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**PART 1**

**TOWNSHIP OFFICIALS**

**A. Township Manager.**

**§1-101. Creation of Office.**

The office of Township Manager is hereby created by the Board of Supervisors of East Rockhill Township; subject, nevertheless to the right of the Board of Supervisors of East Rockhill Township to abolish such office at any time by ordinance.

(Ord. 152, 1/15/1993, §1)

**§1-102. Election by Board of Supervisors, Vacancy, Removal.**

1. The Board of Supervisors of East Rockhill Township shall elect by a majority vote of all its members one person to fill the office of Township Manager who shall serve until his or her successor is elected and has qualified.
2. In the case of a vacancy in the position of Township Manager, the Board of Supervisors of East Rockhill Township shall fill said office by a majority vote of said Supervisors.
3. The Township Manager shall, however, be subject to removal at any time by a majority vote of the members of the Board of Supervisors of East Rockhill Township.

(Ord. 152, 1/15/1993, §2)

**§1-103. Bond.**

Before entering upon his or her duties, the Township Manager shall give bond to the Township of East Rockhill, with corporate surety, in the amount of at least \$250,000, subject to increase by the Board of Supervisors, conditioned for the faithful performance of his or her duties, with the premium of said bond to be paid by the Township of East Rockhill. The bond of the Township Manager may be included in, and the Township Manager may be bonded under, any blanket bond now in effect for other Township employees or as Secretary-Treasurer, if applicable.

(Ord. 152, 1/15/1993, §3)

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### **§1-104. Compensation and Benefits.**

The Township Manager shall receive such compensation and benefits as shall be fixed from time to time by resolution of the Board of Supervisors of East Rockhill Township.

(Ord. 152, 1/15/1993, §4)

### **§1-105. Chief Administrative Officer.**

The Township Manager shall be the chief administrative officer of East Rockhill Township, and shall be responsible to the Board of Supervisors for the proper and efficient administration of all affairs of the Township. All department heads shall report to, and take direction from, the Township Manager.

(Ord. 152, 1/15/1993, §5)

### **§1-106. Powers and Duties.**

The powers and duties of the Township Manager shall include the following:

- A. He or she shall attend all meetings of the Board of Supervisors of East Rockhill Township, with the right to take part in the discussion, and shall receive notice of all special meetings of the Board of Supervisors and its commissions and committees.
- B. The Township Manager shall prepare the agenda for each meeting of the Board of Supervisors and supply pertinent facts.
- C. The Township Manager shall keep the Board of Supervisors informed as to the conduct of Township affairs in connection with the Manager's duties and shall submit such other reports as the Board of Supervisors shall request. The Township Manager shall make such recommendations to the Board of Supervisors as the Township Manager deems necessary.
- D. The Township Manager shall submit to the Board of Supervisors, as soon as possible after the close of the Township fiscal year, a complete report for the preceding year on the administrative activities of the Township which are within the duties of the Township Manager.
- E. The Township Manager shall attend to the letting of contracts in connection with duties assigned to the Township Manager, and shall supervise the performance and execution of same except insofar as such duties are expressly imposed upon some other Township official by law or municipal ordinance.

- F. The Township Manager shall cooperate with the Board of Supervisors at all times and in all matters that the best interests of the Township of East Rockhill and of the general public may be maintained.
- G. All complaints regarding services or personnel of municipal departments shall be referred to the Township Manager. The Township Manager shall investigate and make a report to the Board of Supervisors.
- H. The Township Manager shall be responsible for the preparation of the annual Township budget.
- I. The Township Manager shall be responsible for the proper staffing of Township departments and shall arrange for employee selection and shall make recommendations on hiring to the Board of Supervisors.
- J. The Township Manager shall have the power to terminate any Township employee subject to confirmation by the Board of Supervisors of Each Rockhill Township and as further subject to any law or municipal ordinance.
- K. The Township Manager shall be responsible for all other duties as directed by the Board of Supervisors.

(Ord. 152, 1/15/1993, §6)

**§1-107. Acting Manager.**

In the case of illness or the absence of the Township Manager from the Township, the Board of Supervisors shall delegate one qualified member of the Township staff who shall perform the duties of the Township Manager during the Manager's absence or disability.

(Ord. 152, 1/15/1993, §7)

**B. Township Supervisors.**

**§1-111. Compensation.**

The compensation to members of the Board of Supervisors shall be increased from \$1,200 per year to \$1,875 per year, payable in monthly increments of \$156.25.

(Ord. 186, 5/18, 1999, §1)



**PART 2**

**CREATION OF PLANNING COMMISSION**

**§1-201. Creation of Planning Commission.**

A Township Planning Commission to be composed of seven members, appointed as provided by law (53 P.S. §10202), is hereby created in the Township of East Rockhill. The Planning Commission shall perform all duties and may exercise all powers conferred by law upon the Township planning agencies; provided, the Planning Commission previously created in and for the said Township of East Rockhill shall constitute the tenure of any of the members thereof, but any and all vacancies in the said Commission, hereafter occurring shall be filled in the manner and for the term provided in the law governing Township planning commissions in effect at the time of the happening of said vacancy.

(Ord. 13, 12/21/1965, §1; as revised by Ord. 192, 4/18/2000)



**PART 3**

**POLICE DEPARTMENT**

**A. Pennridge Regional Police Department.**

**§1-301. Abolishing the East Rockhill Township Police Department.**

The East Rockhill Township Police Department shall be disbanded and abolished effective December 31, 1991, at 12:00 a.m.

(Ord. 140, 7/16/1991, §1)

**§1-302. Intergovernmental Cooperation.**

East Rockhill Township shall join with West Rockhill Township and Sellersville Borough in accordance with the Intergovernmental Cooperation Act in becoming a participating municipality in the Pennridge Regional Police Commission and Pennridge Regional Police Department in accordance with the Articles of Agreement adopted by the Board of Supervisors on June 18, 1991.

(Ord. 140, 7/16/1991, §2)

**§1-303. Requirements of Intergovernmental Cooperation Act.**

As required by the Intergovernmental Cooperative Act the following matters are specifically found and determined:

- A. The conditions of the agreement are as set forth in the Articles of Agreement approved by the Board of Supervisors on June 18, 1991, which is adopted by reference with the same effect as if it had been set out verbatim in this Section, a copy of which shall be filed with the minutes of the meeting at which this Part was adopted.
- B. The duration of the initial term of the agreement is three years, after which East Rockhill Township's participation is as set forth in the Articles of Agreement.
- C. The purpose and objectives of the agreement, including the powers and scope of authority delegated in the agreement, are as set forth in the Articles of Agreement.
- D. The manner and extent of financing is set forth in Article IV of the Articles of Agreement.

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- E. The Pennridge Regional Police Department shall be under the general supervision of a joint board to be known as the Pennridge Regional Police Commission, consisting of one representative from each participating municipality.
- F. Property, real or personal, shall be acquired, managed, licensed or disposed from time to time as the Pennridge Regional Police Commission may determine to be necessary or appropriate to meet the purpose and objectives of the regional police department.
- G. The Pennridge Regional Police Commission shall be empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

(Ord. 140, 7/16/1991, §3)

### **B. Pennridge Regional Police Commission Police Pension Plan.**

#### **§1-311. Transfer of Assets and Liabilities.**

The Township of East Rockhill hereby declares its intent to dissolve its police pension plan and to transfer all assets and liabilities to the Pennridge Regional Police Commission Police Pension Plan as a successor agency.

(Ord. 143, 11/19/1991, §1)

#### **§1-312. Pension Rights as of the Date of Termination of Existing Pension Plan.**

Members of the East Rockhill Township Police Pension Plan who do not elect to transfer their benefits as so constituted as of the date of termination of the East Rockhill Township Police Pension Plan to their new employer, the Pennridge Regional Police Commission, shall be considered terminated police officers of the Township and shall be entitled to all police pension rights as they exist as of the date of termination of the police pension plan.

(Ord. 143, 11/19/1991, §2)

#### **§1-313. Transfer of Assets.**

It is the intent of East Rockhill Township to transfer all assets of the existing police pension plan to the Pennridge Regional Police Commission so as to act as a credit for those members of the East Rockhill Township Police Pension Plan who elect portability under Act 15 of 1974. Assets in excess of those necessary to meet these obligations shall be treated as an asset of the Pennridge Regional Police Commission Police Pension Plan. In the event of termination of the Pennridge Regional Police Commission's Police

Pension Plan, those assets in excess of those necessary to meet the accrued benefits shall be distributed in the fashion so determined in the Pennridge Regional Police Commission Articles of Agreement creating the said Pennridge Regional Police Commission.

(Ord. 143, 11/19/1991, §3)

**§1-314. Fiduciary and Successor Agent.**

It is the intent of this Part to instruct the Pennsylvania Municipal Retirement System to act as a prudent fiduciary and to further treat the Pennridge Regional Police Commission's Police Pension Plan as a successor agent of the East Rockhill Township Police Pension Fund. All officers and employees of East Rockhill Township and the Pennsylvania Municipal Retirement System are to act accordingly with this interest and this direction by the Township of East Rockhill.

(Ord. 143, 11/19/1991, §4)

**§1-315. Amendments.<sup>1</sup>**

Article II, §D of the June 25, 1991, Articles of Agreement, [are amended] to read as follows: The Officers of the PRPC shall be Chairperson, Vice Chairperson, Secretary and Treasurer, their duties as prescribed by Roberts Rules of Order, Revised. No person shall hold the office of Chairperson for more than two consecutive years, effective at the annual reorganization meeting for 1998 and the office of Chairperson shall be rotated from term to term equally between West Rockhill Township, East Rockhill Township and Sellersville Borough.

(Res. 98-05, 1/20/1998)

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<sup>1</sup> Editor's Note: Resolution No. 2014-05, adopted 1/21/2014, authorized entry into amended Articles of Agreement. The full text of this resolution is on file in the Township offices.



**PART 4**

**NONUNIFORMED EMPLOYEES PENSION PLAN**

**§1-401. Enrollment of Employees.**

East Rockhill Township, being a member municipality of the Pennsylvania Municipal Retirement System, hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, and does hereby agree to be bound by all the requirements and provisions of said law, and to assume all obligations, financial and otherwise, placed upon member municipalities. All references hereafter shall be based on benefits negotiated between the Board and the municipality under the provisions of Article IV of the Pennsylvania Municipal Retirement Law.

(Ord. 216, 12/20/2005, §I)

**§1-402. Membership.**

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

(Ord. 216, 12/20/2005, §II)

**§1-403. Credit for Prior Service.**

Credit for prior service for original members who were enrolled in the previously established township municipal plan is granted for each year or partial year of service that was credited to the member pursuant to the previously established pension plan. Credit for service toward the annuity of original members who were excluded from participation in the previously established township municipal plan shall begin to accrue on September 1, 1997. Benefits provided to members in the agreement dated December 20, 2005, shall accrue based on all credited service granted and earned in accordance with this Section.

(Ord. 216, 12/20/2005, §III)

**§1-404. Payment.**

Payment for any obligation established by the adoption of this Part and the agreement between the Board and East Rockhill Township shall be made by the Township in ac-

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cordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

(Ord. 216, 12/20/2005, §IV)

### **§1-405. Benefits.**

As part of this Part, the Township agrees that the System shall provide the benefits set forth in the agreement between the Board and East Rockhill Township dated December 20, 2005. The passage and adoption of this Part by East Rockhill Township is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. East Rockhill Township hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

(Ord. 216, 12/20/2005, §V)

### **§1-406. Certified Copy to be Filed.**

A duly certified copy of this Part and the referenced agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of East Rockhill Township in the Pennsylvania Municipal Retirement System shall be effective the first day of September, 1997, with the revised plan structure reflected in the agreement dated December 20, 2005, a copy of which is attached hereto and incorporated herein as Exhibit A, effective the first day of January, 2006.<sup>2</sup>

(Ord. 216, 12/20/2005, §VII)

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<sup>2</sup> Editor's Note: A copy of exhibit A is on file at the Township office.

**PART 5**

**PARK AND RECREATION BOARD**

**§1-501. Establishment.**

1. There is hereby created and established in the Township of East Rockhill, Bucks County, Pennsylvania, a Park and Recreation Board to be known as the East Rockhill Township Park and Recreation Board (hereinafter referred to as the "Board") consisting of seven members who shall reside in the Township and shall be appointed by the Board of Supervisors.
2. The members shall each serve for a term of five years or until their successors are appointed, except that the terms of the members first appointed shall be staggered so that one vacancy shall occur on March 1 in each of the following successive years of 1990, 1990, 1990, and two vacancies shall occur on March 1 in each of the following successive years of 1993 and 1994.
3. The terms of all members first appointed shall begin on March 1, 1989.
4. Members of the Board shall serve without pay. All persons appointed shall serve their full terms unless they voluntarily resign, become unable to serve or are removed by the Supervisors for dereliction or neglect of duty. Vacancies on the Board occurring other than by expiration of term shall be for the unexpired term and shall be filled in the same manner as the original appointments.

(Ord. 121, 2/21/1989, §1)

**§1-502. Organization.**

1. The members of the Board shall elect their own chairman and secretary and shall select all other necessary officers to serve for a period one year from March 1 of each year.
2. The Board shall meet as often as shall be required to perform its duties and shall have the power to adopt rules and regulations for the conduct of all business which comes before them. An annual meeting shall be scheduled in March of each year for the purpose of reorganization.

(Ord. 121, 2/21/1989, §2)

**§1-503. Powers and Duties.**

1. The Board shall assist the Township Supervisors in planning, regulating and maintaining parks, recreation facilities and programs. The Board shall further

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recommend to the Board of Supervisors such plans and provisions as it deems necessary to acquire, preserve, continue and expand any such parks or recreation facilities, including the cost of such recommendations.

2. The Board shall have the full assistance, advice and cooperation of the Township staff and of all other boards, commissions and agencies of the Township.

(Ord. 121, 2/21/1989, §3)

### **§1-504. Audit and Reports.**

It shall be the duty of the Board to submit an annual report to the Township Supervisors following the March annual meeting, including an analysis of the community park and recreation areas, facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditures involved and the public needs to be met. Interim reports shall be furnished to the Board of Supervisors upon the request of the body.

(Ord. 121, 2/21/1989, §4)

**PART 6**

**PENNRIDGE WASTEWATER TREATMENT AUTHORITY**

**§1-601. Intention.**

The Township of East Rockhill hereby signifies its intention and desire to become a member of Pennridge Wastewater Treatment Authority under the provisions of the Act.

(Ord. 44, 11/10/1975, §1)

**§1-602. Application.**

The application for Certificate of Joinder, to be filed with the Secretary of the Commonwealth pursuant to the Act, in substantially the form submitted to the Board of Supervisors and attached hereto as Exhibit A<sup>3</sup>, is hereby approved and the Chairman of the Board of Supervisors and the Secretary of the Township are hereby authorized and directed to execute and attest said application is substantially such form.

(Ord. 44, 11/10/1975, §2)

**§1-603. Notice.**

The Secretary of the Township is hereby directed to cause a notice of the proposed filing of the above application to be published once in the Bucks County Law Reporter and a newspaper published and of general circulation in Bucks, County, Pennsylvania, as required by the Act.

(Ord. 44, 11/10/1975, §3)

**§1-604. Filing of Application.**

The Chairman of the Board of Supervisors and the Secretary of the Township are directed to file said application, together with the necessary proof of publication, with the Secretary of the Commonwealth and to do, or cause to be done, all other acts and things necessary or appropriate to effect the joinder.

(Ord. 44, 11/10/1975, §4)

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<sup>3</sup> Editor's Note: Exhibit A is on file in the Township office.

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### **§1-605. Membership.**

The increase in the number of members on the Board of Pennridge Wastewater Treatment Authority necessary to provide one representative from each of the joining municipalities and the revision of the terms of office of said Board, all as set forth in the attached application, are hereby approved and the Township's initial representation on said Board for the term set forth in the application shall be designated by resolution of the Township and inserted herein as follows: [Here followed the name, address and term of office of the Township's initial representative.]

(Ord. 44, 11/10/1975, §5; as amended by Ord. 46, 3/15/1976, §1)

### **§1-606. Amendments.**

The Articles of Incorporation of the Pennridge Wastewater Treatment Authority shall be amended to read and provide that, effective January 1, 1987, the voting representation on the Authority shall be one representative from each of the six participating municipalities, to wit, Perkasio, Sellersville, Silverdale, Telford, East Rockhill and Hilltown, said amendment to the Articles of Incorporation to become effective when approved in accordance with §305 of the Municipalities Authorities Act.

(Res. 86-5, 7/15/1986)

**PART 7**

**WATER DEPARTMENT**

**§1-701. Authorization to Establish.**

The officers of the Township are hereby authorized to establish a Water Department whose purpose shall be to manage, operate, administer and oversee the provision of water to the residents of the Township. Policy guidelines and regulations concerning the functioning of the water department shall be promulgated by the Board of Supervisors in an orderly fashion following the enactment of this Part.

(Ord. 103, 10/21/1986, §1)

**§1-702. Study to be Undertaken.**

It is hereby authorized that a study be undertaken relating to the establishment of a water supply and distribution system within the Township in order to identify potential sources of water supply and the most feasible location for distribution lines in order to accomplish the objective of providing exclusive water services to the residents of the Township.

(Ord. 103, 10/21/1986, §2)

**§1-703. Authority to Enter Into Agreement.**

The officers of the Township are hereby authorized to enter into agreements as deemed appropriate to acquire by purchase, lease or otherwise, sources of water supply, to acquire by purchase, lease or otherwise, such real property as necessary to install a system of water distribution within the Township, to contract with any private company, municipality or authority owning a waterworks system for a supply of water within the Township and to purchase or acquire any privately owned waterworks system.

(Ord. 103, 10/21/1986, §3)

**§1-704. Connection Fees and Rental Fees.**

Prior to the provision of any water service to the residents of the Township a schedule of connection fees and water rental fees shall be established by resolution of the Board of Supervisors.

(Ord. 103, 10/21/1986, §4)

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### **§1-705. Exclusive Water Service.**

Upon the enactment of this Part no water supply services shall be extended or provided within the boundaries of East Rockhill Township by any other municipality or municipal authority that may conflict with the right and privilege of the Township to provide exclusive water service to its own residents pursuant to this Part and any subsequent ordinances or resolutions of the Board of Supervisors.

(Ord. 103, 10/21/1986, §5)

**PART 8**

**REIMBURSEMENT OF COSTS FOR INDUSTRIAL ACCIDENTS**

**§1-801. Definitions.**

**BUSINESS** — any person or persons, corporation, partnership or other entity engaged in the buying, selling, storing, transferring, transporting and/or manufacturing of properties, merchandise, chemicals or other fuels, goods and who do so for any form of compensation.

**INDUSTRIAL ACCIDENT** — an industrial accident is any incident that occurs from the storage, transportation, use and/or manufacturing of any substance potentially dangerous to the public health and welfare at large that necessitates:

- A. The intervention of the East Rockhill Township Police Department or any of the emergency agencies, including fire, ambulance or rescue squads which may serve East Rockhill Township including, but not limited to, the fire companies, or any rescue squad operating or providing service in East Rockhill Township or the East Rockhill Township Emergency Management Organization.
- B. The need for cleanup and/or abatement measures to be performed by Township employees or other matters resulting in expense to the Township.

**PUBLIC THOROUGHFARE** — bridges, state highways, Township streets, any navigable waterways or other roadways or watercourses owned by a Township governmental unit, or other privately owned street, parking lot or accessway to which the public has access, or public or private rail line.

(Ord. 130, 6/19/1990, §1)

**§1-802. Cost of Industrial Accidents.**

1. The business on whose premises an industrial accident occurs shall bear all costs that occur as a direct or consequential result of such industrial accident. In the event an industrial accident occurs during transportation on a public thoroughfare, or in delivery to an entity other than a business as defined in §1-801, hereinabove, the entity which owns or had custody and/or control of the vehicle and/or substance involved in the industrial accident shall bear all costs that occur as a direct or consequential result of such accident. Nothing contained herein shall prevent such business or entity from recovering any incurred or subsequent costs from a third party whose negligence may have caused such industrial accident.
2. In the event that any person undertakes, either voluntarily or upon order of the Emergency Management Coordinator or other Township official to clean up or

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abate the effects of an industrial accident, the Emergency Management Coordinator may take such action as is necessary to supervise or verify the adequacy of the clean up or abatement. The business or entity described in subsection (1) of this Section hereinabove shall be liable to the Township for all costs incurred as a result of such supervision or verification.

3. For the purpose of this Section costs of an industrial accident shall include, but are not limited to, the following: expenses incurred by police, fire and/or emergency medical service; actual labor costs of East Rockhill Township personnel, including benefits and administrative overhead; costs of consultants or other preparing reports concerning the industrial accident; costs of equipment operations; costs of materials obtained directly by the Township; cost of any contractual labor and materials for clean up and/or abatement; costs of the Township Solicitor and/or Township Engineer connected with the industrial accident.
4. The costs of such industrial accident as set forth in subsection (3) of this Section hereinabove shall be determined by the Township Board of Supervisors.
5. Such costs when determined shall be paid to the Township within 30 days from the date on which the Township issues an invoice for such charges.

(Ord. 130, 6/19/1990, §2)

**PART 9**

**PUBLIC RECORDS**

**§1-901. Information Request Form.**

A requester of records shall complete an information request form provided by the Office of Open Records and/or the Township and shall state the records being requested with sufficient specificity.

(Res. 2008-18, 12/9/2008)

**§1-902. Open Records Officer.**

The Township hereby designates the Township Manager and/or Secretary as the Open Records Officer in accordance with the Pennsylvania Right-to-Know Law; and said Open Records Officer shall receive requests submitted to the Township under the Right-To-Know Law, direct requests to other appropriate persons within the Township or to appropriate persons in another agency, track the Township's progress in responding to requests and issue interim and final responses.

(Res. 2008-18, 12/9/2008)

**§1-903. Access Requests.**

If a requested record contains both public record information as well as non-public-record information, the Township may redact the non-public-record information from the record.

(Res. 2008-18, 12/9/2008)

**§1-904. Access; Time for Response; Exceptions.**

1. Upon receipt of a written request for access to a public record, the Township shall make a good-faith effort to respond as promptly as possible under the circumstances existing at the time of the request. The response shall not exceed five business days from the date of the written request. The failure of the Township to respond in the designated time frame shall be deemed a denial of the request unless one of the following exceptions applies:
  - A. The request requires the redaction of information within a public record;
  - B. The request requires the retrieval of the document from a remote location;

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- C. A timely response cannot be accomplished due to legitimate staffing limitations;
  - D. A legal review is necessary;
  - E. The requester did not comply with the Township's policies regarding public access;
  - F. The requester refuses to pay fees; or
  - G. The extent or nature of the request precludes a response within the required time period.
2. If one or more of the above exceptions apply, the Township shall send written notice to the requester within five business days of the request stating that the request is being reviewed, the reason for review and the exception that applies, the expected response date and an estimate of applicable fees owed when the record becomes available. If a response is expected more than 30 days after the five-day period, the request is deemed denied unless otherwise agreed to by the requester in writing.

(Res. 2008-18, 12/9/2008)

### **§1-905. Denial of Access.**

If the request is denied, the following will be included with the denial:

- A. Description of the record requested;
- B. Specific reasons for the denial, including a citation of supporting legal authority;
- C. Typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial was issued;
- D. Date of response; and
- E. Appeal procedure.

(Res. 2008-18, 12/9/2008)

### **§1-906. Appeal Procedure.**

If the request is denied or deemed denied, the requester may file an appeal with the Office of Open Records or judicial, legislative or other appeals officer designated under the

Pennsylvania Right-to-Know Law within 15 business days of the mailing date of the Township's response or deemed denial. The appeal shall proceed in accordance with the Pennsylvania Right-to-Know Act. The appeal shall state the grounds upon which the requester asserts that the record is a public record and shall address any grounds stated by the Township for denying or delaying the request.

(Res. 2008-18, 12/9/2008)

**§1-907. Fee Schedule.**

The fee schedule for information and/or record requests shall be set forth in the Township's current Fee Resolution, as amended.

(Res. 2008-18, 12/9/2008)



**PART 10**

**EMERGENCY SERVICE COST REIMBURSEMENT**

**§1-1001. Title.**

This Part shall be known as the East Rockhill Township Emergency Service Cost Reimbursement Ordinance.

(Ord. 213, 9/13/2005, Art. I)

**§1-1002. Authority, Findings, and Purpose.**

1. **Authority.** Under §1803(b) of the Second Class Township Code, 53 P.S. §66803(b), the Township has the authority to make rules and regulation for the government of fire companies located within the Township.
2. **Findings.** The Township recognizes that the duties of volunteer fire companies require specialized emergency rescue tools and equipment, emergency rescue materials, hazardous material abatement equipment and hazardous abatement materials during emergency responses. The Township recognizes that such tools and equipment place a financial burden on volunteer fire companies, and the replacement of such materials and specialized training add to the additional financial burden for volunteer fire companies.
3. **Purpose.** To grant any fire company operating in East Rockhill Township (Fire Departments) the authority to seek reimbursement for the reasonable cost of responding to such incidents, either directly or in coordination with the Office of Emergency Management, as provided below.

(Ord. 213, 9/13/2005, Art. II)

**§1-1003. Recovery of Costs.**

1. The Township authorizes the Fire Departments to recover the reasonable cost of emergency rescue tools, equipment, and materials; hazardous material abatement tools, equipment and materials; and personnel hours involving any hazardous material, environmental, fire safety and/or rescue incident or operation, including vehicular accidents.
2. The reasonable costs outlined above may be recovered directly by the Fire Departments or through a third-party billing service as an authorized agent for the collection of such costs.

## ADMINISTRATION AND GOVERNMENT

3. The Fire Departments or third-party billing service shall only have the authority to recover the aforementioned costs from the applicable insurance company/carrier.
4. The reimbursement rates for the aforementioned tools, equipment, and materials shall be set by the Fire Departments from time to time and shall be only applied to the recovery of costs arising out of incidents that occurred subsequent to the setting of the rates. These rates shall be approved by the Township and be kept on file in the Township Building.
5. In addition to the aforementioned reasonable costs, the Fire Departments or third-party billing service shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act or authorized by any other statute or law.

(Ord. 213, 9/13/2005, Art. III)

### **§1-1004. Responsibility of the Township.**

The Township shall not be responsible for any aspect of the recovery of costs under this Part. The Township shall not take any steps to assist the Fire Departments or any third-party billing service in recovery of costs under this Part.

(Ord. 213, 9/13/2005, Art. IV)

### **§1-1005. Revocation of Grant of Authority.**

Any attempt by a Fire Department or third-party billing service to recover costs from any individual/entity other than the appropriate insurance company/carrier shall result in the immediate revocation of the authority to recover such costs granted under this Part.

(Ord. 213, 9/13/2005, Art. V)

**PART 11**

**MUNICIPAL CLAIMS: INTEREST AND ATTORNEYS' FEES**

**§ 1-1101. Attorneys' Fees.**

Any property owner in the Township who has not paid promptly any municipal charge owing to the Township for which the property becomes charged or assessed pursuant to the Municipal Claims Act, 53 P.S. § 7101 et seq., shall also be charged an amount sufficient to compensate the Township for its reasonable attorneys' fees incurred in the collection of such delinquent charges in accordance with the Township's schedule of attorneys fees attached hereto and incorporated herein as Appendix A.<sup>4</sup>

(Ord. 263, 7/19/2011)

**§ 1-1102. Notice.**

At least 30 days prior to assessing or imposing attorneys' fees in connection with the collection of a delinquent account, including municipal liens, the Township shall, by United States certified mail, return receipt requested, postage prepaid, mail to the owner of the property being so assessed a notice that includes the following:

- A. A statement of the Township's intent to impose or assess attorneys' fees within 30 days of mailing the notice; and
- B. The manner in which the imposition or assessment of attorneys' fees may be avoided by payment of the delinquent account.

(Ord. 263, 7/19/2011)

**§ 1-1103. Interest.**

Pursuant to the authority set forth in the Municipal Claims Act, 53 P.S. § 7101 et seq., the Township hereby establishes an interest rate of 10% per annum assessable against all municipal claims from the date of the completion of the work after it is filed as a lien, and on claims for taxes, water rents or rates, lighting rates, or sewer rates from the date of the filing of the lien therefor. The interest collectible on any municipal claim arising out of a municipal project for which the Township issued bonds to finance, however, shall be at the rate of interest of the bond issue for the project or 12% per annum, whichever is less.

(Ord. 263, 7/19/2011)

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<sup>4</sup> Editor's Note: Appendix A is included at the end of this chapter.