
(1) If personal property of the township is being traded in or exchanged for other personal property.
(2) The sale or lease of personal property to any municipal corporation, the Federal Government, the Commonwealth or any institution district, school district, municipality authority, county, public utility, volunteer fire company, nonprofit corporation engaged in community industrial development, volunteer ambulance service or volunteer rescue squad located within the township, nonprofit corporation organized as a public library, nonprofit medical service corporation, nonprofit housing corporation, nonprofit organizations providing community service or development activities or nonprofit corporation established for the preservation of historical, architectural or aesthetical sites or artifacts.

(2) The sale or lease of personal property by the township to any of the following:
(i) A municipal corporation.
(ii) The federal government.
(iii) The Commonwealth
(iv) An institution district.
(v) A school district.
(vi) A municipality authority.
(vii) A county.
(viii) A public utility.
(ix) A volunteer fire company.
(x) A nonprofit corporation engaged in community industrial, commercial or affordable housing development.
(xi) A volunteer ambulance service or volunteer rescue squad located within the township.
(xii) A nonprofit corporation organized as a public library.
(xiii) A nonprofit medical service corporation.
(xiv) A nonprofit housing corporation.
(xv) A nonprofit organization providing community service or development activities.
(xvi) A nonprofit corporation established for the preservation of historical architectural or aesthetical sites or artifacts.
(xvii) A council of government, consortium, cooperative or other similar entity created pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation).
(d) A "public auction" shall include an online or electronic auction sale. During an electronic auction sale, bids shall be accepted electronically at the time and in the manner designated in the advertisement. During the electronic auction, each bidder shall have the capability to view the bidder's bid rank or the high bid price. Bidders may increase their bid prices during the electronic auction. The record of the electronic auction shall be accessible for public inspection. The purchase price shall be paid by the high bidder immediately or at a reasonable time after the conclusion of the electronic auction as determined by the township. In the event that shipping costs are incurred, they shall be paid by the high bidder.
(e) A township that has complied with the advertising requirements of subsection (a) may provide additional public notice of the sale by bids or public auction in any manner deemed appropriate by the township.(1504 amended by Act 49 of 2006 and Act 30 of 2012) (53 P.S. §66504)

Section 1505. Boards of Supervisors to Exercise Powers.-The corporate powers of townships shall be exercised by the board of supervisors. If no specific authority is given for the payment of costs incurred in the exercise of any power contained in this act, the expenses may be paid from the general township fund. (53 P.S. §66505)

Section 1506. General]Powers.-The board of supervisors may make and adopt any ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the township and its finances and the maintenance of peace, good government, health and welfare of the township and its citizens, trade, commerce and manufacturers. (53 P.S. §66506)

Section 1507. Intergovernmental Cooperation.--The board of supervisors may by ordinance make agreements with other municipal corporations in performing governmental powers, duties and functions and in carrying into effect provisions of the act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law. (53 P.S. §66507)

Section 1508. Capital Reserve Fund.-(a) The board of supervisors may create and maintain a separate capital reserve fund for any anticipated capital expenses, which fund shall be designated for a specific purpose or purposes when created. The moneys in the fund shall be used for no other purpose unless the board of supervisors declares that conditions in the township make other expenses more urgent than those for which the fund was created.
(b) The board of supervisors may appropriate moneys from the general township funds to be paid into the capital reserve fund or place in the fund any moneys received from the sale, lease or other disposition of any township property or from any other source. (53 P.S. §66508)

Section 1508.1. Operating Reserve Fund.-(a) The board of supervisors shall have the power to create and maintain a separate operating reserve fund in order to minimize future revenue shortfalls and deficits, provide greater continuity and predictability in the funding of vital government services, minimize the need to increase taxes to balance the budget in times of fiscal distress, provide the capacity to undertake long-range financial planning and develop fiscal resources to meet long-term needs.
(b) The board of supervisors may annually make appropriations from the general township fund to the operating reserve fund, but no appropriation shall be made to the operating reserve fund if the effect of the appropriation would cause the fund to exceed five per centum of the estimated revenues of the township's general fund in the current fiscal year.
(c) The board of supervisors may at any time by resolution make appropriations from the operating reserve fund for the following purposes only:
(1) to meet emergencies involving the health, safety or welfare of the residents of the township;
(2) to counterbalance potential budget deficits resulting from shortfalls in anticipated revenues or program receipts from whatever source; or
(3) to provide for anticipated operating expenditures related either to the planned growth of existing projects or programs or to the establishment of new projects or programs if for each such project or program appropriations have been made and allocated to a separate restricted account established within the operating reserve fund.
(d) The operating reserve fund shall be invested, reinvested and administered in a manner consistent with the provisions of section 3204 relating to the investment of township funds generally. (53 P.S. §66508.1)

Section 1509. Indebtedness.-The board of supervisors may incur indebtedness and issues notes, bonds or other evidence of indebtedness under the act of July 12, 1972 (P.L. 78 1, No. 185), known as the "Local Government Unit Debt Act," to provide sufficient moneys for any expense of the township. (53 P.S. §66509)

Section 1510. Display of Flags.--The board of supervisors may display the flag of the United States or the Commonwealth, the official POW/MIA flag or the flag of any county or municipal corporation on any public building or grounds of the township. (53 P.S. §66510)

Section 1511. Township Seal.--The board of supervisors may adopt a seal which contains the name of the township and the word "seal" and which shall be in the custody of the township

secretary or manager. The official acts of the board of supervisors may be authenticated by use of the seal. The seal has the same effect as the seal of a notary public. (53 P.S. §66511)

Section 1512. Insurance.--(a) The board of supervisors shall secure workers' compensation insurance for its employes, including volunteer firemen and volunteer ambulance and rescue personnel of companies duly recognized by the township by resolution, killed or injured in the course of their appointed functions or while performing any other duties expressly authorized by the board of supervisors.
(b) The board of supervisors may contract with any insurance company to insure property owned by the township.
(c) The board of supervisors may contract with any insurance company to insure any public liability of the township, including insurance on every township officer, official and employe for liability arising from errors and emissions in the performance of their duties in the course of their employment, except that liability of elected or appointed officials or officers for surcharge under law shall not be affected hereby.
(d) The board of supervisors may contract with any insurance company, nonprofit hospitalization corporation or nonprofit medical service corporation to insure its supervisors under section 606, employes and their dependents under a policy or policies of group insurance covering life, health, hospitalization, medical service or accident insurance. This provision is subject to the following qualifications:
(1) Elected officials, except supervisors under section 606, and appointed officials who are not employes of the township are not eligible for participation in any life, health, hospitalization, medical service or accident insurance coverage contract paid in whole or in part by the township.
(2) Any insurance coverage contract made by a township between January 1, 1959, and March 31, 1985, that includes or provides coverage for elected officials, except under section 606, or appointed township officials who are not employes of the township are not void or unlawful solely because the inclusion of those officials was subsequently found to be without lawful authority. No penalty, assessment, surcharge, forfeiture or disciplinary action of any kind may occur as a result of participation by those officials. Insurance benefits payable to insureds or their beneficiaries arising out of or on account of deaths, injuries, accidents or illnesses occurring before March 30, 1988, remain the property of the insureds or their beneficiaries.
(e) The board of supervisors may contract with any insurance company for the pensioning of employes and may pay part or all of the premiums or charges for group pension or annuity plans. This provision is subject to the following qualifications:
(1) The benefit coverage may be provided to supervisor-employes under section 606.
(2) The board of supervisors may deduct from the employe's pay, salary or compensation the part of the premium or charge that is payable by the employe.
(3) Elected officials, except township supervisors under section 606, and appointed township officials who are not employes of the township are not eligible for participation in any pension or annuity contract paid in whole or in part by the township. No elected official, except under section 606, or appointed township official who is not an employe of the township included in a township-paid pension or annuity plan made by a township between January 1, 1959, and March 31, 1985, is subject to any penalty, assessment, surcharge, forfeiture or disciplinary action of any kind as a result of that participation. Any residual interest, value, refund of premium or benefits payable on or after March 31, 1985, arising out of the township-paid interest of the elected or appointed township officials is the exclusive property of the township.
(4) If an elected official, except supervisors under section 606, or an appointed official who is not an employe of the township personally contributed toward a township-sponsored pension plan or annuity, he shall receive a refund of his total contributions thereto plus any interest accumulated thereon. In lieu of a refund of contributions plus accumulated interest, a township official who personally contributed toward a pension or annuity plan in which he participated may elect to purchase that portion of his pension or annuity funded by the township. A qualified actuary, who shall report his determination under the act of December 18, 1984 (P.L. 1005, No. 205), known as the "Municipal Pension Plan Funding Standard and Recovery Act," shall determine the amount the official shall pay to the township to purchase the township-funded portion of the annuity or pension. (53 P.S. §66512)

Section 1513. Widening and Deepening Watercourses.-After permits have been secured from the Department of Environmental Protection and the Pennsylvania Fish and Boat Commission, the board of supervisors or its agents or employes may widen and deepen watercourses running through the township and erect dikes, retaining walls and embankments along the watercourses as are necessary to prevent water from overflowing the banks. For these purposes, townships may enter and condemn property as may be necessary. Townships may enter land lying near the watercourses and secure materials as may be necessary in connection with the work. Damages for property taken, injured or destroyed as the result of the work shall be determined under this act. (53 P.S. §66513)

Section 1514. Airports.-(a) The board of supervisors may acquire by grant, lease, purchase or, where appropriate, eminent domain any property located inside or outside the boundaries of the township which in the judgment of the board of supervisors may be necessary to establish and maintain municipal airport facilities. Any township having acquired land for those purposes may establish, equip, condition, operate and maintain the property as a municipal airport, may lease all or part of the property to any individual or corporation desiring to use the property for aviation purposes and may contract in the form of a lease of all or part of the property by the Federal Government for aviation purposes upon nominal rental or without consideration.
(b) The board of supervisors may acquire by lease or purchase land for aviation purposes jointly with any county or municipal corporation of this Commonwealth and operate and maintain the municipal airport jointly with any county or municipal corporation of this Commonwealth upon terms and conditions as may be agreed upon between the proper authorities of the county or municipal corporation. (53 P.S. §66514)

Section 1515. Urban Common Carrier Mass Transportation.-The board of supervisors may appropriate funds for urban common carrier mass transportation purposes, make contributions to county departments of transportation or urban common carrier mass transportation authorities to assist the departments or the authorities to meet costs of planning, operation, maintenance, capital improvements and debt service and make long-term agreements providing for the payment of contributions. (53 P.S. §66515)

Section 1516. Land Use Regulations.-The board of supervisors may plan for the development of the township through zoning, subdivision and land development regulations under the act of July 31, 1968 (P.L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code." (53 P.S. §66516)

Section 1517. Building and Housing Regulations.-The board of supervisors may enact and enforce ordinances to govern and regulate the construction, alteration, repair, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use and inspection of all buildings and housing constructed, erected, altered, designed or used for any use or occupancy and the sanitation and inspection of land. If any building and housing or structure is constructed, reconstructed, altered, repaired, converted or maintained or any building, housing or land is used in violation of any ordinance enacted under this section, the board of supervisors, in addition to penalties provided by the ordinances, may institute appropriate actions or proceedings at law or in equity to prevent and restrain the unlawful construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate the violation and to prevent the use or occupancy of the building, housing or structure.
(53 P.S. §66517)

Section 1518. Building and Housing Inspectors.-The board of supervisors may appoint one or more building and housing inspectors to enforce the building and housing regulations of the township and for the inspection of the construction, alteration, repair and sanitation facilities of buildings and housing in the township. (53 P.S. §66518)

Section 1519. Building Lines.-The board of supervisors may by ordinance establish and maintain uniform building lines upon any or all public streets or highways of the township. (53 P.S. §66519)

Section 1520. Numbering of Buildings.-The board of supervisors may by ordinance require and regulate the numbering of buildings. (53 P.S. §66520)

Section 1521. Insect, Pest and Vector Programs.-The board of supervisors may appropriate moneys toward insect, pest and vector programs. (53 P.S. §66521)

Section 1522. Sewage Treatment Facilities Regulations.-The board of supervisors may by ordinance make regulations respecting the installation of individual or community sewage treatment facilities under the act of January 24, 1966 (1965 P.L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act." (53 P.S. §66522)

Section 1523. Surplus Foods.-The board of supervisors may appropriate moneys for the handling, storage and distribution of surplus foods obtained through a Federal, State or local agency. (53 P.S. §66523)

Section 1524. Community Nursing Services.-The board of supervisors may appropriate moneys to nonprofit associations or corporations which provide community nursing services. (53 P.S. §66524)

Section 1525. Mental Health Centers.-The board of supervisors may appropriate moneys toward any nonprofit association or corporation which operates or conducts a mental health center.
(53 P.S. §66525)

Section 1526. Hospitals.-The board of supervisors may appropriate not exceeding one dollar ($1) for each township resident each year toward the erection, maintenance or support of any medical center or hospital building facilities. If the total cost of the purchase or erection exceeds one hundred thousand dollars ($100,000), approval by the appropriate health planning agency is required. The number of residents is determined from the latest official census. (53 P.S. §66526)

Section 1527. Public Safety.-The board of supervisors may adopt ordinances to secure the safety of persons or property within the township and to define disturbing the peace within the limits of the township. (53 P.S. §66527)

Section 1528. Ambulances and Rescue and Life Saving Services.-The board of supervisors may acquire, operate and maintain motor vehicles for the purposes of conveying persons to and from hospitals, and it may appropriate moneys toward ambulance and rescue and life saving services and make contracts relating thereto. (53 P.S. §66528)

Section 1529. Nuisances.-The board of supervisors may by ordinance prohibit nuisances, including, but not limited to, the storage of abandoned or junked automobiles, on private and public property and the carrying on of any offensive manufacture or business. (53 P.S. §66529)

Section 1530. Regulation of Dogs,-The board of supervisors may by ordinance prohibit and regulate the running at large of dogs. (53 P.S. §66530)

Section 1531. Animal Shelters.-The board of supervisors may appropriate moneys to foster, encourage or assist the operation of humane societies, animal shelters or animal control centers or programs. (53 P.S. §66531)

Section 1532. Regulation of Business.-(a) The board of supervisors may license and regulate by ordinance the following business activities within the township:
(1) Transient merchants conducting business within the township, except farmers selling their own produce, or to any sale of goods, wares or merchandise donated by the owners thereof, the proceeds of which are to be applied to any charitable or philanthropic purpose or the imposition or collection of any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the insurance laws of this Commonwealth.
(2) Cable television companies operating within the township to the extent allowed by Federal and State law and regulation.
(3) Restaurants operating within the township. This power includes the power to inspect these establishments.
(4) Junk dealers and the establishment and maintenance of junk yards and scrap yards, including, but not limited to, automobile junk yards or automobile grave yards.
(b) The board of supervisors may establish license fees for regulated businesses enumerated in subsection (a). These fees shall bear a reasonable relationship to the cost of administering the ordinance and regulating, inspecting and supervising each business. Licenses may be issued on an annual or monthly basis and any fee charged to transient merchants shall not exceed three hundred dollars ($300) per year or twenty-five dollars ($25) each month or part of a month. ((b) amended Dec. 18, 1996, P.L.1142, No. 172) (53 P.S. §66532)

Section 1533. Dangerous Structures.-The board of supervisors may by ordinance require the owner to remove any nuisance or dangerous structure on public or private grounds after notice to the owner to do so. In the owner's default, the board of supervisors may remove the nuisance or structure and collect the cost of the removal, together with the penalty imposed by the ordinance, from the owner by summary proceedings or under law for the collection of municipal liens. (53 P.S. §66533)

Section 1534. Fireworks and Inflammable Articles.-The board of supervisors may:
(1) By ordinance regulate and prohibit the manufacture of fireworks or inflammable or dangerous articles.
(2) Grant permits for supervised public displays of fireworks and adopt rules and regulations governing the displays.
(3) By ordinance adopt rules and regulations not inconsistent with State regulations relating to the storage of inflammable articles.
(4) By ordinance impose other safeguards concerning inflammable articles as may be necessary. (53 P.S. §66534)

Section 1535. Human Services.-The board of supervisors may, under the provisions of the act of December 10, 1974 (P.L. 865, No. 292), entitled "An act authorizing municipalities to expend Federal general revenue sharing or general funds for social service programs for the poor, the disabled and the aging, and to jointly cooperate in the sponsorship, establishment, administration, maintenance and operation of such programs," by ordinance or resolution appropriate moneys for social service programs for the poor, the disabled and the aging. (53 P.S. §66535)

Section 1536. Cemeteries.-(a) The board of supervisors may by ordinance make rules and regulations regarding the location, operation and maintenance of cemeteries in the township.
(b) When any cemetery or burial ground is abandoned or is being neglected, the board of supervisors may give notice to the owner directing the removal of weeds, refuse and debris from the cemetery within thirty days. If the removal is not completed within thirty days after the notice, the board of supervisors shall provide for the removal to be done by employes of the township or persons hired for that purpose at the expense of the township. All costs of removal shall be assessed against the owner of the cemetery, if known, and collected under section 3302(b).
(c) The cemetery shall remain open to the public under the regulation and control of the board of supervisors. (53 P.S. §66536)

Section 1537. Burial Plots of Service Persons.-The board of supervisors may purchase plots of ground in any cemetery or burial ground for the interment of deceased or former service men and women who at the time of their death maintained legal residence within the township. (53 P.S. §66537)

Section 1538. Care of Memorials.-The board of supervisors may maintain and repair any soldiers' monument or memorial existing or erected within the township and may receive funds from persons or organizations for those purposes. (53 P.S. §66538)

Section 1539. Libraries.-The board of supervisors may, in accordance with the act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code," appropriate moneys toward any nonprofit association or corporation which operates or conducts a library or contract with or make grants to counties or municipal corporations for the furnishing of library service to the township.
(53 P.S. §66539)

Section 1540. Observances and Celebrations.-The board of supervisors may appropriate moneys for the observance of holidays, centennials or other anniversaries or for township celebrations or civic projects or programs. (53 P.S. §66540)

Section 1541. Historical Property.-The board of supervisors may acquire by purchase or by gift, repair, supervise, operate and maintain ancient landmarks and other property of historical or antiquarian interest and make appropriations to nonprofit associations or corporations organized to acquire and maintain historical properties. (53 P.S. §66541)

Section 1542. Community Development.-The board of supervisors may undertake community development programs, including, but not limited to, urban renewal, public housing, model cities programs and neighborhood development projects. (53 P.S. §66542)

Section 1543. Industrial Promotion.-The board of supervisors may make appropriations to an industrial development agency. (53 P.S. §66543)

Section 1544. Tourist Promotion Agencies.-The board of supervisors may appropriate moneys not in excess of ten cents (10¢) for each resident of the township, as determined by the latest official census, to any tourist promotion agency, as defined in the act of April 28, 1961 (P.L. I11, No. 50), known as the "Tourist Promotion Law," to assist the agencies in carrying out tourist promotional activities. (53 P.S. §66544)

Section 1545. Nonprofit Art Corporations.-The board of supervisors may appropriate moneys, not exceeding an amount equal to one mill of the real estate tax, to any nonprofit art corporation for the conduct of its artistic and cultural activities. For the purposes of this section, the term "nonprofit art corporation" means a local arts council, commission or coordinating agency or any other nonprofit corporation engaged in the production or display of works of art, including the visual, written or performing arts and the term "artistic and cultural activities" includes the display or production of theater, music, dance, painting, architecture, sculpture, arts and crafts, photography, film, graphic arts and design and creative writing. (53 P.S. §66545)

Section 1546. Neighborhood Crime Watch Programs.-The board of supervisors may appropriate moneys toward a neighborhood crime watch program. No township or township official is subject to contractual, tort or other liability as a result of making an appropriation under this section.
(53 P.S. §66546)

Section 1547. Public Rewards.-The board of supervisors may offer rewards for information leading to the arrest and conviction of persons who commit capital or other crimes within the township or for the violation of any township ordinance. (53 P.S. §66547)

Section 1548. Municipality Authorities.-The board of supervisors may by ordinance or resolution individually or in cooperation with other municipal corporations form municipality authorities as authorized by the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945," specify the project or projects to be undertaken by the authorities, appoint members and establish their compensation. (53 P.S. §66548)

Section 1549. Racetracks.-(a) In addition to the powers and duties imposed upon the township supervisors by this act or any other provision of law, the township supervisors shall have the power and duty to secure the health, safety and welfare of persons and property by adopting an ordinance prohibiting the conducting of live horse race meets by a licensed corporation at a racetrack located within the area of fifty air miles from the center of an existing, currently licensed racetrack, notwithstanding the provisions of the act of December 17, 1981 (P.L. 435, No. 135), known as the "Race Horse Industry Reform Act," provided that a majority of electors of the township approve a referendum pursuant to subsection (b) prohibiting the conducting of such horse race meets within the township.
(b) The township supervisors may, or upon the petition of a number of electors of the township equal to at least twenty-five percent of the highest number of votes for a public office of the township at the last preceding municipal election shall, adopt a resolution directing the county board of elections to place a referendum question on the ballot for the primary or general election, with respect to the conducting of live horse race meets by licensed corporations within the township. The question shall be in the following form:
Shall live horse race meets conducted by licensed corporations be prohibited within the area of fifty air miles from the center of an existing, currently licensed racetrack?
(c) The definitions provided for in the "Race Horse Industry Reform Act" shall apply to this section. (53 P.S. §66549)

Section 1550. Conservation District.-The board of supervisors may make appropriations to a conservation district as defined in the act of May 15, 1945 (P.L.547, No.217), known as the "Conservation District Law." (1550 added June 22, 2000, P.L.400, No.55) (53 P.S. §66550)

Section 1551. Watershed Associations. –The board of supervisors may make appropriations to nonprofit watershed associations for watersheds serving the township. Such appropriations may not be used to undertake litigation against any municipal corporation or to seek redress against any individual landowner.(1551 added by Act 11 of 2005) (53 P.S. §66551)

Section 1552. Counties. –The board of supervisors may make appropriations to the county in which the township is situated for land acquisition related to community and economic development projects located within the township.(1552 added by Act 106 of 2006) (53 P.S. §66552)

Section 1553. Emergency Services- (a) The township shall be responsible for ensuring that fire and emergency medical services are provided within the township by the means and to the extent determined by the township, including the appropriate financial and administrative assistance for these services.
(b) The township shall consult with fire and emergency medical service providers to discuss the emergency services needs of the township.
(c) The township shall require any emergency services organizations receiving township funds to provide to the township an annual itemized listing of all expenditures of these funds before the township may consider budgeting additional funding to the organization. (1553 added by Act 7 of 2008) (53 P.S. §66553)

ARTICLE XVI
ORDINANCES

Section 1601. Ordinances.-(a) The board of supervisors may adopt ordinances in which general or specific powers of the township may be exercised, and, by the enactment of subsequent ordinances, the board of supervisors may amend, repeal or revise existing ordinances. All proposed ordinances, whether original, amended, repealed, revised, consolidated or codified, shall be published not more than sixty days nor less than seven days before passage at least once in one newspaper circulating generally in the township. Public notices shall include either the full text or a brief summary of the proposed ordinance which lists the provisions in reasonable detail and a reference to a place within the township where copies of the proposed ordinance may be examined. If the full text is not included, a copy shall be supplied to the publishing newspaper when the notice is published, and an attested copy shall be filed within thirty days after enactment in the county law library or other county office designated by the county commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing the ordinances. The date of such filing shall not affect the effective date of the ordinance, the validity of the process of the enactment or adoption of the ordinance; nor shall a failure to record within the time provided be deemed a defect in the process of the enactment or adoption of such ordinance. If substantial amendments are made in the proposed ordinance, before voting upon enactment, the board of supervisors shall at least ten days before enactment readvertise in one newspaper of general circulation in the township a brief summary setting forth all the provisions in reasonable detail, together with a summary of the amendments. Ordinances shall be recorded in the ordinance book of the township and are effective five days after adoption unless a date later than five days after adoption is stated in the ordinance.
(b) When maps, plans or drawings of any kind are adopted as part of an ordinance, instead of publishing them as part of the ordinance, the board of supervisors may refer in publishing the ordinance to the place where the maps, plans or drawings are on file and may be examined.
(c.1) An ordinance enacted by the board of supervisors pursuant to this act shall prescribe the fines and penalties which may be imposed for its violation and shall, unless otherwise specified in another statute, designate the method of its enforcement in accordance with the following:
(1) Civil enforcement.-Except as provided in paragraph (2), when the penalty imposed for the violation of an ordinance enacted pursuant to the provisions of this act is not voluntarily paid to the township, the township shall initiate a civil enforcement proceeding before a district justice. The civil enforcement proceeding shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure. An ordinance which is to be enforced through a civil enforcement proceeding may prescribe civil penalties not to exceed six hundred dollars ($600) per violation. In addition to or in lieu of civil actions before a district justice, townships may enforce ordinances in equity. In any case where a penalty for a violation of a township ordinance has not been timely paid and the person upon whom the penalty was imposed is found to have been liable therefor in civil proceedings, the violator shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorney fees incurred by the township in the enforcement proceedings. A township shall be exempt from the payment of costs in any civil case brought to enforce an ordinance in accordance with this paragraph.
(2) Enforcement as summary offenses.-For an ordinance regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution, the board of supervisors shall provide that its enforcement shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 83(c) (relating to trial in summary cases). The board of supervisors may prescribe criminal fines not to exceed one thousand dollars ($1,000) per violation and may prescribe imprisonment to the extent allowed by law for the punishment of summary offenses.
(3) Existing ordinances.-With regard to ordinances enacted prior to May 7, 1996, those regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution shall be deemed automatically amended so that they shall be

enforced by an action brought before a district justice in the same manner provided for the enforcement of summary offenses in accordance with paragraph (2). All other ordinances enacted prior to May 7, 1996, shall be deemed automatically amended so that they shall be enforced through a civil enforcement proceeding in accordance with paragraph (1).
(4) Enforcement in equity.--Ordinances may be enforced by a township through an action in equity brought in the court of common pleas of the county where the township is situated.
(5) Separate offenses.-Ordinances may provide that a separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the ordinance which is found to have been violated.
(6) Payment to treasurer.-All fines and penalties collected for the violation of any township ordinance shall be paid to the township treasurer.
(7) Enforcement officers or agents.--The board of supervisors may delegate the initial determination of ordinance violation and the service of notice of violation to such officers or agents as the township shall deem qualified for that purpose.
(d) The board of supervisors may prepare or have prepared a consolidation or codification of the general body of township ordinances or the ordinances on a particular subject. The board of supervisors may adopt the consolidation or codification as an ordinance of the township, except the required advertised notice of the proposed adoption of the consolidation or codification shall include a listing of its table of contents. The procedure for the consolidation or codification of township ordinances as a single ordinance may also be followed in enacting a complete group or body of ordinances repealing or amending existing ordinances as may be necessary in the course of preparing a consolidation or codification of the township ordinances, except that the advertisement giving notice of the proposed adoption shall list, in lieu of a table of contents, the titles only of each of the ordinances in the complete group or body of ordinances.
(e) In the same manner as other ordinances, the board of supervisors may adopt, by reference to a standard or nationally recognized code in a township ordinance, all or any portion of the code as an ordinance of the township. No portion of any code which limits the work to be performed to any type of construction contractor or labor or mechanic classification shall be adopted. Copies of the proposed code or portion or amendment shall be filed with the township secretary at least ten days before the board of supervisors considers the proposed ordinance and upon enactment kept with the ordinance book and available for public use, inspection and examination.
(f) Any person aggrieved by the adoption of any ordinance may make complaint as to the legality of the ordinance to the court of common pleas.(1601 amended Dec. 18, 1996, P.L.1142, No. 172) (53 P.S. §66601)

ARTICLE XVII
PUBLIC BUILDINGS

Section 1701. Township Buildings.-(a) The board of supervisors may procure by purchase, gift, devise or the exercise of eminent domain a lot or lots of ground located within the township and erect or use buildings thereon for township purposes. No land or property used for any cemetery, burying ground, public or parochial school, educational or charitable institution, seminary or place of public worship shall be taken or appropriated under this section.
(b) Subject to the restrictions contained in section 3402, townships in counties of the second class A may enter upon and appropriate historic land and structures which are privately owned, provided the sole purpose of the taking is the preservation and maintenance of the property for its historic value and the Pennsylvania Historical and Museum Commission or the county historical society has certified both the historic value of the property and that it is not being maintained in an appropriate manner. (53 P.S. §66701)

Section 1702. Use of Public Land Acquired for Other Purposes.-When the board of supervisors desires to take any public lands previously granted or dedicated to a use or purpose for which they are no longer used, it shall pass an ordinance declaring its intention and shall petition the court of common pleas for leave to file the bond of the township to secure any person or persons who may be entitled to compensation for the taking. The court shall direct notice to be given by publication in at least one newspaper circulating generally in the township. The court may increase the amount of the bond, shall hear all exceptions that are filed against the petition and the sufficiency of the bond and may grant or deny the request of the petition. Upon the granting of the petition and the approval of the bond, the board of supervisors may enter lands for the purposes of erecting public buildings. The bond, which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damages by reason of the taking of the lands, shall remain on file for their use and benefit. (53 P.S. §66702)

Section 1703. How Damages Are Assessed.-The compensation and damages arising from taking, using and appropriating private or public property for township purposes shall be ascertained, determined, awarded and paid under this act for eminent domain proceedings. (53 P.S. §66703)

Section 1704. Garages and Warehouses.-The board of supervisors may purchase or lease land inside or outside the limits of the township and erect garages, warehouses or other buildings as may be necessary for handling and storing equipment, materials and supplies. (53 P.S. §66704)

ARTICLE XVIII
FIRE PREVENTION AND PROTECTION

Section 1801. Authority of Board of Supervisors.-The board of supervisors may provide for fire protection within the township. (53 P.S. §66801)

Section 1802. Fire Hydrants and Water Supply.-(a) The board of supervisors may place, replace, operate, maintain and repair or contract with water companies or municipal authorities for the placing, replacing, operating, maintaining and repairing of fire hydrants to water mains, maintaining pressures approved by fire insurance underwriters along highways, streets, roads and alleys within the township or provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire. The moneys necessary for providing or acquiring these fire protection services may be obtained by one of the following methods:
(1) The board of supervisors may annually assess the cost of fire protection by an equal assessment upon all property, whether or not exempt from taxation by existing law, within seven hundred and eighty feet of any fire hydrant based upon the assessment of property for county tax purposes.
(2) The board of supervisors may annually assess the cost of fire protection by an equal assessment on all property, whether or not exempt from taxation under existing law, abutting upon highways, streets, roads and alleys within seven hundred and eighty feet of any fire hydrant in proportion to the number of feet the property abuts any water main or within seven hundred and eighty feet of any fire hydrant on the water main. The board of supervisors may provide for an equitable reduction from the frontage of lots at intersections or where, due to the irregular shape of lots, an assessment of the full frontage would be inequitable.
(3) The board of supervisors may pay the cost for fire protection out of the general township fund. If the board of supervisors elects to pay the cost of fire protection services out of the general fund, any special fire protection districts and annual assessments shall be abolished. All moneys in the separate accounts for the special fire protection districts shall be paid into the general fund.
(b) When assessments are made under this section, no assessment shall be made against any farmland or an airport which is privately owned and which is not open nor intended to be open to the public; but vacant lots between built-up sections, either tilled or not tilled, are not farmland.
(c) All assessments for fire protection shall be collected by the tax collector under section 3301(a).
(d) The assessment may be billed on the annual real estate tax bill for township purposes if authorized by the board of supervisors. (53 P.S. §66802)

Section 1803. Fire Companies, Facilities and Training.-(a) The board of supervisors may appropriate moneys for the use of the township or to fire companies located in the township for the operation and maintenance of fire companies, for the purchase and maintenance of fire apparatus, for the construction, repair and maintenance of fire company houses, for training of fire company personnel and, as set forth in this section, for fire training schools or centers in order to secure fire protection for the inhabitants of the township. The fire companies shall submit to the board of supervisors an annual report of the use of the appropriated moneys for each completed year of the township before any further payments may be made to the fire companies for the current year.
(b) The board of supervisors may by ordinance make rules and regulations for the government of fire companies which are located within the township and their officers.
(c) The board of supervisors may contract with or make grants to near or adjacent municipal corporations or volunteer fire companies therein for fire protection in the township.
(d) No volunteer fire company not in existence in the township before the effective date of this act may organize or operate unless the establishment or organization is approved by resolution of the board of supervisors.
(e) The board of supervisors may annually appropriate funds to fire companies located within the township for the training of its personnel and to lawfully organized or incorporated county or regional firemen's associations or an entity created pursuant to the act of July 12, 1972 (P.L.762,

No. 180), referred to as the Intergovernmental Cooperation Law, to establish, equip, maintain and operate fire training schools or centers for the purpose of giving instruction and practical training in the prevention, control and fighting of fire and related fire department emergencies to the members of fire departments and volunteer fire companies in any city, borough, town or township within this Commonwealth. (1803) amended Dec. 18, 1996, P.L.1154 , No. 175) Compiler's Note: The act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law, referred to in subsection (e), was repealed by the act of December 19, 1996, P.L.1158 , No. 177. The subject matter is now contained in 53 Pa.C.S. Ch. 23 Subchapter A (relating to intergovernmental cooperation). (53 P.S. §66803)

Section 1804. Ponds, Dams or Impoundments for Fire Protection.-The board of supervisors may construct or contribute moneys for or participate in the construction of ponds, dams or other impoundments to provide water for fire protection for the township. (53 P.S. §66804)

Section 1805. Fire Prevention Code.-The board of supervisors may adopt any standard fire prevention code published and printed in book form as provided under this act for adopting standard codes. (53 P.S. §66805)

Section 1806. Prohibition of Fire-Producing Devices in Certain Retail Stores.-The board of supervisors may by ordinance prohibit the smoking or carrying of lighted cigarettes, cigars, pipes or matches and the use of matches or fire-producing devices in retail stores arranged to accommodate one hundred persons or more or which employ ten or more employes. Any ordinance passed under this section may not prohibit smoking in any restaurant room, rest room, beauty parlor, executive office or any shopping center area designated for smoking. (53 P.S. §66807)

ARTICLE XIX
TOWNSHIP POLICE

Section 1901. Creating or Disbanding Police Force.-The board of supervisors may by resolution create or disband a police force within the township or, upon the petition of not less than twenty-five registered electors or taxpayers of the township, appoint police officers. (53 P.S. §66901)

Section 1902. Appointment of Police.-The board of supervisors shall provide for the organization and supervision and determine the number and the compensation of the police officers. The position of police officer is incompatible with the office of supervisor, auditor, tax collector and manager. The chairman of the board of supervisors may swear in police officers. The board of supervisors may assign any police officer to undergo a course of training at any training school for police officers established or made available by the Federal or State Government and provide for payment of the officer's expenses while in attendance at the training school. (1902 amended Dec. 18, 1996, P.L.1142, No. 172)(1902 Amended by Act 166 of 2006) (53 P.S. §66902)

Section 1903. Contracts to Secure Police Service.-Any township may contract with any municipal corporation to secure the services within the township of the police of the municipal corporation. When any contract is made, the police officers of the employing municipal corporation have all the powers and authority conferred by law on police officers in the township which has contracted to secure police service. (53 P.S. §66903)

Section 1904. Contract to Provide Police Service.-Any township may contract with any municipal corporation to provide police services within the other municipal corporation. When a contract is made, the township police have all the powers and authority conferred by law on police in the municipal corporation which has contracted to secure police service. (53 P.S. §66904)

Section 1905. Powers.-Each township police officer has those powers and abilities as are granted to police officers under the laws of this Commonwealth or the rules of the Supreme Court or the ordinances of the township for which a fine or penalty is imposed unless otherwise excepted in this act. (53 P.S. §66905)

Section 1906. Shield.-Each police officer when on duty shall wear a shield or badge with the words "township police" and the name of the township inscribed thereon. (53 P.S. §66906)

Section 1907. Equipment.-The board of supervisors may provide each police officer with a uniform, equipment and means of transportation and the maintenance thereof. (53 P.S. §66907)

Section 1908. Lockups.-The board of supervisors may provide lockup facilities. (53 P.S. §66908)

Section 1909. Certain Compensation Prohibited.-No police officer may charge or accept any fee or other compensation in addition to the salary paid by the township for any service rendered or performed by the police officer, except public rewards. (53 P.S. §66909)

Section 1910. Police Pension Fund.-(a) In those townships maintaining police forces of less than three full-time police officers, the board of supervisors may by ordinance or resolution establish a police pension fund or pension annuity into which each member of the police force may be required to pay a member contribution of an equal and proportionate charge which, except to the extent that section 607(c) of the act of December 18, 1984 (P.L. 1005, No. 205), known as the "Municipal Pension Plan Funding Standard and Recovery Act," applies, shall not

exceed annually three percent of the pay of the member.
(b) The fund shall be under the direction of the board of supervisors for the benefit of members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of members who may be injured or killed in the service. Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale.
(c) The ordinance or resolution establishing the police pension fund shall prescribe a minimum period of continuous service of not less than twenty years, after which the members of the force may be retired from active duty. Township police officers so retired may be subject to service as police reserves until unfit for service by reason of age or disability, when they may be finally discharged.
(d) The basis of the apportionment of the pension is determined by the rate of monthly pay of the member at the date of death, honorable discharge or retirement.
(e) Payments made on account of police pensions are a charge on no fund of the township other than the police pension fund.
(f) Townships shall make contributions to the police pension fund in an amount sufficient to meet the minimum obligation of the municipality with respect to the pension plan pursuant to the "Municipal Pension Plan Funding Standard and Recovery Act," and may take by gift, grant, devise or bequest any money or property in trust for the benefit of the police pension fund. The care, management, investment and disposal of trust funds or property is vested in the board of supervisors subject, whenever possible or practical, to any directions for administration which the donors of the funds and property may prescribe.
(g) A person participating in the police pension fund and entitled to receive a benefit therefrom may not be deprived of his right to an equal and proportionate share therein except for the following causes: conviction of a crime or misdemeanor or failing to comply with some general regulation relating to the management of the fund, which may be made by ordinance or resolution and which provides that a failure to comply therewith terminates the right to participate in the pension fund after notice and hearing as it prescribes.
(h) Police pension funds of townships with a police force of three or more full-time officers are governed by the act of May 29, 1956 (1955 P.L. 1804, No. 600), referred to as the Municipal Police Pension Law. (53 P.S. §66910)

Section 1911. Police Protection Districts.-On petition of a majority of the property owners of any territory within the township, the board of supervisors may designate the territory as a district for the purpose of providing police protection. The board of supervisors may annually assess the cost of the maintenance of the police protection by an equal assessment on all property benefited by the protection in proportion to the number of feet the property fronts on the street or highway or portion thereof to be protected. The board of supervisors may provide for an equitable reduction from the frontage of lots at intersections or where, due to the irregular shape of lots, an assessment of the full frontage would be inequitable. No assessment shall be made against any farmland, but vacant lots between built-up sections, whether tilled or not tilled, are not farmland. The assessment for each foot front against vacant lots shall be only twenty-five percent of the assessment for each foot front against property with improvements. All assessments for police protection shall be filed with the township tax collector under section 3301(a). (53 P.S. §66911)

Section 1912. Removal of Police Officers.-No person employed as a regular full-time police officer in any police department, except officers appointed for a probationary period of one year or less, shall be suspended, removed or reduced in rank except under the act of June 15, 1951 (P.L. 586, No. 144), entitled "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class." (53 P.S. §66912)

Section 1913. Auxiliary Police.-The board of supervisors may confirm persons to serve as auxiliary police officers under the act of January 14, 1952 (1951 P.L. 2016, No. 561), entitled "An act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters

and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof". (53 P.S. §66913)

Section 1914. Special Fire Police.-The board of supervisors may confirm any members of a volunteer fire company to serve as special fire police under the act of June 18, 1941 (P.L. 137, No. 74), entitled, as amended, "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town, township or home rule municipality." The chairman of the board of supervisors may swear in special fire police officers.(1914 amended Dec. 18, 1996, P.L. 1142, No. 172) (53 P.S. §66914)

Section 1915. School Crossing Guards.-(a) Upon request of the board of school directors of a school district located wholly or partially within the township, the board of supervisors by resolution may appoint school crossing guards to control and direct traffic at or near schools. The school crossing guards shall be in uniform and shall be authorized only in the management of traffic and pedestrians. School crossing guards serve at the pleasure of the board of supervisors, except as provided in subsection (c) and are not eligible to join any township pension fund. The board of supervisors shall determine the compensation of school crossing guards, to be paid by the township or jointly by the township and the school district in a ratio to be determined by the two boards. If the township and school district cannot determine the ratio of compensation to be paid by each board, each board shall pay one-half of the compensation of the school crossing guards.
(b) The board of supervisors may create an educational service agency under section 402.1 of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L. 2897, No. 1), known as the "Unemployment Compensation Law," to provide school crossing guards to one or more educational institutions in conjunction with the school district. The educational service agency shall serve as the agency for management and control of the school crossing guards.
(c) The board of supervisors may approve an ordinance allowing a board of school directors to assume hiring and oversight of school crossing guards. Before the board of supervisors may approve such an ordinance, the board of directors of the school district shall approve a resolution requesting the authority to assume the hiring and oversight of school crossing guards. The ordinance shall outline how the police department will provide any necessary training and assistance of the school crossing guards while on duty. Such school crossing guards will be authorized only in the management of traffic and pedestrians in and around areas identified by the police department and the school district superintendent or his or her designees. The school crossing guards shall not come within the civil service provision of this act. nor shall they fall under the bargaining unit of the school district nor be considered an employe as defined under section 1101-A of the act of March 10, 1949 (P.L. 30. No.14), known as the "Public School Code of 1949" or a "school employee" as defined under 24 PA.C.S. § 8102 (relating to definitions) or under any plans hereafter effective. Once the ordinance receives approval by the board of supervisors, the school district shall assume the cost of compensation, including fixing such compensation, if any, of the school crossing guards. Auxiliary policemen, appointed as prescribed by general law, may be hired by the school district to serve as school crossing guards. The board of school directors shall notify the board of supervisors of those hired to serve as school crossing guards and request the necessary training or assistance be provided as outlined by the ordinance. (1915 amended June 22, 2000, P.L.329, No. 35) (53 P.S. §66915)

ARTICLE XX
STREET LIGHTS

Section 2001. Lighting.-The board of supervisors may light and illuminate the highways, roads and other public places of the township and remove, alter or improve lighting as may be appropriate and in the best interests of the township and make contracts for securing and maintaining a supply of light. (53 P.S. §67001)

Section 2002. Street Light Districts.-(a) The board of supervisors may provide streetlights and make regulations therefor within the township or within any district of the township established by the board of supervisors for that purpose.
(b) Upon receipt of a petition signed by seventy percent of the property owners within any defined area of the township, the board of supervisors shall establish the defined area as a lighting district or include the defined area within an existing lighting district and shall provide public lighting within the area.
(c) The board of supervisors may contract with electric, gas or other lighting companies to light and illuminate roads and highways and other public places with electric light, gas light or other illuminating substances. (53 P.S. §76002)

Section 2003. Costs.-(a) The board of supervisors may pay for the cost of public lighting by any one or a combination of the following means, whether the installation of the lighting was initiated by action of the board of supervisors or by petition:
(1) From the general fund.
(2) Through uniform annual assessments made upon benefited properties on the foot-front basis.
(3) By uniform annual assessment upon each property benefited.
(4) By an equal assessment upon each property benefited, based upon the assessment for county tax purposes.
(5) By any combination of the above methods or other equitable means of assessment as the board of supervisors may determine.
(b) If public street lighting is currently in existence and is being paid for by a certain means or method, the board of supervisors may alter or amend the means of assessing the cost of the lighting.
(c) Properties are subject to assessment for this purpose, whether or not the property is exempt from taxation by existing law.
(d) If the foot-front method of assessment is used, the assessment shall be by equal assessment on all property in proportion to the number of feet the property fronts on the street or highway or portion thereof to be lighted. The board of supervisors may provide for an equitable reduction from the frontage of lots at intersections or where, due to the irregular shape of lots, an assessment of the full frontage would be inequitable. No assessment shall be made against any farmland, but vacant lots between built-up sections, whether tilled or not tilled, are not farmland. The assessment for each foot front against vacant lots shall be only twenty-five percent of the assessment for each foot front against property with improvements.
(e) All annual assessments for streetlights shall be filed with the township tax collector under section 3301(a). The assessment may be billed on the annual real estate tax bill for general township purposes if authorized by the board of supervisors. (53 P.S. §67003)

ARTICLE XXI
SOLID WASTE COLLECTION AND DISPOSITION

Section 2101. Accumulation of Ashes, Garbage, Solid Waste and Refuse Materials.-The board of supervisors in the manner authorized by the act of July 7, 1980 (P.L. 380, No. 97), known as the "Solid Waste Management Act," and the act of July 28, 1988 (P.L. 556, No. 101), known as the "Municipal Waste Planning, Recycling and Waste Reduction Act," may prohibit accumulations of ashes, garbage, solid waste and other refuse materials upon private property, including the imposition and collection of reasonable fees and charges for the collection, removal and disposal thereof. (53 P.S. §67101)

Section 2102. Collection.-The board of supervisors may collect and remove, by contract or otherwise, ashes, garbage, solid waste and other refuse materials and recyclables and prescribe penalties for the enforcement thereof. Any contract with refuse haulers may be made for a period not exceeding five years. This limitation does not apply to contracts with any other county or municipal corporation. (53 P.S. §67102)

Section 2103. Disposal.-The board of supervisors may dispose of, by contract or otherwise, ashes, garbage, solid waste and other refuse materials. Any contract with the owner of a private facility for the disposal or incineration of ashes, garbage, solid waste and other refuse materials may be made for a period not exceeding twenty years. This limitation does not apply to contracts with any county or municipal corporation. (53 P.S. §67103)

Section 2104. Acquisition of Land.-The board of supervisors may acquire any real property and erect, maintain, improve, operate and lease, either as lessor or lessee, facilities for incineration, landfill or other methods of disposal, either inside or outside the limits of the township, including equipment, either separately or jointly, with any county or municipal corporation in order to provide for the destruction, collection, removal and disposal of ashes, garbage, solid waste or other refuse materials, for the collection and storage of recyclable materials or for the composting of leaf and yard waste. The board of supervisors may provide for the payment of the cost thereof out of the funds of the township. The board of supervisors may acquire land for landfill purposes, either amicably or by exercising the power of eminent domain, and maintain lands and places for the dumping of ashes, garbage, solid waste and other refuse materials. (53 P.S. §67104)

Section 2105. Charge for Services.-The board of supervisors may establish, alter, charge and collect rates and other charges for the collection, removal and disposal of ashes, garbage, solid waste, other refuse materials and recyclable materials, and the costs of including the payment of any indebtedness incurred for the construction, purchase, improvement, repair, maintenance and operation of any facilities therefor, and the amount due under any contract with any county or municipal corporation furnishing the services or facilities. Section 2106. Appropriations.-The board of supervisors may make appropriations to any county or municipal corporation for the construction, purchase, improvement, repair, maintenance and operation of any facilities for the collection, removal, disposal or marketing of ashes, garbage, solid waste, other refuse materials, recyclable materials or composted leaf and yard waste. (53 P.S. §67105)

Section 2106. Appropriations.- The board of supervisors may make appropriations to any county or municipal corporation for the construction, purchase, improvement, repair, maintenance and operation of any facilities for the collection, removal, disposal or marketing of ashes, garbage, solid waste, other refuse materials, recyclable materials or composted leaf and yard waste. (53 P.S. §67106)

Section 2107. Refuse Collection District.-On petition of a majority of the owners, occupants or tenants of any territory inside the township which is definitely defined, set apart and limited by the board of supervisors as a refuse collection district, either with township employes and facilities or

with independent contractors, the board of supervisors may provide for the removal from the refuse collection district of ashes, garbage, solid waste or other refuse materials and for the disposal thereof, including the collection and marketing of recyclable materials. The board of supervisors may levy an assessment upon all owners, occupants or tenants of the district sufficient to defray the cost of the removal, disposal or marketing under section 3301(b). (53 P.S. §67107)

Section 2108. Exclusion from Bidding Requirements.-A township shall not be subject to requirements otherwise imposed by law for the sale of personal property owned by the township when selling recyclable materials or materials separated, collected, recovered or created by recycling, as provided in the act of April 9, 1992 (P.L. 70, No. 21), entitled "An act excluding the sale of recyclable material from political subdivision personal property sale restrictions relating to advertising and bidding." (53 P.S. §67108)

ARTICLE XXII
PARKS, RECREATION CENTERS AND FORESTS

Section 2201. Acquisition of Lands and Buildings.-The board of supervisors may designate lands or buildings owned, leased or controlled by the township for use as parks, playgrounds, playfields, gymnasiums, swimming pools, indoor recreation centers, public parks and other recreation areas and facilities and acquire lands or buildings by lease, gift, devise, purchase or by the exercise of the right of eminent domain for recreational purposes and construct and equip facilities for recreational purposes. (53 P.S. §67201)

Section 2202. Recreation Facilities Employes.-The board of supervisors may employ persons to maintain the recreation facilities or supervise the use of the recreation facilities. (53 P.S. §67202)

Section 2203. Regulation of Parks and Public Amusements.-(a) The board of supervisors may by ordinance regulate the use and enjoyment by the public of any park or recreation grounds owned and operated by the township or charitable organizations for the use of the public.
(b) The board of supervisors may prescribe rules for the use by the public of parks and recreation grounds and the facilities and amusements connected therewith and post the rules at conspicuous places in the parks or recreation grounds. Any person who violates the rules commits a summary offense.
(c) The board of supervisors may by ordinance not inconsistent with State law and regulations regulate the time of opening and closing and the conduct of places of public entertainment, amusement and recreation.
(d) The board of supervisors may by ordinance or resolution appropriate funds for recreation programs not directly sponsored by the township. (53 P.S. §67203)

Section 2204. Creation of Recreation Boards. –(a) The board of supervisors may by ordinance create a recreation board to supervise, regulate, equip and maintain township-funded recreation programs and facilities. The recreation board has only those powers specifically delegated to it by the board of supervisors.
(b) Recreation boards, when established, shall consist of five, seven or nine persons. The members shall be appointed by the board of supervisors and shall serve for terms of five years or until their successors are appointed, except that the members first appointment shall be appointed so that the terms of not more than two members expire annually. Members shall serve without pay but may be reimbursed by the township for all expenses incurred in performing their duties. All persons appointed shall serve their full terms unless voluntarily resigned or removed by the board of supervisors for dereliction or neglect of duty. Vacancies occurring other than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments.
(c) The members of a recreation board shall elect a chairman and secretary and select all other necessary officers to serve for a period of one year. The recreation board may adopt rules and regulations for the conduct of all business within its jurisdiction and exercise powers and functions concerning parks and recreation facilities as may be delegated to it by the board of supervisors. The recreation board shall submit an annual report to the board of supervisors, including an analysis of the adequacy and effectiveness of community recreation areas, facilities and leadership.(2204 amended Nov. 19, 2004, P.L.843, No.106) (53 P.S. §67204)

Section 2205. Joint Ownership and Maintenance.-The board of supervisors may join with any one or more municipal corporations, counties or school districts to acquire, create, equip, maintain and operate any park or recreation area to serve residents of the township under the act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law. (53 P.S. §67205)

Section 2206. Expenses for Maintenance.-All expenses incurred in the operation of parks, recreation areas and facilities are payable from the general township fund or from the treasury of the municipal corporations, counties or school districts under the agreement of the corporate authorities. (53 P.S. §67206)

Section 2207. Forest Lands.-(a) Townships may acquire, by purchase, gift or lease, and hold tracts of land covered with forest or tree growth, or suitable for the growth of trees, and administer the tracts under the direction of the Department of Conservation and Natural Resources. The tracts may be of any size suitable for the purpose and may be located inside or outside the township limits.

(b) When the board of supervisors intends to acquire any lands for forests, it shall so declare by an ordinance, setting forth all facts and conditions relating to the proposed action.

(c) Upon the acquisition of any forests or lands suitable for forests, the board of supervisors shall notify the Department of Conservation and Natural Resources which may make rules for the government and proper administration of the lands as may be necessary. The Department of Conservation and Natural Resources shall publish the rules, declare the uses of the forest under the intent of this article and make provision for its administration, maintenance, protection and development as necessary. The rules governing the administration of the forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products.

(d) All revenue and emoluments arising from the forests shall be paid into the general township fund.

(e) Township forests may be used by the public as general outing or recreation grounds, subject to the rules of the Department of Conservation and Natural Resources governing their administration and rules adopted by the board of supervisors not inconsistent with law and the rules of the Department of Conservation and Natural Resources.

(f) When the board of supervisors decides to sell or lease any township forest, or part thereof, it shall so declare by an ordinance, setting forth all the facts and conditions relating to the proposed action. No ordinance shall be effective until it has been approved by a majority vote of the electorate at the next ensuing municipal or general election. Nothing in this subsection shall prohibit the board of supervisors, at its discretion, by resolution, from allowing the selective harvesting of forest products for the purpose of properly caring for and maintaining a township forest.

(g) The board of supervisors may, on behalf of the township, accept the title to lands which may be donated to the township for any of the purposes mentioned in this article. (53 P.S. §67207)

ARTICLE XXIII
ROADS, STREETS, BRIDGES AND HIGHWAYS

Section 2301. Road and Bridge Maintenance, Repair and Construction.-(a) The board of supervisors may purchase or hire materials, equipment, machinery and implements necessary for the construction, repair and maintenance of roads and bridges and make and maintain bridges over streams, gullies, canals and railroads where bridges are necessary for the ease and safety of travelers. The bridges shall be deemed to be a part of the road.
(b) The board of supervisors may for adequate consideration construct, reconstruct, improve or maintain driveways on lands owned or occupied by school districts in the township.
(c) The board of supervisors may construct, reconstruct and improve and contract for the construction, reconstruction and improvement of roads in the township.
(d) The board of supervisors may for adequate consideration contract with the Commonwealth, a county or a municipal corporation to construct, reconstruct, improve or maintain public roads or highways under the jurisdiction of the Commonwealth, a county or a municipal corporation. Contracts executed under this subsection need not be submitted to the Local Government Commission for review under the act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law.
(e) The board of supervisors may employ one or more roadmasters. The roadmasters are subject to removal by the board of supervisors. (53 P.S. §67301)

Section 2302. Duties of Roadmasters.-The roadmasters shall:
(1) Report to the board of supervisors any information that may be required by the board of supervisors and by the Department of Transportation.
(2) Inspect all roads and bridges as directed by the board of supervisors.
(3) Do or direct to be done all work necessary to carry out the responsibilities imposed by the board of supervisors with respect to the maintenance, repair and construction of township roads. (53 P.S. §67302)

Section 2303. Road Complaints.-If any complaint alleges that the public roads and highways of any township are not maintained in accordance with law, the court may appoint three persons who shall examine the highways and report the findings to the court. In these cases, the complainants shall first enter security, in a sum as the court may fix, to pay all costs. (53 P.S. §67303)

Section 2304. Power to Lay Out, Open, Widen, Vacate, Et Cetera.-(a) The board of supervisors may by ordinance enact, ordain, survey, lay out, open, widen, straighten, vacate and relay all roads and bridges and parts thereof which are located wholly or partially within the township.
(b) The board of supervisors may by ordinance provide for the widening, straightening or improvement of a State highway, with the consent of the Department of Transportation, and may spend township funds in connection therewith.
(c) When any petition is presented to the board of supervisors requesting the board of supervisors to open or vacate a specific road in the township and the board of supervisors fails to act on the petition within sixty days, the petitioners may present their petition to the court of common pleas which shall proceed thereon under the act of June 13, 1836 (P.L. 551, No. 169), referred to as the General Road Law. If the board of supervisors acts on the petition but denies the request of the petition, the board of supervisors shall notify the person designated in the petition of its denial. If the request of the petition is denied, the petitioners, or a majority of them, may within thirty days after receipt of the notice petition the court of common pleas for the appointment of viewers and proceedings shall be taken thereon under the General Road Law.
(d) No road shall be laid out and opened through any burial ground or cemetery, nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school, educational or charitable institution or seminary, unless the consent of the owner of the

premises is first secured. If the owner is unknown, this prohibition does not apply. (53 P.S. §67304)

Section 2305. Hearing; Report; Exceptions Thereto; View and Notice.-(a) Before the passage of any ordinance for the laying out, opening, changing or vacating of any road or highway or section thereof, the board of supervisors shall give ten days' written notice to the owners of property adjacent to the road or portions thereof involved of the time and place set for a hearing on the proposed ordinance.
(b) If the board of supervisors votes in favor of exercising the power, it shall enact the necessary ordinance and file a copy of the ordinance, together with a draft or survey of the road showing the location and width thereof, in the office of the clerk of the court of common pleas.
(c) Any resident or property owner affected by the ordinance may within thirty days after the enactment of the ordinance of the board of supervisors, upon entering in the court sufficient surety to indemnify the board of supervisors for all costs incurred in the proceedings, file exceptions to the ordinance together with a petition for a review. Upon receipt of the exception and surety, the court of common pleas shall appoint viewers from the county board of viewers for the purpose of reviewing the ordinance and exceptions thereto.
(d) After the expiration of the term allowed for filing exceptions or upon the order of the court upon disposition of any exceptions, the court of common pleas, on application by petition by the board of supervisors or any person interested, shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding unless the damages and benefits are otherwise agreed upon. (53 P.S. §67305)

Section 2306. Width of Public Roads.-The width of the right-of-way of a public road in townships shall not be less than thirty-three feet or more than one hundred and twenty feet, and the width of the right-of-way of alleys opened by the township as public roads shall not be less than fifteen feet. The minimum required width shall be in addition to any width required for necessary slopes in cuts or fills. (53 P.S. §67306)

Section 2307. Certain Roads Declared Public Roads- (a) Every road which has been used for public travel and maintained and kept in repair by the township for a period of at least twenty-one years is a public road having a right-of-way of thirty-three feet even there is no public record of the laying out or dedication for public use of the road.
(b) In any proceeding pursuant to this section, any relevant oral or documentary evidence of public travel or maintenance and repairs by the township shall, if presented, be considered, including, but not limited to:
(i) Maps or surveys which are either generated by any governmental unit or are created pursuant to any judicial proceeding of the courts of this commonwealth.
(ii) Evidence concerning the distribution of government funds to the township pursuant to the act of June 1, 1956 (1955 P.L. 1944, No. 655), referred to as the "Liquid Fuels Tax Municipal Allocation Law."
(iii) Approved subdivision plans, deeds or other documents containing a designation of the road as either a township road or otherwise.
(iv) Evidence that the road is an extension from a public road or public cul de sac, a throughway between other municipal or state roads or provides the only access to a municipal boundary line.
(v) Court orders, decisions, findings of fact or other matters of judicial record relating to public or private rights in the road.
(c) For purposes of this section:
(i) The frequency of use of a road may be considered relevant in any proceeding pursuant to this section, but, in the absence of additional findings on the purpose of such use, shall not alone be sufficient to establish that the road has been used for public travel.
(ii) The condition or sufficiency of the road surface for public travel may be considered relevant in any proceeding pursuant to this section, but, absent additional findings of actual public maintenance and repair, shall not alone be sufficient to establish maintenance and repair by the township.

(d) Nothing in this section shall be construed as affecting the weight or persuasiveness of any evidence presented in accordance with subsection (b) or the relevance of any evidence presented except as otherwise provided in this section.
(e) In any proceeding in which this section is relied upon to allege the existence of a public road, the proponent of the public status of the road shall present evidence first, and the burden shall then shift to the opponent to present evidence to refute the public status of the road. (2307 amended by Act 126 of 2008) (53 P.S. §67307)

Section 2308. Opening, Repairing and Closing Roads.-(a) Public roads in townships shall, as soon as practicable, be effectually opened. All public roads shall at all seasons be kept in repair and reasonably clear of all impediments to easy and convenient traveling at the expense of the township.
(b) The board of supervisors may temporarily close any township road when it determines that conditions have rendered that road unfit or unsafe for travel and immediate repair or maintenance, because of the time of year or other conditions, is impracticable. The road or portion of road closed shall be properly marked at its extremities, and a means of passage for the customary users of the road shall, when possible, be provided.
(c) Anyone using the road or portion thereof after the road has been properly closed and marked, without a permit from the board of supervisors, commits a summary offense. All fines recovered are payable to the general township fund. Persons who have no outlet due to the closing of a road may drive on, over or across the road with the written consent of, and subject to conditions imposed by, the board of supervisors or their agents or contractors without being subject to the penalties imposed by this section. (53 P.S. §67308)

Section 2309. Time Within Which Roads to be Opened.-When proceedings have been initiated under this act for the opening and laying out of any public road in the township, the road shall be physically opened for use by the public within a period of five years after completion of the proceeding. If the road is not opened or if no proceedings have been commenced to compel the opening in five years, then the proceedings are void and the land proposed to be taken shall revert to the owners of the land free of any easement or right of the public to use the land. (53 P.S. §67309)

Section 2310. Detours.-(a) Except for emergencies, no public road shall be closed to traffic except upon order of the board of supervisors, and no public road shall be closed to traffic when it has been designated as a detour by the Department of Transportation unless the written consent of the Department of Transportation is first obtained or unless the board of supervisors by resolution declares the closing necessary for the protection of the public safety.
(b) When any public road is closed, the board of supervisors shall designate a detour on which shall be erected and maintained while the detour is in use legible direction signs at each public road intersection through the length of the detour. When the detour is in use, the board of supervisors shall maintain the detour in safe and passable condition, except for State and county highways. The board of supervisors shall immediately remove all detour signs when the road that was originally closed is open for traffic. Except for State and county highways, the board of supervisors may acquire, by agreement or right of eminent domain, right-of-way privileges over private property for the period when the road is closed to traffic. In the exercise of the rights conferred by this section, the board of supervisors may pay for the necessary maintenance, subsequent repair and land rental.
(c) Any person who removes, defaces, destroys or disregards any barricade, light, danger sign, detour sign or warning of any other character whatsoever erected or placed under authority of this section or who drives on, over or across any road which has been properly closed commits a summary offense.
(d) In addition to the penalties imposed by this section, the board of supervisors may in an action at law recover damages from any person or persons who have damaged a road by driving on the road when it is closed to vehicular traffic under this act.

(e) All fines and moneys collected under this section shall be paid to the township treasurer.
(53 P.S. §67310)

Section 2311. Relocating or Vacating Roads by Agreement.-(a) When the board of supervisors relocates or vacates any part of any public road under its supervision and can agree with the property owners affected by the relocation or vacation, it may relocate or vacate the public road without the formality of a view.(b) A copy of the agreement setting forth the facts regarding the relocation or vacation, accompanied by a map or draft of the road agreed to be relocated or vacated, shall be presented and recorded in the office of the recorder of deeds or similar office in home rule counties after which the new location is the public road or the old location is vacated.
(53 P.S. §67311)

Section 2312. Elimination of Curves; Acquisition of Views.-(a) Any township may acquire, by purchase or by the right of eminent domain, any property and lands along or adjacent to any township road that may be necessary to eliminate dangerous curves and widen roads and provide a free and unobstructed view over lands located at or near the intersection of any two roads or highways, or a road and a railroad or railway, or at any curve in any road, for the better protection and safety to the traveling public.
(b) The proceedings for the condemnation of the property or land and for the assessment of damages for property or land taken, injured or destroyed shall be taken under Article XXXIV.
(53 P.S. §67312)

Section 2313. Roads in or near Public Parks.-(a) The board of supervisors may contract with the Commonwealth, a county or a municipal corporation owning and operating parks inside the township to establish, relocate, alter or vacate public roads inside or contiguous to those parks. The board of supervisors shall take no action with respect to the public roads without the written consent and agreement of the Commonwealth, county or municipal corporation owning and operating the parks. Any road when altered or relocated under this section shall be maintained and repaired the same as other township roads.
(b) The agreement shall be adopted by ordinance, and, within thirty days, the road shall he a public road of the township.
(c) The owner of any land through which any public road may be located or relocated may apply by petition to the court of common pleas, setting forth the injury which has been sustained by reason of the relocation of the public road, and the proceedings relative to the assessment and payment of damages of the landowner shall be under this act for eminent domain.
(53 P.S. §67313)

Section 2314. Petition of Property Owners for Improvements.-(a) Any township may improve any public street in the township upon the petition of property owners representing a majority in number of feet front of the properties abutting on the street proposed to be improved at the expense of the property owners.
(b) The cost of the improvement may be collected from the owners of the real estate abutting on the street or highway, or part thereof, by an equal assessment on the foot-front basis.
(c) The assessments for improvement shall be filed with the township treasurer under section 3302(a).
(d) The term "owner," as used in this section, means all individuals and public or private corporations, copartnerships and associations having title in the assessed property. If the owner is a nonresident of the township and the place of residence is unknown or if the ownership of the property cannot be ascertained, the notice shall be posted on the premises and a copy shall be left with the occupant, if any. (53 P.S. §67314)

Section 2315. Improvements Without Petition.-(a) The board of supervisors may by ordinance provide for the construction, reconstruction, repair or other improvements to any public street in the township.

(b) The cost of improvements may be collected from the owners of the real estate abutting on the street or highway, or part thereof, by an equal assessment on the foot-front basis; but in no instance shall any abutting property owner be liable for the cost of improvements in an amount greater than fifteen percent of the assessed valuation of the abutting property: Provided, further, with respect to any property used exclusively for forestry purposes, for agricultural purposes, or for both as of the time of the assessment, That the assessment shall be based upon the actual foot frontage of such property or one hundred and fifty feet, whichever is less. Any expense above the maximum liability of abutting property owners shall be paid by the township.
(c) All assessments for improvements shall be filed with the township treasurer under section 3302(a).
(d) If abutting property owners fail to pay the expenses of the improvements for which they are liable, the board of supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties under law for the filing and collection of municipal liens. (53 P.S. §67315)

Section 2316. Acceptance of Land for Road Purposes.-(a) The board of supervisors may by resolution accept any land dedicated by deed to the township to be used as a road, street or alley. A copy of the resolution, together with a draft or survey of the road, street or alley, showing location and width thereof, shall be filed with the clerk of the court of common pleas.
(b) When plans of dedicated roads, streets or alleys located in townships have been approved and recorded under this article, the board of supervisors may by resolution accept any roads, streets or alleys as public roads if shown in the plans as dedicated to that use and if the roads or streets are not less than thirty-three feet in width and the alleys are not less than fifteen feet in width.
(c) Upon the filing with the clerk of court of common pleas of the county a certified and attested copy of the resolution, the roads, streets or alleys become a part of the public road system of the township and shall be so recorded in the court. (53 P.S. §67316)

Section 2317. Approval of Plans.-(a) No person shall construct, open or dedicate any road or any drainage facilities for public use or travel without first submitting plans thereof to the board of supervisors for its approval. The plans shall be prepared under rules and regulations adopted by the board of supervisors and shall show the profiles of the roads, the course, structure and capacity of any drainage facilities, the method of drainage of the adjacent or contiguous territory and any other details that may be required under the rules or regulations adopted by the board of supervisors. The board of supervisors may alter the plans and specify any changes or modifications of any kind and may make its approval of the plans subject to those alterations, changes or modifications. The plans when so approved shall be signed by the board of supervisors, and a copy shall be filed with the secretary of the township. No road or drainage facilities shall be opened, constructed or dedicated for public use or travel except in compliance with plans approved by the board of supervisors and until the approved plan is recorded as required in this section.
(b) If the board of supervisors refuses to approve any plans submitted to it under this section, any person aggrieved by the action of the board of supervisors may within thirty days appeal to the court of common pleas. The court shall hear the matter de novo and, after hearing, may enter a decree affirming, reversing or modifying the action of the board of supervisors.
(c) The action of the board of supervisors, or of the court on appeal, in approving any plans shall be recorded by the person applying for the approval in the office of the recorder of deeds of the county.
(d) No person shall present to the recorder of deeds any plan which has not been approved by the board of supervisors. Approval shall be so indicated on the plan presented for recording.
(e) If any road or any drainage facilities are opened, constructed or dedicated for public use or travel, except in compliance with plans approved and recorded, neither the board of supervisors nor any public authorities shall be required to place, construct or operate any sewer, drain, water pipe or other facilities or do any work of any kind in or upon that road; and neither the board of supervisors nor any other public authorities have any responsibility of any kind with respect to the

road or drainage facilities even if they are in use by the public. Nothing in this act shall prevent the laying of trunk sewers, drains or water or gas mains if required by engineering necessity for the accommodation of other territory.
(f) Any person who constructs, opens or dedicates any road or any drainage facilities in connection therewith for public use or travel in any township without having first complied with this section and any resolutions of the board of supervisors commits a misdemeanor of the third degree and is subject to a suit for all costs and damages incurred by the township or property owners in the course of correcting all substantive violations of State or municipal law or regulations resulting from or arising out of the unlawfully recorded plan. All fines and moneys so recovered shall be paid to the township treasurer.
(g) No approval of plans by the board of supervisors shall obligate or require the township to construct, reconstruct, maintain, repair or grade the roads. (53 P.S. §67317)

Section 2318. Markers and Monuments.-The board of supervisors and its agents may enter any land and property and maintain marks and monuments in carrying out its powers and duties under this article. (53 P.S. §67318)

Section 2319. Powers of State and Counties Preserved.-Nothing contained in this article shall be held to restrict or limit the Department of Transportation or any county in the exercise of any of its duties, powers and functions under any State law. (53 P.S. §67319)

Section 2320. Power to Open Drains and Ditches.-(a) The board of supervisors or its agents may enter any lands or enclosures and cut, open, maintain and repair drains or ditches through the property when necessary to carry the water from the roads.
(b) Any person who damages or diverts any drain or ditch without the authority of the board of supervisors commits a summary offense and is liable for the cost of restoring the drain or ditch. All fines and moneys so recovered shall be paid to the township treasurer. (53 P.S. §67320)

Section 2321. Railroad Crossings.-(a) Every township constructing a road across a railroad shall construct the road above or below the grade thereof unless permitted by the Pennsylvania Public Utility Commission to construct the road at grade.
(b) Any crossing of a railroad by a road or any vacation of any road crossing a railroad shall be made only under the jurisdiction of the Pennsylvania Public Utility Commission. Compensation for damages to the owners of adjacent property taken, injured or destroyed shall be determined under 66 Pa. C.S. (relating to public utilities). (53 P.S. §67321)

Section 2322. Permits.-No railroad or street railway shall be constructed upon any township road, nor shall any railroad or street railway crossings, driveway connections, gas pipe, water pipe, electric conduits or other piping be laid upon or in, nor shall any telephone, telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in, any portion of a township road except under conditions, restrictions and regulations specified in permits granted by the township for that purpose. Each application shall be submitted to the township in duplicate. The township shall collect a fee as determined by the Department of Transportation for processing the application and another fee for making the inspection. Each application shall be accompanied by both fees. When the township grants the permit, the board of supervisors or its agents shall inspect the work authorized by the permit upon the completion thereof and, when necessary, enforce compliance with the conditions, restrictions and regulations specified by the township. In addition to that inspection, the board of supervisors or its agents may reinspect the work not more than two years after its completion, and, if any settlement of the road surface or other defect appears in the work contrary to the conditions, restrictions and regulations of the township, it may enforce compliance therewith. If the applicant fails to rectify a defect which presents an immediate or imminent safety or health problem within forty-eight hours or any other defect within sixty days after written notice from the board of supervisors to do so, the board of supervisors or its agents may do the work and impose upon the applicant the cost thereof, together with an additional twenty percent of the cost, which may be recovered by an

action in assumpsit in the court of common pleas of the county. All fees received by the township shall he paid into the township treasury. Nothing in this section shall be construed to require a permit in advance for emergency repairs necessary for the safety of the public or the restoration or continuance of public utility service or other public service, but application for the permit and the fees shall be submitted within five days after completion of the work, after which time the remaining provisions of this section apply. Nothing in this section authorizes a township to regulate or control the operations of any permittee except under this section. (53 P.S. §67322)

Section 2323. Penalty for Destroying Signs.-A person shall not destroy, remove, injure or deface any sign legally erected upon or near any public street, road or bridge by the board of supervisors, or by any club, association or other organized body, for the direction, guidance or safety of travelers. A person shall not destroy, remove, injure or deface any temporary traffic-control device legally erected to enhance traffic or worker safety in a construction or maintenance work zone, including, but not limited to, cones, batons, barrels, barricades, signs, sign trucks, arrow boards or other devices specified in a traffic safety plan approved by the township or the Department of Transportation. Any person who violates this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than two hundred dollars ($200) nor more than five hundred dollars ($500) for the first offense and a mandatory fine of five hundred dollars ($500) for the second or any subsequent offense, with costs of prosecution, together with the value of the destroyed, removed or defaced sign. All fines and moneys imposed and collected shall be paid to the township treasurer. (53 P.S. §67323)

Section 2324. Protection of Highways from Snowdrifts.-(a) The board of supervisors may enter private property adjacent to any public road or highway and place thereon a snow fence to within a limit of one hundred feet from the right-of-way line of the public road in order to eliminate snow drifting on the traveled portion of the public road.
(b) A snow fence may not be placed before the first day of November or remain in place after the first day of April of the succeeding year unless the written consent of the owner is obtained, agreeing to an extension of time for the removal of the snow fence.
(c) If the board of supervisors and the owner of the property upon which a snow fence is placed and removed under this section cannot agree to the amount of compensation, if any, to be paid to the owner for placing the fence, including the amount of damages, if any, to be paid for injury to the property resulting from placing and removing the fence, the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in the manner provided in this act for eminent domain proceedings. Damages, if any, when ascertained shall be paid by the township from the general township fund. (53 P.S. §67324)

Section 2325. Saving Trees and Shrubbery.-(a) The board of supervisors or its agents shall not remove any shrub or tree growing within the right-of-way of any township road or street except those shrubs and trees the board of supervisors finds to constitute a hazardous or dangerous condition to the use of the highway or those which impair the use or maintenance of the public road or street. No tree having a trunk diameter in excess of six inches shall be removed without notice of the proposed removal having first been given to the abutting property owner. The township supervisors shall determine by resolution the form of notice to property owners.
(b) All logs, cordwood, branch wood or other forms of wood derived from the destruction or removal of any trees growing along the highways shall be surrendered to and remain the property of the abutting owners.
(c) The board of supervisors may clear out brush and other refuse along the sides of the road to the legal width thereof. All clearing and removal of brush and refuse shall be confined to growth that is within the right-of-way and to the removal of branches that in any way interfere with public travel. No other injury by fire, cutting, abrasion or otherwise shall be done to the standing timber.
(d) Any person who violates the provisions of this section commits a summary offense. All fines shall be paid into the general township find.
(e) Nothing in this section prevents the board of supervisors or roadmasters or other persons in their employ from removing roadside trees which may be thrown down by wind or lodged in a

position as to be a menace to public travel or which, by reason of any other cause, may become a source of danger to the public. (53 P.S. §67325)

Section 2326. Obstructions and Nuisances.-Any person who obstructs any public road or commits any nuisance thereon by felling trees, making fences, turning the road, diverting water onto or in any other way and who does not, on notice given by the board of supervisors, immediately remove the obstruction or nuisance and repair the damages done to the road commits a summary offense. Nothing in this section shall debar a prosecution for any nuisance as in case of misdemeanor at common law. (53 P.S. §67326)

Section 2327. Traffic Lights and Signals.-The board of supervisors may provide for the erection, maintenance and operation of traffic lights and traffic signals in accordance with 75 Pa. C.S. (relating to vehicles). (53 P.S. §67327)

Section 2328. Regulation of Parking.-(a) The board of supervisors may by ordinance regulate parking, provide parking accommodations to promote the convenience and protection of the public, post signs regulating parking in areas established or designated for handicapped or severely disabled veteran parking and impose penalties for the violation of those regulations.
(b) The board of supervisors may provide for the erection, maintenance and regulation of parking meters, and it may by ordinance establish parking meter charges and impose penalties for the violation of those regulations. (53 P.S. §67328)

Section 2329. Naming of Streets.-The board of supervisors may provide for and regulate the naming of streets, roads and highways. When the naming of a street, road or highway will affect signing maintained by the Department of Transportation, the board of supervisors shall notify the department. (53 P.S. §67329)

Section 2330. Bike Paths.-The board of supervisors may provide for the construction and maintenance of bike paths for the protection or convenience of the traveling public.
(53 P.S. §67330)

Section 2331. County Bridges.-When the cost of construction or maintenance of a bridge located within the township is paid in whole or in part by the county, the board of supervisors may make agreements for the maintenance and repair of the bridge. (53 P.S. §67331)

Section 2332. Boundary Roads and Bridges.-(a) When any road or bridge, other than a State or county road or bridge, is created or located along, on or over boundaries between townships and any other municipal corporation, the creation, location, construction, maintenance and repair of the road or bridge shall be the joint responsibility of the township and the municipal corporation with which the common boundary is shared.
(b) The board of supervisors may make agreements with any adjacent municipal corporation to provide for the apportionment of the cost of construction, repair and maintenance of boundary roads or bridges.
(c) If an amicable agreement on the proportionate share of costs of construction, repair and maintenance of boundary roads or bridges cannot be executed, the board of supervisors or the governing body of the other municipal corporation involved may petition the court of common pleas of the county or counties for a determination of the rights and responsibilities of the respective municipal corporations involved. (53 P.S. §67332)

ARTICLE XXIV
SIDEWALKS, FOOTPATHS AND CURBS

Section 2401. Location, Lines, Grades and Width of Curbs, Sidewalks or Footpaths; Costs.-(a) The board of supervisors may by ordinance regulate the line, grade and width of curbs, sidewalks or footpaths constructed along the roads or highways in the township, shall have general supervision over them and may establish a grade or grades for curbs, sidewalks or footpaths, which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway.

(b) If the highway is a State or county highway, the written consent of the Department of Transportation or the county commissioners shall first be obtained.

(c) The costs of construction of sidewalks, footpaths or curbs may be paid by one of the following methods:

(1) The board of supervisors, upon the request of any landowner whose land fronts upon a public road or highway within the township, may establish a sidewalk or curbs along one or both sides of the road or highway along the lands of the owner. When the sidewalks or curbs are established, the landowner shall pay for the construction of the sidewalks or curbs and keep them in repair.

(2) The board of supervisors may construct sidewalks or curbs along the roads or highways, upon the petition of property owners representing a majority in number of feet front of the properties abutting on the roads or highways where the sidewalks or curbs are to be constructed. When a petition is filed with the board of supervisors, the property owner shall be given notice by the board of supervisors to construct the sidewalk or curb. If the owner fails to complete the sidewalk or curb within a period of sixty days after the receipt of the notice, the board of supervisors may construct the sidewalk or curb. When any sidewalk or curb is constructed by the board of supervisors, the expense of the construction of the sidewalk or curb shall be paid by the abutting property owners in proportion to their frontage. If the owners fail to pay the expenses of the construction of the sidewalk or curb, the board of supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties under law for the filing and collection of municipal liens.

(3) The board of supervisors may by ordinance in absence of a petition, provide for the construction, reconstruction and repair of sidewalks and curbs within the township. When any sidewalks or curbs are constructed, reconstructed or repaired by the board of supervisors under the ordinance, the expense of the construction of the sidewalks or curbs shall be paid by the abutting property owners in proportion to their frontage, but no owner shall be liable for the cost of construction of the sidewalk or curb in an amount greater than fifteen percent of the assessed valuation of the abutting property. Any expense above the maximum liability of abutting property owners shall he paid by the township. If abutting property owners fail to pay the expenses of the construction of the sidewalks or curbs for which they are liable, the board of supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties under law for the filing and collection of municipal liens.

(4) When the board of supervisors establishes that any part of any road or highway is dangerous to the traveling public and the danger could be materially reduced or lessened by the construction of a sidewalk, curb or footpath, the board of supervisors may lay out and construct a sidewalk, curb or footpath along the dangerous portion of the road or highway at township expense.

(d) All assessments for costs levied under this article shall be filed with the township treasurer and collected under section 3302(a). (53 P.S. §67401)

ARTICLE XXV
SANITARY SEWERS

Section 2501. Sanitary Sewers.-The board of supervisors may establish and construct sanitary sewer systems which shall if possible be constructed along and within the lines of the rights-of-way of public roads. If the board of supervisors determines that the systems shall be located on or through private property, the board of supervisors may acquire the land by gift, purchase or eminent domain. (53 P.S. §67501)

Section 2502. Sanitary Sewer Connections.-(a) The board of supervisors may by ordinance require adjoining and adjacent property owners to connect with and use the sanitary sewer system, whether constructed by the township or a municipality authority or a joint sanitary sewer board. In the case of a sanitary sewer system constructed by the township pursuant to either section 2501 or 2516, the board of supervisors may impose and charge to property owners who desire to or are required to connect to the township's sewer system a connection fee, a customer facilities fee, a tapping fee and other similar fees, as enumerated and defined by clause (t) of subsection B of section 4 of the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945," as a condition of connection to a township-owned sewer collection, treatment or disposal facility. If any owner of property adjoining or adjacent to or whose principal building is within one hundred and fifty feet from the sanitary sewer fails to connect with and use the sanitary sewer for a period of sixty days after notice to do so has been served by the board of supervisors, either by personal service or by registered mail, the board of supervisors or their agents may enter the property and construct the connection. The board of supervisors shall send an itemized bill of the cost of construction to the owner of the property to which connection has been made, which bill is payable immediately. If the owner fails to pay the bill, the board of supervisors shall file a municipal lien for the cost of the construction within six months of the date of completion of the connection.
(b) When an existing sanitary sewer system owned by or leased to a township is extended or altered at the expense of a developer or other private person or corporation under the supervision of the township or a municipality authority of the township, the board of supervisors may by ordinance or resolution take over the extension or alteration and compel all owners of property which is not already connected to an existing public sanitary sewer system and which is accessible to and whose principal building is within one hundred and fifty feet from the sanitary sewer extension to make connection therewith and use the sanitary sewer system as the board of supervisors may order.
(c) Whenever a sewer system or any part or extension thereof owned by a township has been constructed by the township at the expense of a private person or corporation or has been constructed by a private person or corporation under the supervision of the township at the expense of the private person or corporation, the board of supervisors shall have the right to charge a tapping fee, including a reimbursement component, and refund said reimbursement component to the person or corporation who has paid for the construction of said sewer system or any part or extension thereof.
(d) The board of supervisors shall not require any commercial or industrial business to connect to the township sanitary sewer system when the commercial or industrial business is operating a private sanitary sewage treatment plant under mandate of any agency of the Federal or State Government. This exemption shall last as long as the private sanitary sewage treatment plant continues to meet the specifications and standards mandated by the Federal or State agency and for forty-five days after that. If, during the days immediately after the day a business' private sanitary sewage treatment plant is determined to be below Federal or State mandates, repairs cannot be made to bring the private sewage treatment system back up to satisfactory condition, the board of supervisors may require the business to connect to the township sanitary sewer system. The full costs of connection to and any necessary refurbishing of the township sanitary sewer system shall be paid by the business.
(e) The exemption in subsection (d) is not available in any situation where the business seeking to use it had notice, either actual or constructive, before construction of its sewage treatment

plant, of the township's intention to construct a sanitary sewer system and to require that business to connect with its system.
(f) The Department of Environmental Protection shall not issue any permit to allow a commercial or industrial business to construct its own private sewage treatment plant without the written consent of the board of supervisors of the township in which the private sewage treatment plant is proposed to be located. (53 P.S. §67502)

Section 2503. Notice of Contemplated Construction.-No sanitary sewer system shall be constructed under this article unless a resolution of the board of supervisors authorizing the construction is published in a newspaper of general circulation in the township once a week for three successive weeks. (53 P.S. §67503)

Section 2504. Entering Lands to Mark Sanitary Sewer Routes; Damages.-In the absence of an agreement with the owners of land required for sanitary sewer systems or for the marking of the route of the systems, the board of supervisors or its agents have the right to enter the lands for that purpose. For all damage done by entering the land under this section, the general fund of the township shall be pledged as security. Damages shall be determined by viewers under this act for eminent domain proceedings. (53 P.S. §67504)

Section 2505. Sanitary Sewer Systems; Acquisition of Land and Facilities; Damages.-The board of supervisors may acquire by eminent domain or make contracts with other municipal corporations, corporations or persons for the acquisition of lands or facilities for the location, construction, maintenance, reconstruction and enlargement of sanitary sewer systems and treatment facilities. Acquisitions may be made for the purpose of future construction or additions to existing systems. The acquired land may be located either inside or outside the boundaries of the township. For all damage done to owners of land by reason of the taking of the land, the general fund of the township shall be pledged as security. Damages shall be determined by viewers under this act for eminent domain proceedings. (53 P.S. §67505)

Section 2506. Cost of Construction; How Paid.-All or part of the cost of construction of a sanitary sewer system constructed under this article may be charged upon the properties accommodated or benefited by the construction. (53 P.S. §67506)

Section 2507. Sanitary Sewer Districts.-(a) When a sanitary sewer system is constructed by a township for the accommodation of a certain portion of the township, the board of supervisors may before or after the construction designate the territory accommodated as one sanitary sewer district or divide it into several sanitary sewer districts. The board of supervisors shall estimate the proportion of the cost of the sanitary sewer system to be charged on each of the districts and declare and establish the apportionment by resolution.
(b) When a sanitary sewer system is constructed by a township for the benefit only of a certain portion of the township and the cost of main sanitary sewers, pumping stations, pressure lines, et cetera, is charged against the sanitary sewer district or sanitary sewer districts, all or part of the amount charged to each district may be assessed to the district by an assessment upon each lot or piece of land in the district, in proportion to its frontage abutting on the sanitary sewer, or by an assessment upon the several properties abutting on the sanitary sewer, in proportion to benefits, or upon the properties connected with and using the sanitary sewers as rental fees, or each lot or piece of ground abutting upon the sanitary sewer may be assessed, in proportion to its frontage or according to benefits, the cost of a local sanitary sewer, and the balance of the amount charged against the district may be assessed upon the properties connected with and using the sanitary sewer, as rental fees. No district shall be charged with more than its due proportion of the cost of the main sanitary sewers, pumping stations, et cetera, used jointly by more than one district. If the whole of the township is accommodated by the sanitary sewer system, it may be treated as a single district. (53 P.S. §67507)

Section 2508. Manner of Assessment.-When a township is divided into sanitary sewer districts, the assessment in each district may be by different methods. The assessment, if any, for sanitary sewer system construction shall be charged upon the properties accommodated or benefited by one of the following methods:
(1) By an assessment, under a resolution or ordinance of the board of supervisors, of each lot or piece of land in proportion to its frontage abutting on the sanitary sewer system, allowing an equitable reduction in the case of corner properties and unusually shaped properties or those properties abutting on more than one collector line of the sanitary sewer as the resolution or ordinance may specify. When the lot or piece of land is on a corner, it shall be assessed for its entire frontage abutting on any sanitary sewer system.
(2) By an equal assessment on all properties abutting on the sanitary sewer system in proportion to the total cost of construction of the sanitary sewer system. The amount of the charge on each property shall be determined by the board of supervisors. (53 P.S. §67508)

Section 2509. Procedure for Assessments.-If taxpayers of the district whose property valuation as assessed for taxable purposes within the district amounts to fifty percent of the total property valuation so assessed or if taxpayers representing fifty percent of the parcels within the district present a petition within three months of the adoption of a resolution or ordinance levying an assessment under section 2508 to the court of common pleas that the assessment insufficiently represents the benefits accruing to abutting properties, they may include in the petition a request for the appointment of viewers to assess benefits. The court shall appoint three disinterested viewers, none of whom shall be a resident of that portion of the township which is accommodated by the sanitary sewer system in question, and the viewers shall proceed under this act for the assessment of damages and benefits by viewers. Upon the filing of a petition by taxpayers for appointment of viewers, any assessment made by the board of supervisors and any proceedings shall be stayed pending the disposition of the petition by the court.(2509 amended June 22, 2000, P.L.400, No. 55) (53 P.S. §67509)

Section 2510. Liens for Assessments; Costs of Proceedings.-After the amount of the assessment charged upon the several properties has been established by resolution making assessments according to section 2508 or by confirmation of any report of viewers, in whole or in part, the amounts of all assessments are payable to the township treasurer for the use of the sanitary sewer district or districts or the township in which they are assessed. The board of supervisors shall make out bills for the amounts charged against each property, which shall be sent to all property owners whose property will be served by the sanitary sewer system. If the assessment is not paid within ninety days after the mailing of a bill therefor, the board of supervisors shall collect it by action of assumpsit or under law for the filing and recovery of municipal claims. (2510 amended by Act 34 of 2008) (53 P.S. §67510)

Section 2511. Rental Fees.-(a) All persons whose property is connected to a sanitary sewer system shall pay to the township treasurer, in addition to the cost of making the connection, a monthly, quarterly, semi-annual or annual charge adopted by a resolution of the board of supervisors. The charges constitute a lien until paid against the property connected to the sanitary sewer system, and the amount thereof may be recovered by due process of law. All water utilities supplying water to users within the boundaries of any township shall at the request of the board of supervisors furnish to the township, on or before the fifteenth day of the month following the month during which bills are issued, a list of all water meter readings and flat-rate water bills and the basis for each flat-rate water charge so that the data may be used in calculating rental fees. The township may pay to the utilities clerical and other expenses incurred in the preparation of the lists.
(b) Nothing in this section shall be construed to repeal or modify any of the provisions of 66 Pa.C.S. (relating to public utilities).
(c) All sewer rentals received shall be deposited in a special fund to be used only for the payment of the cost of construction, reconstruction, repair, operation and maintenance of the sanitary sewer system. (53 P.S. §67511)

Section 2512. State and County Highways; Consents Necessary.- Sanitary sewers may be constructed in or under any State or county highway. If the construction of sanitary sewers is in or under county highways, the consent of the county commissioners of the county shall first be obtained and, if the construction of sanitary sewers is in or under any State highway, the consent of the Department of Transportation shall first be obtained. (53 P.S. §67512)

Section 2513. Municipal Corporation; Municipality Authority; Agreements for Connections; Appointment of Viewers.-(a) Any township may by agreement connect with an existing sanitary sewer owned by any municipal corporation or municipality authority for either sewage collection or treatment purposes.
(b) When any township desires to connect with the existing sewer of any municipal corporation or municipality authority, a petition shall be presented by the board of supervisors to the court of common pleas setting forth the facts. The court shall fix a day for hearing upon the petition and direct public notice be given to all interested parties. If the court is of the opinion that the connection can be made without impairing the usefulness of the existing sanitary sewer system, it shall appoint three viewers to view the premises, investigate the facts of the case, assess the necessary costs and expenses of making the connection and the proportionate part of the expense of building the original sanitary sewer system upon the township, determine the proportion of the expense for repairs which the municipal corporation or municipality authority and the township shall bear and determine all other questions liable to arise in connection therewith. (53 P.S. §67513)

Section 2514. Report of Viewers.-The viewers shall report the results of their investigation to the court, and the court shall confirm the report within thirty days of its submission unless exceptions are filed. Any interested party may appeal the disposition of filed exceptions. (53 P.S. §67514)

Section 2515. Acquisition of Existing Sanitary Sewer Systems.-(a) The board of supervisors of the township in which the facilities are located may acquire all or part of an existing sanitary sewer system or community subsurface sewage collection and treatment system.
(b) Acquisition may be by either purchase, when the board of supervisors and the owner can agree on a price not exceeding the actual value of the sanitary sewer system or part thereof to be transferred, or by deed of dedication to the township by the owners of the sanitary sewer system or part thereof or by the exercise of eminent domain.
(c) If any sanitary sewer system or community subsurface disposal collection and treatment system is acquired by purchase or taking under this section, the cost of acquisition may be distributed or assessed under this act as when a sanitary sewer system is constructed by the township.
(d) The rights, powers and duties of the board of supervisors with respect to acquired systems are the same as exist with respect to sanitary sewer systems constructed by the township. (53 P.S. §67515)

Section 2516. Joint Sanitary Sewer Systems.-(a) Townships may contract with other municipal corporations and municipal authorities providing for the joint construction or maintenance of sanitary sewer systems and for the connection onto existing sanitary sewer systems. The agreements shall provide for the apportionment of costs among the municipal corporations. The board of supervisors may assess the township's respective portions of the costs, as may be legally assessable, upon property benefited by the facilities. Any portion of the cost not assessed or assessable shall be paid by the respective municipal corporations under the agreement.
(b) The municipal corporations joining or contemplating joining in the project in order to facilitate the building of the sanitary sewer system and in securing preliminary surveys and estimates may by ordinance provide for the appointment of a joint sanitary sewer board composed of one representative from each of the municipal corporations joining which shall act generally as the advisory and administrative agency in the construction of the improvement and its subsequent operation and maintenance. Members of the joint sanitary sewer board shall serve for terms of six

years each from the dates of their respective appointments and until their successors are appointed. The joint sanitary sewer board shall organize by the election of a chairman, vice-chairman, secretary and treasurer. The municipal corporations may in the ordinances creating the joint sanitary sewer board authorize it to appoint an engineer, a solicitor and other necessary assistants and agree to the share of the compensation of those persons each municipal corporation is to pay. The members of the joint sanitary sewer board shall receive compensation for attending board meetings as established in the budget that is prepared by the joint sanitary sewer board and submitted to and adopted by the municipal corporations. The budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars ($250) for each member in each year, but the members shall be entitled to actual expenses to be paid by the respective municipal corporations the members represent.
(c) The joint sanitary sewer board may adopt rules and regulations to govern its proceedings and prepare and suggest measures and plans under which the joint improvement may be completed and for the future development of the system. It may prepare a joint agreement or agreements for submission to and adoption by the municipal corporations defining the advisory and administrative powers of the joint sanitary sewer board and setting forth: the consents of the municipal corporations to the proposed improvement; the manner in which preliminary and final plans, specifications and estimates for the proposed improvement shall be prepared and adopted and in which proposals for bids shall be advertised and contracts let; the manner in which the costs of the improvement and other incidental and preliminary expenses in connection therewith, and the future cost of operation and maintenance, shall be equitably shared, apportioned and paid; and all other matters, including the preparation and submission of annual and other budgets, that are necessary or required by law to complete the proposed improvement and to assure future maintenance and operation thereof. The board may not make any improvement or spend any public moneys which have not first been authorized by all of the municipal corporations proceeding with the improvement.
(d) When it is necessary to acquire, appropriate, damage or destroy private property to build any joint sanitary sewer system or improvement and the property cannot be acquired by purchase or gift, the right of eminent domain shall vest in the municipal corporation where the property is located. When it is necessary to acquire, damage or destroy property in any territory not within the limits of any of the municipal corporations joining in the improvement, the right of eminent domain shall be vested in the municipal corporation adjacent to the territory where the property is located. Damages for any property that is taken, damaged or destroyed shall be assessed under laws relating to the municipal corporations exercising the right of eminent domain and shall be paid by the municipal corporations joining in the same proportion as other costs of the improvements. (53 P.S. §67516)

Section 2517. State Permit.-No sanitary sewer or plant may be constructed until plans and specifications are submitted to the Department of Environmental Protection and approved. (53 P.S. §67517)

ARTICLE XXVI
WATER SUPPLY

Section 2601. Contracts With Water Companies and Municipal Corporations and Acquisition of Water Systems.-(a) The board of supervisors may by contract with any private corporation or any adjacent municipal corporation owning a waterworks system provide water for public and private uses, to be delivered through lines owned by that company or municipal corporation within the township. The contract shall provide the manner by which the cost of the water service shall be paid by the consumers.
(b) The board of supervisors may purchase or acquire a privately owned water system to provide water for public and private uses. If a privately owned water company fails to render service as required by the Pennsylvania Public Utility Commission, the board of supervisors may with the approval of the Pennsylvania Public Utility Commission exercise the right of eminent domain to acquire the water system of the water company to provide water for public and private uses.
(c) Any township may by agreement connect with an existing water system owned by any adjacent municipal corporation. When any township desires to connect with the existing water system of any adjacent municipal corporation and no agreement has been reached between the township and the adjacent municipal corporation, a petition seeking approval of the connection shall be presented by the board of supervisors to the court of common pleas. The court shall set a day for hearing upon the petition and shall direct public notice be given to all interested parties. If the court is of the opinion that the connection can be made without impairing the usefulness of the existing water system, it shall appoint three viewers to view the premises, investigate the facts of the case, assess the necessary costs and expenses of making the connection and the proportionate part of the expense of building the original water system upon the township, determine the proportion of the expense for repairs which the municipal corporation and the township shall bear and determine all other questions likely to arise in connection therewith. (53 P.S. §67601)

Section 2602. Water Lines and Connections.-The board of supervisors may contract with any private corporation or any adjacent municipal corporation owning a water system to provide water for public and private uses to be delivered into the lines of the township at or near the boundary thereof. The board of supervisors may by contract lay water lines and extensions and regulate the making of connections therewith. (53 P.S. §67602)

Section 2603. Connection to Water System.- (a)The board of supervisors may by ordinance require that a property owner connect with and use a water system of the township or municipality authority or a joint water board in either of the following cases:
(1) If, except as provided in subsection (b), the property owner's principal building is located within one hundred fifty feet of a water system or any part or extension of the system.
(2) If the property owner's principal building has no supply of water which is safe for human consumption.
(b) A property owner who, after the effective date of this subsection, is subject to mandatory connection pursuant to subsection (a)(1), shall not be required to connect to the water system pursuant to that subsection if all of the following conditions exist:
(1) The water system of part of extension of the system that is within one hundred fifty feet of the principal building was in existence on the effective date of this subsection.
(2) The principal building has its own supply of water which is safe for human consumption.
(3) Prior to the effective date of this subsection, the property owner was not required to connect to the existing system.
(c) Those industries and farms which have their own supply of water for uses other than human consumption may continue to use their own for that purpose but are required to use the township water system to provide water for human consumption.
(d) In the case of a water system provided by the township or municipality authority or a joint water board, the board of supervisors may impose and charge to property owners who desire to or are required to connect to the water system a connection fee, a customer facilities fee, a

tapping fee and other similar fees as enumerated under 53 Pa.C.S. § 5607(d)(24) (relating to purposes and powers).
(e) Whenever a water system or any part or extension thereof owned by a township has been constructed by the township at the expense of a private person or corporation or has been constructed by a private person or corporation under the supervision of the township at the expense of the private person or corporation, the board of supervisors shall have the right to charge a tapping fee, including a reimbursement component, and refund said reimbursement component to the person or corporation who has paid for the construction of said water system or any part or extension thereof.
(f) (1) If any property owner required under subsection (a) to connect with and use the system fails to do so within ninety days after notice to do so has been served by the board of supervisors, the board of supervisors or their agents may enter the property and construct the connection.
(2) The board of supervisors shall send an itemized bill of the cost of construction of connection to the owner of the property to which connection has been made, which bill is payable immediately, or the board of supervisors may authorize the payment of the cost of construction of connections in equal installments under Article XXXIII. (2603 amended by Act 34 of 2008)
(53 P.S. §67603)

Section 2604. Water Rents.-The board of supervisors may provide for the collection of water rents from users of water supplied by the township. (53 P.S. §67604)

Section 2605. Distribution System; State Permit.-The board of supervisors may by ordinance provide, acquire, establish, regulate and protect any system of distribution of water for private and public use after a certified copy of the plans and surveys for the system, with a description of the sources from which it is proposed to derive the supply, are filed with the Department of Environmental Protection and a written permit for the construction of the system is obtained from the Department of Environmental Protection. (53 P.S. §67605)

Section 2606. Occupation of Highways.-In regulating, protecting and extending its system of distribution of water, the township may occupy public highways, but no highway under the jurisdiction of the Department of Transportation shall be occupied until a permit therefor has been obtained from the department nor any highway under the jurisdiction of the county until a permit therefor has been obtained from the county commissioners. (53 P.S. §67606)

Section 2607. Joint Construction, Acquisition or Maintenance of Water Systems.-Any township may join with any other municipal corporation in the construction or acquisition and maintenance of water systems. The construction of water systems shall be commenced only after plans for the systems have been filed with the Department of Environmental Protection and permits have been issued. (53 P.S. §67607)

Section 2608. Joint Water Board.-The municipal corporations joining in the improvement, in order to facilitate the building of the water system and in securing preliminary surveys and estimates, may by ordinance provide for the appointment of a joint water board composed of one representative from each of the municipal corporations joining to act generally as the advisory and administrative agency in the construction of the improvement and its subsequent operation and maintenance. Members of the joint water board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed. The joint water board shall organize by the election of a chairman, vice-chairman, secretary and treasurer. The municipal corporations may in the ordinances creating the joint water board authorize it to appoint an engineer, a solicitor and other necessary assistants and agree to the share of the compensation of those persons each municipal corporation is to pay. The members of the joint water board shall receive compensation for attending board meetings as established in the budget that is prepared by the joint water board and submitted to and adopted by the municipal corporations. The compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars ($250) for each member in each year, but the members shall be

entitled to actual expenses to be paid by the respective municipal corporations the members represent. (53 P.S. §67608)

Section 2609. Public Utility Law Saved.-Nothing contained in this article shall be construed to repeal or to supersede any of the provisions of 66 Pa. C.S. (relating to public utilities). (53 P.S. §67609)

Section 2610. Cost of Construction; How Paid.-All or part of the cost of construction of any water system constructed by the authority of this article may be charged upon the properties accommodated or benefited thereby. (53 P.S. §67608)

Section 2611. Water Districts.-The board of supervisors may designate, define and create one or more water districts within the township, and the board of supervisors shall determine the proportion of the cost of the water system which shall be equitably charged on each district and declare and establish the apportionment by resolution. No district shall be charged with more than its due proportion of the cost of the main pipe lines, pumping stations, et cetera, used jointly by more than one district. (53 P.S. §67611)

Section 2612. Assessment.-The board of supervisors may provide for the payment of the cost of water lines or water systems in the township or in districts thereof by an assessment upon the properties accommodated or benefited by one of the following methods:
(1) By an assessment under a resolution or ordinance of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the water mains, allowing an equitable reduction in the case of corner properties and unusually shaped properties or in the case of properties abutting on more than one main as the resolution or ordinance may specify.
(2) By an equal assessment on all properties abutting on the mains in proportion to the total cost of construction. The amount of the charge on each property shall be determined by the board of supervisors. (53 P.S. §67612)

Section 2613. Procedure for Assessment.-If taxpayers of the district whose property valuation as assessed for taxable purposes within the district amounts to fifty percent of the total property valuation so assessed or if taxpayers representing fifty percent of the parcels within the district present a petition within three months of the adoption of a resolution or ordinance levying an assessment under section 2612, to the court of common pleas stating that the assessment insufficiently represents the benefits accruing to abutting properties, they may include in the petition a request for the appointment of viewers to assess benefits. The court shall appoint three disinterested viewers, none of whom shall be a resident of that portion of the township which is accommodated by the water system in question, and the viewers shall proceed under this act for the assessment of damages and benefits by viewers. Upon the filing of the petition by taxpayers for appointment of viewers, any assessment made by the board of supervisors and any proceedings shall be stayed pending the disposition of the petition by the court.(2613 amended June 22, 2000, P.L.400, No. 55) (53 P.S. §67613)

Section 2614. Liens for Assessments; Costs of Proceedings.-After the amount of the assessment charged upon the several properties has been established by resolution making assessments according to Section 2612 or by confirmation of any report of viewers, in whole or in part, the board of supervisors shall make out bills for the amounts charged against each property, which shall be sent to all property owners whose property will served by the water system. If the assessment is not paid within sixty days after the mailing of a bill therefor, the board of supervisors shall collect it by action of assumpsit or under law for the filing and recovery of municipal claims.(2614 amended June 22, 2000, P.L.400, No.55) (53 P.S. §67614)

ARTICLE XXVII
STORM WATER MANAGEMENT PLANS AND FACILITIES

Section 2701. Storm Water Management Systems Authorized.-The board of supervisors may plan, design, construct, assemble, install and alter facilities, including, but not limited to, inlets, outlets, systems of piping, diversion terraces, grass waterways, energy dissipaters, storm water retention devices and natural or artificial infiltration areas, to manage surface water runoff. (53 P.S. §67701)

Section 2702. Construction of Storm Water Management Facilities.-(a) The board of supervisors may acquire by purchase, deed of dedication or eminent domain proceedings all or part of any existing system or facility for the management of surface water runoff which may have been established or constructed by any property owner in the township or establish, construct and maintain systems or facilities in the best interest of the township.
(b) If the board of supervisors and the owners of systems can agree upon a price to be paid by the township, the purchase may be consummated if the amount to be paid does not exceed the actual value of the facilities to be transferred.
(c) If the board of supervisors acquires the system by the exercise of eminent domain, the damages shall be determined by viewers under this act for eminent domain proceedings. (53 P.S. §67702)

Section 2703. System Management.-(a) When exercising the powers under this article, the board of supervisors shall manage storm water originating in or passing through the township in a manner which is consistent with the requirements of the act of October 4, 1978 (P.L. 864, No. 167), known as the "Storm Water Management Act," and the storm water management guidelines and any regulations which may be adopted by the Department of Environmental Protection.
(b) All storm water management activities undertaken must be consistent with any watershed storm water management plan when the plan has been approved by the Department of Environmental Protection.
(c) When storm water management activities are undertaken in watersheds for which there is no approved storm water management plan, all drawings, documents, profiles and designs and descriptions of the proposed activities to be undertaken by the township shall be submitted to the county conservation district for review and comment before the initiation of earthmoving activities. The conservation district shall have thirty days to review and respond with comments to the board of supervisors. Failure to respond within that time constitutes favorable comment by the conservation district. (53 P.S. §67703)

Section 2704. Ordinances.-The board of supervisors may enact storm water management ordinances and require persons conducting earthmoving activities to obtain approval from the board of supervisors for those activities. Ordinances must be consistent with watershed storm water management plans where they exist and in all cases must be consistent with the act of October 4, 1978 (P.L. 864, No. 167), known as the "Storm Water Management Act." (53 P.S. §67704)

ARTICLE XXVIII
MANUFACTURE AND SALE OF ELECTRICITY

Section 2801. Manufacture and Sale of Electricity.-Any township may manufacture electricity by means of a hydroelectric generating facility owned or operated by the township for the use of the inhabitants of the township. Any township owning or operating a hydroelectric generating facility may make contracts for the sale of electricity to persons engaged in the business of the manufacture or sale of electricity. (53 P.S. §67801)

Section 2802. Regulation of Use and Prices.-Any township furnishing electricity under this article may regulate the use of electricity in dwellings, business places and other places in the township and the rate to be charged for the electricity. (53 P.S. §67802)

Section 2803. Sale of Hydroelectric Generating Facilities.-A township may by ordinance sell all or part of its hydroelectric generating facilities to a purchaser for that sale price as the parties may agree upon. (53 P.S. §67803)

Section 2804. Construction or Purchase of Hydroelectric Generating Facilities.-Any township may construct or purchase facilities to manufacture electricity by hydroelectric generation. Any township may purchase a hydroelectric generating facility at that price as may be agreed upon by the township and the person, partnership or a majority of the stockholders of a corporation that owns the facilities. (53 P.S. §67804)

Section 2805. Submission to Electors.-Before any township constructs or purchases a hydroelectric generating facility, the question of the increase of the debt of the township shall first be submitted to the qualified voters of the township in the manner provided by law for the increase in indebtedness of municipal corporations. (53 P.S. §67805)

Section 2806. Limitation on Indebtedness.-No township which constructs or purchases a hydroelectric generating facility shall incur any indebtedness for the construction or enlargement of a new or existing dam or impoundment structure but may incur indebtedness for repairs or reconstruction of an existing dam or impoundment in connection with the hydroelectric project. (53 P.S. §67806)

ARTICLE XXIX
SHADE TREE COMMISSION

Section 2901. Right of Establishment.-The board of supervisors may regulate the planting, maintenance and removal of shade trees in the township, or it may appoint a shade tree commission to administer regulations for shade trees. (53 P.S. §67901)

Section 2902. Commission Members; Appointment; Terms; Vacancies. -(a) Except as provided in subsection (b), a shade tree commission shall be composed of three members who shall be residents of the township.
(b) The board of supervisors may, by ordinance, provide that the commission be composed of five members who shall be residents of the township.
(c) Whenever a shade tree commission of three members is established by any township, the initial terms of members shall be for periods of three years, four years and five years respectively. On the expiration of the term of any shade tree commissioner, a successor shall be appointed by the board to serve for a term of five years.
(d) Whenever a shade tree commission of five members is established by any township, the board of supervisors shall appoint members to staggered terms so that one term expires every year. On the expiration of the term of any shade tree commissioner, a successor shall be appointed by the board to serve for a term of five years.
(e) Members of the commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.
(f) Vacancies in the office of shade tree commissioner shall be filled by the board of supervisors for the unexpired term.(2902 amended Mar. 24, 2004, P.L.155, No.18) (53 P.S. §67902)

Section 2903. Powers May be Vested in Recreation Board.-When there exists a board for the care of public parks, the board of supervisors may by ordinance confer on the recreation board all the powers and duties under this article for a shade tree commission. (53 P.S. §67903)

Section 2904. General Powers of Commission.-The shade tree commission has exclusive control of the shade trees in the township and is authorized to plant, remove, maintain and protect shade trees on the public streets and highways in the township, excluding State highways. (53 P.S. §67904)

Section 2905. Hiring of Employes.-The shade tree commission may with the approval of the board of supervisors employ persons to perform the duties and directions of the commission and make, publish and enforce regulations for the care and protection of the shade trees of the township. No regulations shall be in force until approved by the board of supervisors and until published at least once in a newspaper of general circulation in the township. (53 P.S. §67905)

Section 2906. Report of Commission.-The shade tree commission shall annually report to the board of supervisors its transactions and expenses for the preceding fiscal year of the township. (53 P.S. §67906)

Section 2907. Removal of Diseased or Dangerous Trees.-(a) The shade tree commission or, if no commission exists, the board of supervisors may by ordinance require owners of property to cut and remove trees located on the property if the condition of the trees, through disease or otherwise, unreasonably affects or interferes with the health, safety or welfare of the public or the right of the public to the unobstructed use of public roads or property.
(b) If within thirty days after the date of notice by certified mail, return receipt requested, to remove the trees, the property owner has not complied with that order, the commission or the board of supervisors may enter the premises and remove the trees.
(c) The cost of cutting and removal of trees by the township shall be charged to the property

owner. The charge shall be a lien against the real estate of the property owner and shall be collected in the same manner as other municipal liens. (53 P.S. §67907)

Section 2908. Maintenance by Township Funds.-The shade tree commission shall annually certify the costs incurred under this article to the board of supervisors. The costs shall be paid from the general township fund. (53 P.S. §67908)

Section 2909. Penalties.-The shade tree commission, to the extent provided by ordinance of the township, may assess penalties for the violation of its regulations and of this article as far as it relates to shade trees. Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected. (53 P.S. §67909)

Section 2910. Disposition of Penalties.-All penalties or assessments imposed under this article shall be paid to the township. (53 P.S. §67910)

ARTICLE XXX
BOARD OF HEALTH

Section 3001. Establishment of Board of Health.-The board of supervisors may appoint a township board of health and township health officer to administer and enforce the health and sanitation laws of the township. If a board of health is appointed, the board of health may appoint a health officer or inspector whose duties shall be to implement and enforce the health and sanitation laws of the township and actions of the board of health. The health officer or inspector, whether appointed by the board of supervisors or by the board of health, shall not assume the performance of the duties of office until certified as a qualified health officer or inspector by the Department of Environmental Protection, the Department of Agriculture and the Department of Health. (53 P.S. §68001)

Section 3002. Members of Board of Health.-A board of health appointed under this article shall be composed of five members, at least one of whom shall be a licensed physician with not less than two years' experience in the practice of his profession The members of the board of health shall be appointed by the board of supervisors. Upon the creation of a board of health, one member shall be appointed to serve for one year, one for two years, one for three years, one for four years and one for five years, and after that one member shall be appointed each year to serve for five years. Upon the creation of a board of health in a township which has an existing sanitary board, the board of supervisors may continue the incumbent members of the sanitary board as members of the board of health. The members of the board of health shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. (53 P.S. §68002)

Section 3003. Organization, Secretary, Health Officer and Inspectors.- The members of the board of health shall annually organize by electing a chairman from among the members of the board of health, a secretary who may be a member of the board of health and a health officer and inspectors who shall not be members of the board of health. The secretary, health officer and inspectors shall each receive a salary as determined by the board of supervisors and shall serve for a period of one year or until their successors may be appointed and qualified.
(53 P.S. §68003)

Section 3004. Duties of Secretary.-The secretary of the board of health shall keep the minutes of the proceedings of the board of health, keep accurate accounts of the expenses of the board of health, draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the board of supervisors to the board of health and present them to the board of health for approval, render statements of the expenses to the board of health at each stated meeting or as frequently as the board of health may require, prepare under the direction of the board of health the annual report to the board of supervisors, together with the estimate of appropriation needed for the ensuing year, and make other reports and perform other duties as the board of health may require. (53 P.S. §68004)

Section 3005. Powers and Duties of Health Officer and Inspectors.-The health officer and inspectors shall attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of their official duties. They shall make inspections and execute the orders of the board of health. (53 P.S. §68005)

Section 3006. Powers of Board of Health.-(a) The board of health shall enforce the health and sanitation laws of this Commonwealth and any regulations adopted under those laws and the health and sanitation laws and regulations of the township.
(b) Regulations, when authorized by ordinance of the township, shall have the force of ordinances of the township. All penalties prescribed for violation of the regulations, as well as the expenses actually and necessarily incurred in enforcing ordinances and regulations, are recoverable in enforcement proceedings and shall be paid into the general township fund. Townships may

establish and revise fees for licenses or permits issued by the township as necessary. (53 P.S. §68006)

Section 3007. Entering Premises.-The board of health, health officer or inspectors may enter at any time any premises within the township where there is reasonably suspected to exist any health hazard or violation of health or sanitation laws or regulations or which are of a type that may give rise to a health hazard. (53 P.S. §68007)

Section 3008. Written Order for Violation.-When the board of health, health officer or inspectors determine that a health or sanitation hazard or violation exists, a written order shall be directed to the owner or occupant of the premises involved, ordering an abatement of the hazard or violation and the taking of corrective action as the board of health, health officer or inspectors may deem necessary under the circumstances. The order shall set forth a specific time in which the abatement and corrective action shall be accomplished. If the order is not complied with within the time provided, the board of health, health officer or inspectors may enter the premises and issue orders for the immediate termination of activities creating the violation, the potential violation and all acts of commerce conducted in, on or at the premises in question. In addition, the board of health, health officer or inspectors may proceed to enforce the law or regulation being violated the same as ordinances of the township. (53 P.S. §68008)

Section 3009. Appropriations and Annual Report.-The board of supervisors shall make an annual appropriation to the board of health as the board of supervisors determines. The board of health or health officer shall before the preparation of the annual budget of the township submit to the board of supervisors the estimated expenses of the board of health or health officer for the ensuing year. The board of health or health officer shall by the first day of February of each year prepare and submit to the board of supervisors and the regional office of the Department of Environmental Protection, the Department of Agriculture and the Department of Health an annual report in writing, setting forth the activities and expenditures of the board of health or health officer during the prior calendar year. (53 P.S. §68009)

Section 3010. Cooperation With Other Municipal Corporations.-(a) Any township may cooperate and contract with any other municipal corporation in the administration and enforcement of health and sanitation laws.
(b) If the board of supervisors abolishes the board of health or positions of health officers or inspectors and discontinues services under this article, the Department of Environmental Protection, the Department of Agriculture and the Department of Health shall be notified. An official copy of the action of the board of supervisors shall be transmitted to the regional office of the Department of Environmental Protection, the Department of Agriculture and the regional office of the Department of Health.
(c) The board of supervisors, the board of health or the health officer may request assistance from the Department of Environmental Protection, the Department of Agriculture or the Department of Health if the assistance is deemed necessary for the health and safety of township citizens. (53 P.S. §68010)

ARTICLE XXXI
CONTRACTS

Section 3101. Power to Make Contracts.-The board of supervisors may make contracts for purchases under this act and the laws of this Commonwealth. (53 P.S. §68101)

Section 3102. Letting Contracts.-(a) All contracts or purchases in excess of the required advertising base amount of eighteen thousand five hundred dollars ($18,500), subject to adjustment under subsection (b.1), except those specifically excluded, shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation in the township. The notice for bids shall be published at least two times at intervals of not less than three days in daily newspapers or once a week for two successive weeks in weekly newspapers. The first advertisement shall be published not more than forty-five days, and the second advertisement not less than ten days, before the date set for the opening of bids. Notice of proposed contracts or purchases shall also be posted where the board of supervisors normally meets or in a conspicuous place within the township. Any published notice for bids shall contain full plans and specifications, or refer to the places where copies thereof can be obtained, state the amount of the performance bond determined under subsection (g) and give the date, time and place of a meeting at which an individual or committee appointed by the board of supervisors or the board of supervisors will open and read the bids. ((a) amended by Act 84 of 2011, and December 19, 1996, P.L.1412, No. 181)

(b) Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts in excess of the base amount of ten thousand dollars ($10,000), subject to adjustment under section (b.1), but are less than the amount requiring advertisement and competitive bidding, or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years. ((b) amended by Act 84 of 2011)

(b.1) Adjustments to the base amounts specified under subsections (a) and (b) shall be made as follows:

(1) The Department of Labor and Industry shall determine the percentage change in all items Consumer Price Index for all Urban Consumers (CPI-U) for the United States City Average as published by the United States Department of Labor, Bureau of Labor Statistics for the twelve-month period ending September 30, 2012, and for each successive twelve-month period thereafter.

(2) If the department determines that there is no positive percentage change, then no adjustment to the base amounts shall occur for the relevant time period provided for in this subsection.

(3) (i) If the department determines that there is a positive percentage change in the first year that the determination is made under paragraph (1), the positive percentage change shall be multiplied by each base amount and the products shall be added to the base amounts, respectively, and the sums shall be preliminary adjusted amounts.

(ii) The preliminary adjusted amounts shall be rounded to the nearest one hundred dollars ($100), to determine the final adjusted base amounts for the purposes of subsections (a) and (b).

(4) In each successive year in which there is a positive percentage change in the CPI-U for the United States City average, the positive percentage change shall be multiplied by the most recent preliminary adjusted amounts and the products shall be added to the preliminary adjusted amount of the prior year to calculate the preliminary adjusted amounts for the current year. The sums there of shall be rounded to the nearest one hundred dollars ($100) to determine the new final adjusted base amounts for purposes of subsections (a) and (b).

(5) The determinations and adjustments required under this subsection shall be made in the period between October 1 and November 15 of the year following the effective date of this subsection, and annually between October 1 and November 15 of each year thereafter.

(6) The final adjusted base amounts and new final adjusted base amounts obtained under paragraphs (3) and (4) shall become effective January 1 for the calendar year following the year in which the determination required under paragraph (1) is made.

(7) The department shall publish notice in the Pennsylvania Bulletin prior to January 1 of calendar year of the annual percentage change determined under paragraph (1) and the unadjusted or final adjusted base amounts determined under paragraphs (3) and (4) at which competitive bidding is required under subsection (a) and written or telephonic price quotations are required under subsection (b), respectively, for the calendar year beginning the first day of January after publication of the notice. The notice shall include a written and illustrative explanation of the calculations performed by the department in establishing the unadjusted or final adjusted base amounts under this subsection for the ensuing calendar year.

(8) The annual increase in the preliminary adjusted base amounts obtained under paragraphs (3) and (4) shall not exceed three percent. ((8) added by Act 84 of 2011)

(c) The board of supervisors may purchase or make contracts under the act of October 27, 1979 (P.L. 241, No. 78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods where no bids are received," if no bids are received on an item after proper notices.

(d) The amount of the contract, whether of straight sale price, conditional sale, lease, lease purchase or otherwise, is the entire amount the township pays to the successful bidder in order to obtain the services or property, or both, and does not mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits.

(e) The award of contracts shall only be made by public announcement at the meeting at which bids are opened by the board of supervisors, or received from the individual or committee appointed by the board of supervisors to open and read bids, or at a subsequent meeting of the board of supervisors, the time and place of which shall be publicly announced when bids are received. If for any reason one or both of the meetings are not held, the same business may be transacted at a subsequent meeting if at least five days' notice of the meeting is published in the same newspaper as the notice of bids. Bidders shall be notified and other interested parties, upon request, shall be notified of the date, time and location of the opening of bids and may be present when the bids are opened.

(f) The board of supervisors may reject all bids received if it is believed to be in the best interest of the township, and at a public meeting the reasons for the rejection of all bids shall be announced and be noted in the minutes.

(g) Unless covered under the bonding requirements of the act of December 20, 1967 (P.L. 869, No. 385), known as the "Public Works Contractors' Bond Law of 1967," the successful bidder shall furnish a bond guaranteeing performance of the contract, in an amount as determined by the supervisors at the time of advertising for bids which shall be not less than ten percent nor more than one hundred percent of the amount of the contract, within twenty days after the contract is awarded. If the bidder fails to furnish the bond within twenty days, unless delivery is made or the entire contract is fulfilled during that time, the contract is void. Delivery, accomplishment and guarantees may be required in all cases, including the exceptions contained in this section. ((g) amended Dec. 19, 1996, P.L.1412 , No. 181)

(h) The contracts or purchases made by the board of supervisors involving payments in excess of the required advertising amount, which do not require advertising, bidding or price quotations are as follows:

(1) Those made for emergency or routine maintenance, repairs or replacements for water, electric light and other public works of the township if they do not constitute new additions,

extensions or enlargements of existing facilities and equipment.

(2) Those made for improvements, repairs or maintenance of any kind made or provided by any township through its own employes. All contracts or purchases of materials used for improvement, maintenance or construction are subject to the provisions contained in subsection (a) and (b). (amended by Act 84 of 2011)

(3) Those involving any policies of insurance or surety company bonds, those made for public utility service, those made for electricity, natural gas or telecommunications service either directly or with an association authorized under article XIV in which the township is a member and those made with another municipal corporation, county, school district or municipality authority, a council of government, consortium, cooperative or other similar entity created pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation) or Federal or State Government, including the sale, leasing or loan of any supplies or materials by the Federal or State Government or their agencies. ((3) amended Act 30 of 2012 and October 11, 2000 and amended by Act 30 of 2012 P.L.535, No. 70)

(4) Those involving personal or professional services.

(5) Those made for materials and supplies or equipment rental under emergency conditions under 35 Pa.C.S. Pt. V (relating to emergency management services).

(6) Those contracts involving equipment rental with operators if more than fifty percent of the total labor personnel hours required for the completion of the contract is supplied by the township through its own employes.

(7) Those contracts for the purchase of repair parts or materials for use in existing township equipment or facilities if the item or material to be purchased is the sole item of its kind on the market or is manufactured as a replacement for the original item or equipment being repaired.

(8) Those for used equipment, articles, apparatus, appliances, vehicles or parts thereof being purchased from a public utility.

(9) Those where particular types, models or pieces of equipment, articles, apparatus, appliances, vehicles or parts thereof which are patented and manufactured products.
((h) amended Dec. 18, 1996, P.L.1412, No. 172)

(i) No township official, either elected or appointed, or township employe who knows, or who by the exercise of reasonable diligence could know, shall be interested to any appreciable degree, either directly or indirectly, in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for the township involving the payment by the township of more than five hundred dollars ($500) in any year unless the contract is awarded through the public bid process. This limitation does not apply if the officer or appointee of the township is an employe of the person, firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and the officer cannot possibly be benefited thereby, either financially or otherwise. If a supervisor is within this exception, the supervisor shall so inform the board of supervisors and refrain from voting on the payments and shall in no manner participate in the contract. Any official or appointee who knowingly violates this provision is subject to surcharge to the extent of the damage shown to be sustained by the township, is ousted from office or employment and commits a misdemeanor of the third degree.

(j) Contracts for the purchase of materials or rental of equipment for the construction, reconstruction, maintenance and improvement of roads and bridges shall be in writing and let only on standard specifications of the Department of Transportation.

(k) Contracts for the purchase of materials or supplies may be bid on a per-unit basis.

(l) Every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works shall comply with the act of March 3, 1978 (P.L. 6, No. 3), known as the "Steel Products Procurement Act."

(m) No person, consultant, firm or corporation contracting with a township for purposes of rendering personal or professional services to the township shall share with any township officer or employe, and no township officer or employe shall accept, any portion of the compensation or

fees paid by the township for the contracted services provided to the township except under the following terms or conditions:

(1) Full disclosure of all relevant information regarding the sharing of the compensation or fees shall be made to the board of supervisors.

(2) The board of supervisors must approve the sharing of any fee or compensation for personal or professional services before the performance of the services.

(3) No fee or compensation for personal or professional services may be shared except for work actually performed.

(4) No shared fee or compensation for personal or professional services may be paid at a rate in excess of the commensurate for similar personal or professional services. (53 P.S. §68102)

Section 3103. Road Contracts.-The board of supervisors may make a contract for the improvement and keeping in repair of township roads. No contract shall extend over a period of more than four years. Every contractor for road work shall give bond for the amount of the contract and sign specifications furnished by the board of supervisors for the building and care of the contract roads. (53 P.S. §69103)

Section 3104. Evasion of Advertising Requirements.-(a) No supervisor shall evade the provisions of section 3101 as to advertising for bids by purchasing or contracting for services and personal properties piecemeal to obtain prices under the required advertising price. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price, or by making several simultaneous purchases or contracts each below the required advertising price, when the transactions involved should have been made as one transaction for one price. Any supervisors who vote in violation of this provision and who know that the transaction upon which they vote is or ought to be part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids are jointly and severally subject to surcharge for ten percent of the full amount of the contract or purchase.

(b) Any supervisor who votes to unlawfully evade the provisions of this article and who knows that the transaction upon which he so votes is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids commits a misdemeanor of the third degree for each contract entered into as a direct result of that vote. This penalty shall be in addition to any surcharge which may be assessed pursuant to subsection (a). (53 P.S. §68104)

Section 3105. Bonds for Protection of Labor and Material Suppliers.- Before any contract exceeding five thousand dollars ($5,000) is awarded to any prime contractor or construction manager for the construction, reconstruction, alteration or repair of any building or other public work or public improvement of the township, the contractor shall furnish to the township a payment bond for the protection of claimants supplying labor or materials to the prime contractor to whom the contract is awarded, at one hundred percent of the contract amount, conditioned for the prompt payment of all materials furnished or labor supplied or performed in the prosecution of the contract under the act of December 20, 1967 (P.L. 869, No. 385), known as the "Public Works Contractors' Bond Law of 1967." (53 P.S. §68105)

Section 3106. Purchase Contracts for Supplies and Equipment; Fire Company, Et Cetera; Participation.-The board of supervisors may permit any paid or volunteer fire company, paid or volunteer rescue company and paid or volunteer ambulance company in the township to participate in purchase contracts for supplies and equipment of the township and agreeing that it will be bound by any terms and conditions the township prescribes. (53 P.S. §68106)

Section 3107. Separate Specifications for Branches of Work.-In the preparation of specifications for the erection or alteration of any public building, when the entire cost of the work exceeds the advertising requirement price, the architect, engineer or person preparing the specifications shall prepare separate specifications for the plumbing, heating, ventilating and

electrical work, and the township shall receive separate bids upon each of those branches of work and award the contract to the lowest bidder. (53 P.S. §68107)

Section 3108. Workers' Compensation Insurance.-(a) All contracts executed by any township which involve the construction or performance of any work involving the employment of labor shall contain a provision that the contractor shall accept, and file with the township proof of compliance with or exemption from, insofar as the work covered by the contract is concerned, the act of June 2, 1915 (P.L. 736, No. 338), known as the "Workers' Compensation Act." (b) Any contract executed in violation of this section is void. (53 P.S. §68107)

Section 3109. Engineers and Architects Not to be Interested in Contracts.-(a) No architect or engineer in the employ of a township and engaged in the preparation of plans, specifications or estimates may bid on any public work at any letting of the work in the township.
(b) An officer of a township who is charged with letting any public work may not award a contract to any architect or engineer in the employ of the township.
(c) An architect or engineer in the employ of a township may not be interested in any contract for public work in the township or receive any remuneration or gratuity from any person interested in any contract except under section 3102(1).
(d) Any person who violates this section commits a misdemeanor of the third degree.
(53 P.S. §68108)

ARTICLE XXXII
TAXATION AND FINANCE

Section 3201. Fiscal Year.-The fiscal year in townships commences on the first day of January in each year. All receipts, disbursements, contracts and purchases shall be entered as of record in the fiscal year in which made. (53 P.S. §68201)

Section 3202. Annual Budget.-(a) The board of supervisors shall annually prepare a proposed budget for all funds for the ensuing fiscal year. The proposed budget shall reflect as nearly as possible the estimated revenues and expenses of the township for the year for which the budget is prepared. A township shall not prepare and advertise notice of a proposed budget when it is knowingly inaccurate. Upon any revision of the proposed budget, if the estimated revenues or expenses in the final budget are increased more than ten percent in the aggregate or more than twenty-five percent in any major category over the proposed budget, it may not be legally adopted with those increases unless it is again advertised once, the same as the original proposed budget, and an opportunity given to taxpayers to examine the amended proposed budget. A major category is a group of related revenue or expense items, the combined total of which is listed as a line item. The budget shall be prepared on a uniform form prepared and furnished under section 3203. The estimates in the budget shall specify the amount of money necessary for each governmental activity of the township for which a special tax levy may or may not be authorized and the amount of money necessary for the payment of debts and other miscellaneous purposes.
(b) Upon the preparation of the proposed budget, the board of supervisors shall give public notice by advertisement once in one newspaper of general circulation in the township that the proposed budget is available for public inspection at a designated place in the township. After the proposed budget has been available for public inspection for twenty days, the board of supervisors shall, after making revisions as are appropriate, adopt the final budget not later then the thirty-first day of December and the necessary appropriation measures required to put it into effect.
(c) The total appropriation shall not exceed the revenues estimated as available for the fiscal year.
(d) During the month of January next following any municipal election, the board of supervisors may amend the budget and the levy and tax rate to conform with its amended budget. A period of ten days' public inspection at the office of the township secretary of the proposed amended budget, after notice by the township secretary to that effect is published once in a newspaper of general circulation in the township, shall intervene between the adoption of the proposed amended budget and the final adoption of the amended budget. Any amended budget must be adopted by the board of supervisors on or before the fifteenth day of February. No proposed amended budget shall before final adoption be revised upward in excess of ten percent in the aggregate or in excess of twenty-five percent of the amount of any major category in the proposed amended budget. A major category is a group of related revenue or expense items, the combined total of which is listed as a line item.
(e) The board of supervisors may by resolution make supplemental appropriations for any purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated, including the proceeds of any borrowing authorized by law. Supplemental appropriations may be made whether or not an appropriation for that purpose was included in the original budget as adopted.
(f) The board of supervisors may by resolution transfer unencumbered moneys from one township account to another, but no moneys may be transferred from the fund allocated for the payment of debts or from any fund raised by a special tax levy or assessment for a particular purpose. Transfers shall not be made during the first three months of the fiscal year. No moneys shall be paid out of the township treasury except upon appropriation made according to law.(3202 amended June 22, 2000, P.L.329, No.35)
Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not

otherwise expressly transferred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 3202 are transferred to the Department of Community and Economic Development. (53 P.S. §68202)

Section 3203. Uniform Report Forms.-(a) The uniform forms for the annual financial report required to be made by the auditors shall be prepared by a committee consisting of four representatives of the State Association of Township Supervisors and one representative each from the Department of Transportation and the Department of Community and Economic Development.
(b) Representatives of the State Association of Township Supervisors shall be appointed by the president of that organization. The representatives may be township supervisors, auditors or secretaries and should represent townships in the various population groups. The president of the State Association of Township Supervisors shall supply to the Department of Community and Economic Development the names and addresses of the representatives immediately upon their appointment.
(c) Representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee from appropriations made to the Department of Community and Economic Development. The committee shall meet at the call of the Secretary of Community and Economic Development, or an agent of the secretary, who shall chair the committee.
(d) (Deleted by amendment)
(e) The Department of Community and Economic Development shall prepare and furnish the forms required by this act in cooperation with the committee. If the committee fails to cooperate, the Department of Community and Economic Development shall issue the forms and distribute them annually, as needed, to the proper township officers.(3202 amended June 22, 2000, P.L.329, No. 35)
Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not otherwise expressly transferred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 3202 are transferred to the Department of Community and Economic Development. (53 P.S. §68203)

Section 3204. Investment of Township Funds.-(a) The board of supervisors may:
(1) Make investment of township sinking funds as authorized by the act of July 12, 1972 (P.L. 78 1, No. 185), known as the "Local Government Unit Debt Act."
(2) Make investment of moneys in the general fund and in special funds of the township.
(3) Liquidate any investment, in whole or in part, by disposing of securities or withdrawing funds on deposit. Any action taken to make or to liquidate any investment shall be made by the officers designated by action of the board of supervisors.
(b) The board of supervisors shall invest township funds consistent with sound business practice.
(c) The board of supervisors shall provide for an investment program subject to restrictions contained in this act and in any other applicable statute and any rules and regulations adopted by the board of supervisors.
(d) Authorized types of investments of township funds are:
(1) United States Treasury bills.
(2) Short-term obligations of the Federal Government or its agencies or instrumentalities.
(3) Deposits in savings accounts or time deposits, other than certificates of deposit, or share accounts of institutions insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund, the Pennsylvania Deposit Insurance Corporation or the Pennsylvania Savings Association Insurance Corporation, or their successor agencies, to the extent that the accounts are so insured and, for any amounts above the insured maximum, if approved collateral therefor is pledged by the depository.
(4) Obligations of the United States of America or any of its agencies or instrumentalities backed by the full faith and credit of the United States of America, of the Commonwealth of Pennsylvania

or any of its agencies or instrumentalities backed by the full faith and credit of the Commonwealth or of any political subdivision of the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the political subdivision.
(5) Shares of an investment company registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. § 80a-l et seq.), whose shares are registered under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C. § 77a et seq.), if the only investments of that company are in the authorized investments for township funds listed in paragraphs (1) through (4).
(6) Certificates of deposit purchased from institutions insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund, the Pennsylvania Deposit Insurance Corporation or the Pennsylvania Savings Association Insurance Corporation, or their successor agencies, to the extent that the accounts are so insured. However, for any amounts above the insured maximum, the certificates of deposit shall be secured by a pledge or assignment of assets of the institution, and the collateral may include loans, including interest in pools of loans, secured by first mortgage liens on real property. Certificates of deposit purchased from commercial banks shall be limited to an amount equal to twenty percent of a bank's total capital and surplus. Certificates of deposit purchased from savings and loan associations or savings banks shall be limited to an amount equal to twenty percent of an institution's assets minus liabilities.
(7) Any investment authorized by 20 Pa.C.S. Ch. 73 (relating to fiduciaries investments). This paragraph is limited to investments for any pension or retirement fund.
(e) In making investments of township funds, the board of supervisors may:
(1) Permit assets pledged as collateral under subsection (d)(3) to be pooled under the act of August 6, 1971 (P.L. 281, No. 72), entitled "An act standardizing the procedures for pledges of assets to secure deposits of public funds with banking institutions pursuant to other laws; establishing a standard rule for the types, amounts and valuations of assets eligible to be used as collateral for deposits of public funds; permitting assets to be pledged against deposits on a pooled basis; and authorizing the appointment of custodians to act as pledgees of assets."
(2) Combine moneys from more than one fund under township control for the purchase of a single investment if each of the funds combined for the purpose is accounted for separately in all respects and the earnings from the investment are separately and individually computed and recorded and credited to the accounts from which the investment was purchased.
(3) Join with one or more other municipal corporations, municipality authorities or school districts under the act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law, in the purchase of a single investment if the requirements of paragraph (2) on separate accounting of individual funds and separate computation, recording and crediting of the earnings therefrom are adhered to. (53 P.S. §68204)

Section 3205. Townships and Special Tax Levies.-(a) The board of supervisors may by resolution levy taxes upon all real property within the township made taxable for township purposes, as ascertained by the last adjusted valuation for county purposes, for the purposes and at the rates specified in this section. All taxes shall be collected in cash.
(1) An annual tax not exceeding fourteen mills for general township purposes. If the board of supervisors petitions the court of common pleas for the right to levy additional millage, the court may order a greater rate than fourteen mills, but not exceeding five additional mills, to be levied.
(2) An annual tax not exceeding five mills to light the highways, roads and other public places in the township.
(3) An annual tax not exceeding fifty percent of the rate of assessment for the general township tax to procure land and erect public buildings thereon and for the payment of indebtedness incurred in connection therewith.
(4) An annual tax not exceeding three mills to purchase and maintain fire apparatus and a suitable place to house fire apparatus, to make appropriations to fire companies located inside and outside the township, to make appropriations for the training of fire company personnel and for fire training schools or centers and to contract with adjacent municipal corporations or volunteer fire companies therein for fire protection.
(i) The township may appropriate up to one-half, but not to exceed one mill, of the revenue generated from a tax under this clause for the purpose of paying salaries, benefits or other

compensation of fire suppression employees of the township or a fire company serving the township.
(ii) If an annual tax is proposed to be set at a level higher than three mills, the question shall be submitted to the voters of the township.
(5) A tax not exceeding two mills to establish and maintain fire hydrants and fire hydrant water service.
(6) A tax to acquire, maintain and operate parks, playgrounds, playfields, gymnasiums, swimming pools and recreation centers.
(7) An annual tax sufficient to pay interest and principal on any indebtedness incurred under 53 Pa.C.S. Pt. VII Subpt. B (relating to indebtedness and borrowing).
(8) An annual tax not exceeding one-half mill to support ambulance, rescue and other emergency services serving the township.
(i) The township may appropriate up to one-half of the revenue generated from a tax under this clause for the purpose of paying salaries, benefits or other compensation of employees of the ambulance, rescue or other emergency service.
(ii) If an annual tax is proposed to be set higher than one-half mill, the question shall be submitted to the voters of the township.
(9) An annual tax not exceeding five mills to create and maintain a revolving fund to be used in making permanent street, sidewalk, water supply or sewer improvements before the collection of all or part of the cost from the property owners. A revolving fund may also be used for the deposit of funds raised through the issuance of general obligation bonds of the township for the making of permanent street, sidewalk, water supply or sewer improvements. When all or part of the cost of the construction of any permanent street, sidewalk, water supply or sewer improvement is paid from the revolving fund and is later assessed and collected from the owners of the property adjoining or abutting upon the improvement, the collections shall be applied to the credit of the revolving fund to the extent of the withdrawal therefrom for that purpose.
(10) An annual special tax not exceeding two mills to create and accumulate moneys in a road equipment fund to be used exclusively for purchasing road equipment.
(b) When it is shown to the court that the debts due by any township exceed the amount which the board of supervisors may collect in any year by taxation, the court, after ascertaining the amount of indebtedness of the township, may in an action of mandamus direct the board of supervisors, by special taxation, to collect an amount sufficient to pay the debts. If the amount of indebtedness is so large as to render it inadvisable to collect the entire amount in any one year, the court may direct the special taxes to be levied and collected during successive years as may be required for payment of debt.(3205 amended Dec. 1, 2004, P.L.1745, No.224)
(53 P.S. §68205)

Section 3206. Procedure for Referendum on Tax Questions.-When the assent of the electors is required under this article for special tax levies, the county board of elections shall frame the question under the election laws of this Commonwealth for submission to the voters of the township at the first municipal or general election occurring not less than sixty days after submission of the question. (53 P.S. §68206)

Section 3207. Taxes for Special Districts.-This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes. (53 P.S. §68207)

Section 3208. Tax Rate to be Expressed in Dollars and Cents.-When the board of supervisors by resolution establishes the rate of taxation for any year at a mill rate, the resolution shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars ($100) of assessed valuation of taxable property. (53 P.S. §68208)

Section 3209. Tax Duplicates.-The board of supervisors shall require a duplicate to be made designating the amount of township tax levied against each taxpayer of the township, and also duplicates for all other taxes levied and assessed under this act, and deliver the duplicate within

thirty days after the adoption of the budget or within thirty days after receipt of the assessment roll from the county, whichever is later, to the township tax collector. (53 P.S. §67209)

Section 3210. Additions and Revisions to Duplicates.-(a) When there is any construction of a building or buildings not otherwise exempt as a dwelling after the first day of January of any year and the building is not included in the tax duplicate of the township, the authority responsible for assessments in the township shall upon the request of the board of supervisors inspect and reassess, subject to the right of appeal and adjustment by the State law under which assessments are made, all taxable property in the township to which major improvements have been made after the first day of January of any year and to give notice of the reassessments within ten days to the authority responsible for assessments, the township and the property owner. The property shall be added to the duplicate and is taxable for township purposes at the reassessed valuation for that proportionate part of the fiscal year of the township remaining after the property was improved. Any improvement made during the month shall be computed as having been made on the first day of the month. A certified copy of the additions or revisions to the duplicate shall be furnished by the board of supervisors to the township tax collector, together with its warrant for collection of the taxes, and within ten days the township tax collector shall notify the owner of the property of the taxes due in the township.
(b) When an assessment is made for a portion of a year, the assessment shall be added to the duplicate of the following or succeeding year unless the value of the improvements has already been included in that duplicate. (3210 Amended by Act 166 of 2006) (53 P.S. §68210)

ARTICLE XXXIII
COLLECTION OF ASSESSMENTS

Section 3301. Assessments Collected by Tax Collector.-(a) When any assessment for streetlights, fire hydrant service, police protection or other service is implemented by the board of supervisors and charged to the tax collector for collection, assessments for the service shall be filed with the township tax collector. The tax collector shall give thirty days' notice that the assessments are due and payable. The notice shall state the due date to each party assessed and be served by mailing notice to the owner of the property. The tax collector is entitled to the same commission for the collection of these assessments as for the collection of the general township tax. If any assessment remains unpaid ninety days after the due date, it shall be turned over to the township solicitor for collection by means of an action in assumpsit for recovery or a municipal lien filed against the property of the delinquent owner for the amount of the unpaid assessment, plus interest established by the board of supervisors from the date the assessment was due. If an owner has two or more lots against which there is an assessment for the same year, the lots shall be embraced in one claim. Assessments, when collected, shall be paid over to the township treasurer, who shall deposit and keep them in a separate account, to be paid out only for expenses incurred in providing the service. Each special assessment account shall be audited by the board of auditors of the township.
(b) When any assessment for refuse collection in special districts or other service is charged against the owners, occupants or tenants of property within the township, the collection of which is charged to the tax collector, the assessments for the service shall be filed with the tax collector. The tax collector shall give thirty days' notice that the assessments are due and payable. The notice shall state the due date to each party assessed and be served by mailing to the owner, occupant or tenant of the property. The tax collector is entitled to the same commission for the collection of these assessments as for the collection of the general township tax. If any assessment remains unpaid ninety days after the due date, it shall be turned over to the township solicitor for collection by action in assumpsit for the amount of the unpaid assessment, plus interest established by the board of supervisors from the date the assessment was due and all costs incurred in the collection of the assessment. Assessments, when collected, shall be paid over to the township treasurer, who shall deposit and keep them in a separate account, to be paid out only for expenses incurred in providing the service. Each special assessment account shall be audited by the board of auditors of the township. (53 P.S. §68301)

Section 3302. Assessments Collected by Township Treasurer.-(a) When any assessment for construction, maintenance and repair of street, sewer, water, sidewalks, curbs or other service is implemented by the board of supervisors, the collection of which is not charged to the tax collector, the assessments for the service shall be filed with the township treasurer. The township treasurer shall give thirty days' notice that the assessments are due and payable. The notice shall state the due date to each party assessed and shall be served by mailing it to the owner of the property. If any assessment remains unpaid ninety days after the due date, it shall be turned over to the township solicitor for collection by means of an action in assumpsit for recovery or a municipal lien filed against the property of the delinquent owner for the amount of the unpaid assessment, plus interest established by the board of supervisors from the date the assessment was due. If an owner has two or more lots against which there is an assessment for the same year, the lots shall be embraced in one claim. Upon receipt of payment of assessments, the township treasurer shall deposit the assessments in a separate account, to be paid out only for expenses incurred in providing the service. Each special assessment account shall be audited by the board of auditors of the township.
(b) When any assessment for refuse collection or other service is charged against the owners, occupants or tenants of property within the township, the collection of which is not charged to the tax collector, the assessments shall be filed with the township treasurer. The township treasurer shall give thirty days' notice that the assessments are due and payable. The notice shall state the due date to each party assessed and be served by mailing it to the owner, occupant or tenant of the property. If any assessment remains unpaid ninety days after the due date, it shall be turned

over to the township solicitor for collection by action in assumpsit for the amount of the unpaid assessment, plus interest established by the board of supervisors from the date the assessment was due and all costs incurred in the collection of the assessment. Upon receipt of the assessments, the township treasurer shall deposit and keep them in a separate account, to be paid out only for expenses incurred in providing the service. Each special assessment account shall be audited by the board of auditors of the township. (53 P.S. §68302)

Section 3303. Installment Payments.-(a) When any township authorizes the construction or acquisition of any sanitary sewer or system of sanitary sewers, or the improvement of any street or portion thereof, or the installation of curbing or sidewalks, or a water supply or water systems, and all or part of the cost is assessed against the properties benefited, improved or accommodated by the sewer or system of sewers, or curbing or sidewalks, or water supply, or abutting upon the street or portion thereof, the board of supervisors may authorize the payment of the assessment in equal annual or more frequent installments. The ordinance shall specify the length of time over which the installments may be extended and whether payments are to be made by annual or more frequent installments. Installments shall bear interest at a rate not to exceed six percent or a higher amount equal to the amount of interest on the indebtedness, if any, commencing at the time established by ordinance. If bonds have been issued and sold to provide for the payment of any street improvement, the assessments shall not be payable beyond the term for which the bonds are issued, and the expenses for the improvements and interest thereon to the first day when interest is payable on the bonds shall be taken as the cost of the improvement to be assessed on the property benefited.
(b) Claims to secure the assessments shall be entered in the prothonotary's office of the county at the same time and in the same form and shall be collected in the same manner as municipal claims are filed and collected.
(c) Assessments are payable to the township treasurer in quarterly, semi-annual or annual installments, with interest from the date from which interest is computed on the amount of the assessments.
(d) If there is a default in the payment of any installment and interest for a period of sixty days after it becomes due, the entire assessment and accrued interest shall become due, and the township solicitor shall proceed to collect the assessment under the general laws relating to the collection of municipal claims.
(e) Any owner of property against whom any assessment is made may pay the assessment in full, at any time, with interest and costs thereon to the due date of the next installment, and that payment shall discharge the lien. (53 P.S. §68303)

ARTICLE XXXIV
EMINENT DOMAIN; ASSESSMENT OF DAMAGES AND BENEFITS

Section 3401. Scope of Article.-When the right of eminent domain or the ascertainment and assessment of damages and benefits in viewer proceedings is exercised by a township, the proceeding shall be as set forth in this article. In addition to any of the provisions of this act, all eminent domain proceedings shall conform to the act of June 22, 1964 (Sp.Sess., P.L. 84, No. 6), known as the "Eminent Domain Code." (53 P.S. §68401)

Section 3402. Restrictions as to Certain Property.-(a) In addition to the restrictions made by other provisions of this act in particular cases, no township shall, except as provided in subsection (b), exercise the right of eminent domain against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania, the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States; or against the land occupied by any fort, redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army; or against the site of any building, fort, redoubt, blockhouse or headquarters, which are preserved for their historic associations and not for private profit. The Colonial and Revolutionary period is taken as ended on September 3, 1783.
(b) The restriction on eminent domain provided in subsection (a) shall not apply:
(1) if a township in a county of the second class A obtains a statement from the Pennsylvania Historical and Museum Commission or the historical society of the county where the land is situate certifying that the building or other structure, the existence of which would otherwise restrict the township from exercising the right of eminent domain, is not being maintained in a manner appropriate to an historical structure; and
(2) if the purpose of the acquisition of the land and structures by a township in a county of the second class A is to ensure the preservation and maintenance of the historical site and structure sought to be protected by subsection (a). (53 P.S. §68402)

Section 3403. Value of Land or Property Not to be Assessed as Benefits.-In the appropriation of land or property for public use, other than for roads, it is not lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated. (53 P.S. §68403)

Section 3404. Title Acquired.-When land or property is taken under eminent domain proceedings, other than for road purposes, or is acquired by gift, purchase or otherwise, the title obtained by the township is in fee simple. In particular instances, a different title may by agreement be acquired. (53 P.S. §68404)

Section 3405. Assessment of Damages and Benefits.-The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the property benefited. In the latter case, the viewers, having first determined the damages apart from the benefits, shall assess the total cost of the improvement, or so much thereof as may be just and reasonable, upon the properties peculiarly benefited, including in the assessment all parties for which damages have been allowed, and shall report the findings to the court. The total assessment for benefits shall not exceed the total damages awarded or agreed upon. (53 P.S. §68405)

Section 3406. Assessment Awards.-In proceedings to assess damages and benefits, if the land or property is both benefited and damaged by the improvements, the excess of damages over benefits or the excess of benefits over damages, or nothing if the benefits and damages are equal, shall be awarded to or assessed against the owner of land or property affected thereby. (53 P.S. §68406)

Section 3407. Assessments to Bear Interest.-All assessments for benefits and costs shall bear interest at six percent annually from the expiration of thirty days after they have been finally ascertained and shall be payable to the township treasurer. (53 P.S. §68407)

ARTICLE XXXV
VIOLATION OF ACT GENERALLY

Section 3501. Violation of Act Generally; Penalty.-Any township supervisor, elected or appointed township official or employe, roadmaster or contractor or any other person, including any corporation officer or employe, who violates any of the provisions of this act, other than those for which specific penalties are provided, or who fails to carry out the provisions of this act commits a summary offense. All fines collected for violation of this act shall be paid to the township treasurer and credited to the general township fund. (53 P.S. §68501)

ARTICLE XXXVI
ACTIONS BY TOWNSHIPS

Section 3601. Recovery of Municipal Claims.-(a) In addition to the remedies under law for the filing of liens for the collection of municipal claims, a township may proceed for the recovery and collection of any municipal claim by action of assumpsit against the person who was the owner of the property when the improvement was completed, even if there was a failure on the part of the township or its agents to enter the municipal claim as a lien against the property assessed for the improvement, and for the recovery of which the action of assumpsit was brought.
(b) Any action in assumpsit shall be commenced within three years after the completion of the improvement from which the claim arises. (53 P.S. §68601)

ARTICLE XXXVII REPEALS

Section 3701. Repeals.-{a) Nothing contained in this act revives any act, or part of any act, repealed by the act reenacted, amended or revised by this act.
(b) The following additional acts or parts of acts are hereby repealed as respectively indicated:

Act of May 1, 1913 (P.L. 155, No. 104), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," insofar as it relates to townships of the second class.

Act of May 10, 1923 (P.L. 198, No. 144), entitled "An act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs, township commissioners and township supervisors of townships; and requiring boroughs and townships to pay the expenses in connection therewith," insofar as it relates to townships of the second class.

Act of June 22, 1931 (P.L. 844, No. 274), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts, vocational school districts, and institution districts to make contracts of life, health, hospitalization, medical services, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," insofar as it relates to townships of the second class.

Act of May 1, 1935 (P.L. 124, No. 47), entitled "An act authorizing the insurance of deposits of funds, of this Commonwealth and of the political subdivisions thereof, with the Federal Deposit Insurance Corporation or other similar agency; and prohibiting requiring further security for amounts so insured," insofar as it relates to townships of the second class.

Act of July 18, 1935 (P.L. I173, No. 382), entitled "An act to prohibit discrimination on account of race, creed or color in employment under contracts for public buildings or public works," insofar as it relates to townships of the second class.

Act of March 16, 1937 (P.L. 98, No. 26), entitled "An act authorizing political subdivisions to stipulate in specifications, upon which contracts for the construction, alteration or repairs of any public work or improvement are entered into, the minimum wages to be paid to laborers and mechanics, and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated, and for the recovery of such penalties, and their return in certain cases," insofar as it relates to townships of the second class.
(c) All other acts and parts of acts inconsistent with this act are repealed.
(d) This act does not repeal or modify any of the provisions of 66 Pa. C.S. (relating to public utilities); nor any local or special law; nor any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; nor the provisions of any law the enforcement of which is vested in the Department of Health or the Department of Environmental Resources; nor does this act repeal or modify any of the provisions of any statute amendatory of law in force at the time of the passage of this act or otherwise enacted at the session of the General Assembly of 1995, whether the acts were adopted before the passage of this act or after the passage of this act; nor does this act repeal any act, or part thereof, in force at the time of the passage of this act which is amended by any statute enacted at the session of the General Assembly of 1995, shall be retroactive to November 1, 1994. (53 P.S. §68701)