



**SOUTH FAYETTE TOWNSHIP
ALLEGHENY COUNTY**

ORDINANCE No. 2 OF 2016

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, A FIRST CLASS TOWNSHIP OF THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA AMENDING AND RESTATING ORDINANCE 268 CREATING THE OFFICE OF TOWNSHIP MANAGER AND PROVIDING FOR HIS/HER POWERS AND DUTIES.

WHEREAS, pursuant to Ordinance 268, the Board of Commissioners established the office of Manager and set for the qualifications, powers and duties associated with the office; and

WHEREAS, the Board of Commissioners have determined that it is in the best interests of the Township to amend certain provisions of Ordinance 268; and

WHEREAS, the Board of Commissioners have the authority to establish the office of Manager and provide for the duties and obligations associated with the office and amend the same from time to time pursuant to Section 1502 (4) of the First Class Township Code, 53 P.S. § 56504; and

WHEREAS, the Board of Commissioners desire to amend and restate Ordinance 268 in the form and content as follows.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of South Fayette, and it is hereby ordained and enacted that Ordinance 268 is amended and restated as follows:

Section 43-1. Creation of Office. The office of Township Manager is hereby created by the Township of South Fayette.

Section 43-2. Appointment of Township Manager. The Township Manager shall be appointed by majority vote of the township Board of Commissioners and shall serve the Township at will. The manager shall be chosen by the Board of Commissioners solely on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office hereinafter set forth. At the time of this appointment, the appointee need not be a resident of the township or Commonwealth of Pennsylvania, but during the manager's tenure of office, shall reside within

the township, unless otherwise authorized by the Board of Commissioners. As authorized pursuant to **Section 1502 (4) of the First Class Township Code, 53 P.S. § 56504**; the Township may enter into an "at will" employment agreement with the Township Manager that provides for the terms and conditions of employment of the Township Manager and may provide for severance payments to the Manager.

Section 43-3. Removal of the Township Manager. The Board of Commissioners may remove the Township Manager at any time by a majority vote of its members.

Section 43- 4. Bond. The Township Manager shall furnish a surety bond to be approved by the Board of Commissioners, said bond to be conditioned on the faithful performance of all the manager's duties. The premium of the bond shall be paid by the township.

Section 43-5. Power and Duties of the Township Manager The Township Manager shall be the chief administrative officer of the township, responsible to the Board of Commissioners for the management of all township affairs placed in the Manager's charge by or under this charter. The powers and duties of the Township Manager shall include the following:

- (1) Appoint and suspend or remove all township employees and appointive administrative officers provided for by or under this Code, except as otherwise provided by law, this Code or personnel rules adopted pursuant to this Code, subject to notification to the Board. The Township Manager may authorize any administrative officer subject to the manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- (2) Direct and supervise the administration of all departments, offices and agencies of the township, except as otherwise provided by this Code or by law;
- (3) Attend all township Board of Commissioners meetings. The Township Manager shall have the right to take part in discussion but shall not vote;
- (4) See that all laws, provisions of this Code and acts of the township Board of Commissioners, subject to enforcement by the township manager or by officers subject to the manager's direction and supervision, are faithfully executed;
- (5) Prepare and submit the annual budget and capital program to the township Board of Commissioners, and implement the final budget approved by Board of Commissioners to achieve the goals of the township;
- (6) Submit to the township Board of Commissioners and make available to the public a complete report on the finances and administrative activities of the township as of the end of each fiscal year;
- (7) Make such other reports as the township Board of Commissioners may require concerning operations;
- (8) Keep the township Board of Commissioners fully advised as to the financial condition and future needs of the township;
- (9) Make recommendations to the township Board of Commissioners concerning the affairs of the township and facilitate the work of the township Board of Commissioners in developing policy;
- (10) Provide staff support services for the Board of Commissioners members;
- (11) Assist the Board of Commissioners to develop long term goals for the township and strategies to implement these goals;
- (12) Encourage and provide staff support for regional and intergovernmental cooperation;
- (13) Promote partnerships among Board of Commissioners, staff, and citizens in developing

- public policy and building a sense of community; and
(14) Perform such other duties as are specified in this charter or may be required by the township Board of Commissioners.

Section 43-6. Board of Commissioners Not to Interfere with Appointments or Removals.

Neither the Board of Commissioners nor any of its members shall direct or request the appointment of any person to, or removal from, office by the township manager or any of the manager's subordinates or in any manner take part in the appointment or removal of officers and employees in the administrative services of the township. Except for the purpose of inquiry, the Board of Commissioners and its members shall deal with the administration solely through the Township Manager and neither the Board of Commissioners nor any member thereof shall give orders to any subordinates of the township manager, either publicly or privately.

Section 43- 7. Emergencies. In case of accident, disaster, or other circumstance creating a public emergency, the Township Manager may award contracts and make purchases for the purpose of meeting said emergency; but the Manager shall file promptly with Board of Commissioners a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures.

Section 43-8. Compensation. The Township Manager shall receive such compensation as the Board of Commissioners shall fix from time to time by ordinance, resolution, the annual budget process or by employment agreement.

Section 43-9. Saving Clause. If any section, sub-section, or sentence, clause, or phrase of this ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, specifically Ordinance 268.

Section 10. Invalidity. If any section or provision or parts thereof in this ordinance shall be adjudged invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision of the part thereof.

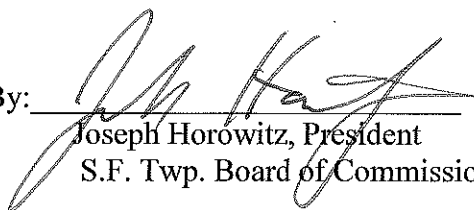
ORDAINED AND ENACTED INTO LAW, this 10th day of February 2016.

Attest:



Ryan T. Eggleston
Township Manager

TOWNSHIP OF SOUTH FAYETTE

By: 

Joseph Horowitz, President
S.F. Twp. Board of Commissioners