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PART 1
PLANNING COMMISSION

§ 1-101. Establishment of Planning Commission. [Ord. 15, 11/6/1968, § 1; as amended by Ord. 1989-2, 6/5/1989]

Pursuant to the provisions of the Second Class Township Code and in order to place the provisions hereof into effect, there is hereby created an "Earl Township Planning Commission," which shall be in charge of the preparation and adoption of a plan for the development of the Township and shall have all the powers and duties conferred upon it by the Pennsylvania Municipalities Planning Code, as well as any other law affecting it and all other powers which are now or may in the future be vested into it by any special law enactment or ordinance.

§ 1-102. Membership of the Planning Commission. [Ord. 15, 11/6/1968, § 2]

The Planning Commission shall consist of five members, all of whom reside within the Township of Earl, who shall be appointed by the Supervisors of the Township and shall serve without compensation; provided, however, that they shall be reimbursed for expenses incurred by them in carrying out the duties as members of the Commission. The term of office of the Planning Commission members shall be for five years; provided, however, that on the initial appointment, Supervisors shall appoint the terms of members to be for periods of one, two, three, four and five years. After the expiration of the initial appointment, from one through five years, each member shall be thereafter appointed for a full five-year term.

§ 1-103. Office of Chairman and Other Offices. [Ord. 15, 11/6/1968, § 3]

The Planning Commission shall elect its own Chairman and fill the other offices necessary for it to complete its duties. It shall further maintain records, minutes of meetings, and resolutions which it adopts and other determinations which it might make as a permanent record.

§ 1-104. Powers and Duties. [Ord. 15, 11/6/1968, § 4]

The Planning Commission shall have the power and duty to prepare and adopt a Comprehensive Plan for the physical development of the Township. The Plan and accompanying maps, charts, drawings and descriptive matter shall include land use plan, plans for streets and thoroughfares, and plans for community and public facilities and improvements. The Comprehensive Plan shall take into consideration the existing land use, traffic patterns, existing and presently planned thoroughfares, and all factors which may be related to the development of the entire Township. The Plan shall be designed to promote with the greatest efficiency and economy the coordinated development of the Township for the general welfare and prosperity of the citizens thereof, in accordance with both present and future matters. The Commission shall maintain and keep current with developing conditions the Comprehensive Plan for the Township, as well as advise and make recommendations to the Township Supervisors on ordinances and resolutions which may pertain to the development of the Township.

§ 1-105. Annual Report. [Ord. 15, 11/6/1968, § 5]

1. The Planning Commission shall make an annual report to the Township Supervisors showing their actions, transactions and recommendations made to the Supervisors during the year. The Commission may employ planning technicians and other persons, whose wages, salaries or fees, together with other necessary expenses of the Commission, shall be provided for at the discretion of the Township Supervisors by proper appropriations or ordinances and resolutions. The Commission is authorized to receive and expend for its purposes pledges, gifts, grants or appropriations of money from any other source, including any other governmental agency. The Commission shall have the authority to contract with government or private agencies or individuals with respect to the completion of its work; provided, however, that any such contract shall be approved by the Township Supervisors.
2. The Planning Commission is specifically authorized to cooperate fully with the Lancaster County Planning Commission for the orderly progress and development of the Township.

§ 1-106. Responsibilities Pertaining to Subdivisions. [Ord. 15, 11/6/1968, § 6]

The Planning Commission shall prepare and present to the Township Supervisors regulations for land subdivision within the Township. It shall further assist the Supervisors in the administration of these regulations and shall further offer assistance in the recommendation for the approval of land subdivisions within the Township.

PART 2
AUTHORITIES**A. Western Heights Water Authority.****§ 1-201. Intention and Desire. [Ord. 23, 10/4/1977, § 1]**

The Township Supervisors of the Township of Earl, being the Municipal Authorities of said Municipality, hereby signify their intention and desire to organize an authority under the provisions of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended.

§ 1-202. Articles of Incorporation. [Ord. 23, 10/4/1977, § 2]

The Township Supervisors of said Township are hereby authorized and directed to execute, on behalf of the Township of Earl, and under its Municipal Seal, Articles of Incorporation, substantially in the following form:

**ARTICLES OF INCORPORATION OF WESTERN HEIGHTS WATER
AUTHORITY****TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:**

In compliance with the requirements of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, the Township of Earl, in Lancaster County, Pennsylvania, pursuant to a duly adopted ordinance of the Municipal Authorities of said Township signifying the desire of the Township to organize an authority under said Act, does hereby certify:

1. The name of the Authority is "Western Heights Water Authority."
2. The Authority is formed under the Municipality Authorities Act of 1945, as amended, and no other authority is in existence, in or for the incorporated Municipality, other than Eastern Lancaster County School District Authority, organized by the School District of Eastern Lancaster County under said Municipality Authorities Act of 1945, as amended.
3. The name of the incorporating Municipality is the Township of Earl. The names and addresses of its Municipal Authorities are as follows:
[Here followed the names and addresses of the original members.]
4. The Board of the Authority shall consist of five members. The names, addresses and terms of office of the first members of the Board of the Authority are as follows:
[Here followed the names and addresses of the first members.]
5. The project to be undertaken by the Authority shall be to pump, distribute and furnish water to the following geographical areas within the Township and none other unless strictly authorized by an ordinance of the Township of Earl:
 - A. The north side of Pennsylvania Traffic Route 23, west from Shirk Road for a distance of 1,316 feet.
 - B. The north and south sides of School Lane, west from Shirk Road for a distance of 1,334 feet.

- C. The south side of Walnut Street, west of Shirk Road for a distance of 1,566 feet.
- D. The north side of Walnut Street, beginning 670 feet west of Shirk Road, for a distance of 896 feet.
- E. The north side of Water Street, from Pennsylvania Traffic Route 23 for a distance of 860 feet.
- F. The three-hundred-foot section of an unnamed street connecting the westernmost part of Walnut Street and School Lane.

§ 1-203. First Members of the Board. [Ord. 23, 10/4/1977, § 3]

The first members of the Board of Western Heights Water Authority are appointed for terms from the date of this appointment until one year, two years, three years, four years, and five years from January 1, 1978, respectively.

§ 1-204. Notice to be Published. [Ord. 23, 10/4/1977, § 4]

The Township of Supervisors of the Township of Earl are hereby directed, as required by the Municipality Authorities Act of 1945, as amended, to publish notice of this Part 2A and of the day upon which the Articles of Incorporation will be filed with the Secretary of the Commonwealth of Pennsylvania; to file said Articles of Incorporation, together with the necessary proofs of publication, with the Secretary of the Commonwealth; and to do all such other things necessary or appropriate to effect the incorporation of Western Heights Water Authority, including the payment of any filing fees in connection therewith.

§ 1-205. Additional Territory. [Ord. 23, 10/4/1977, § 5; as added by Ord. 6-1995, 12/4/1995, § 1]

In addition to the areas specified in § 1-202 and the Articles of Incorporation, the Western Heights Water Authority may also provide water service to properties located in the area bounded on the west by South Shirk Road, on the north by Pennsylvania Route 23, on the east by the New Holland Borough boundary and the south by the Con Rail right-of-way.

B. Earl Township Sewer Authority.

§ 1-221. Authority for Enactment. [Ord. 40, 4/2/1985, § 1]

The Board of Supervisors of this Township signifies the intention and desire to organize an Authority under the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, known as the "Municipal Authorities Act of 1945," as amended and supplemented (the "Act"), for the purposes of exercising any and all powers conferred by the Act.

§ 1-222. Articles of Incorporation. [Ord. 40, 4/2/1985, § 2]

The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township are authorized and directed to execute, on behalf of this Township, Articles of Incorporation for said Authority, in substantially the following form:

ARTICLES OF INCORPORATION**TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:**

In compliance with requirements of the Pennsylvania Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented, and pursuant to an ordinance enacted by the Municipal Authorities of the Township of Earl, Lancaster, Pennsylvania, expressing the intention and desire of such Municipal Authorities to organize an Authority under said Municipality Authorities Act of 1945, as amended and supplemented, the incorporating municipality does certify:

- A. The name of the Authority is "Earl Township Sewer Authority."
- B. The Authority is formed under said Municipality Authorities Act of 1945, as amended and supplemented.
- C. One other authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemented, or under the Pennsylvania Act of June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in and for the incorporating municipality. The name of that Authority is the Western Heights Water Authority.
- D. The name of the incorporating municipality is:
Township of Earl
Lancaster County, Pennsylvania
- E. The names and addresses of the municipal authorities of said incorporating municipality are:
[Here followed the names and addresses of the Supervisors]
- F. The names and addresses and terms of office of the first members of the Board of the Authority, each of whom is a resident and citizen of said incorporating municipality are as follows:
[Here followed the names and addresses and terms of offices of the original Board members.]

§ 1-223. Notice to Public. [Ord. 40, 4/2/1985, § 3]

The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township further are directed to cause notice of the substance of this Part 2B, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of said Articles of Incorporation, to be published as required by the Act.

§ 1-224. Effectuation. [Ord. 40, 4/2/1985, § 4]

The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township further are directed to cause such Articles of Incorporation, together with the necessary proofs of publication, to be filed with the Secretary of the

Commonwealth of Pennsylvania and to do all other acts and things necessary or appropriate to effect the incorporation of such Authority, including payment of any filing fees required in connection therewith.

§ 1-225. Membership. [Ord. 40, 4/2/1985, § 5]

The following named persons, each of whom is a resident and citizen of this Township, shall be and they are appointed as the first members of the Board of the Authority, for the following terms of office:
[Here followed the names, addresses and terms of office of the original Board members.]

§ 1-226. Purpose. [Ord. 40, 4/2/1985, § 6]

The enactment of this Part 2B is deemed necessary for the benefit and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of the citizens of this Township.

PART 3
ELECTED OFFICIALS

A. Compensation of Township Supervisors.

§ 1-301. Present Rate of Compensation. [Ord. 41, 12/3/1985]

Each Supervisor of Earl Township shall continue to receive compensation of \$25 per meeting, which is the present rate of compensation for Supervisors.

§ 1-302. Future Rate of Compensation. [Ord. 41, 12/3/1985; as amended by Ord. 7-1995, 12/4/1995, § 1]

Each Supervisor of Earl Township to take office or begin a new term after January 1, 1996, shall receive compensation as a Supervisor in the annual amount of \$2,500. Such compensation shall be paid in quarterly installments.

PART 4**RECOGNITION OF FIREMEN'S RELIEF ASSOCIATION****§ 1-401. Recognition of Firemen's Relief Association. [Ord. 1989-2, 6/5/1989]**

1. The following association is hereby recognized as actively engaged in providing fire protection and/or emergency services in the Township of Earl.

Martindale Volunteer Firemen's Relief Association

The above-named association has been formed for the benefit of its members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

2. The above-named Association of the Township is designated the proper association to receive such funds as are due and payable to the Township Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

§ 1-402. Certification to Auditor General. [Ord. 1989-2, 6/5/1989]

The Board of Supervisors shall annually certify to the Auditor General of the Commonwealth the name(s) of the active associations and the percentage of service they contribute to the protection of the Township. Such certification shall be on forms prescribed by the Auditor General.

§ 1-403. Annual Appropriation. [Ord. 1989-2, 6/5/1989]

There is annually appropriated from the Township Treasury all such sums of money that may hereafter be paid into the Township Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of the Act of December 18, 1984, No. 205, § 701 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Township Treasurer from the State Treasurer shall be distributed to the duly recognized association(s) within 60 days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act.

PART 5
NONUNIFORMED EMPLOYEES PENSION PLAN

§ 1-501. Repealer. [Ord. 2014-01, 3/3/2014]

This Part 5 specifically replaces all other ordinances or parts of ordinances establishing provisions for the Nonuniform Pension Plan. This Part 5 replaces the retirement plan for the nonuniform employees of Earl Township through the adoption of the Earl Township Nonuniform Pension Plan.¹

§ 1-502. Establishment. [Ord. 2014-01, 3/3/2014]

This Part 5 establishes a retirement plan for the nonuniform employees of Earl Township through the adoption of the nonuniform document effective January 1, 2013.²

§ 1-503. Severability. [Ord. 2014-01, 3/3/2014]

In the event that any provision, section, sentence, clause, or part of this retirement plan shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of the retirement plan, it being the intent of the Township that such remainder shall be remain in full force and effect.

¹Editor's Note: This Part replaces the plan adopted by Ord. 2009-04, 4/6/2009.

²Editor's Note: A copy of the complete pension plan is on file in the Township offices.

PART 6
COLLECTION PROCEDURES

§ 1-601. Statement of Policies. [Ord. 4-1997, 6/2/1997, § 1]

The Township hereby approves the statement of collection policies for delinquent unpaid taxes, user charges and other items covered by the Municipal Claims Act ("accounts"), as presented to this meeting and which is to be filed with the enacted counterpart of this Part.

§ 1-602. Schedule of Fees. [Ord. 4-1997, 6/2/1997, § 2]

1. The Township hereby approves the following schedule of attorney fees for service in connection with the collection of accounts, which is hereby determined to be fair and reasonable compensation for the services set forth below, all in accordance with the principles set forth in Section 3(a.1) of the Municipal Claims Law, as added by Act No. 1 of 1996 (the "Act"):

Legal Services	Fee for Services
Initial review and sending first demand letter	\$75
File lien and mailing of second demand letter	\$125
Prepare writ of scire facias	\$75
Obtain reissued writ	\$50
Prepare and mail letter under Pa.R.C.P. § 237.1	\$25
Prepare motion for alternate service	\$125
Prepare motion for summary judgment and related judgment	\$250
Prepare writ of execution	\$75
Attendance at sale; review schedule of distribution and resolve distribution issues	\$250
Services not covered above	Hourly amount equal to Solicitor's regular charge to the Township

2. There shall be added to the above amounts the reasonable out-of-pocket expenses of counsel in connection with each of these services, as itemized in the applicable counsel bills, which shall be deemed to be part of the fees.
3. The amount of fees determined as set forth shall be added to the Township's claim in each account.

§ 1-603. Collection Procedures. [Ord. 4-1997, 6/2/1997, § 3]

The following collection procedures are hereby established in accordance with Act No. 1:

- A. At least 30 days prior to assessing or imposing attorney fees in connection with the collection of an account, the Township shall mail or cause to be mailed, by certified mail, return receipt requested, a notice of such intention to the taxpayer or other entity liable for the account (the "account debtor").
- B. If, within 30 days after mailing the notice in accordance with Subsection A, the certified mail to any account debtor is refused or unclaimed or the return receipt is not received, then, at least 10 days prior to the assessing or imposing of such attorney fees, the Township shall mail or cause to be mailed, by first class mail, a second notice to such account debtor.
- C. All notices required by this Part shall be mailed to the account debtor's last known post office address as recorded in the records or other information of the Township or such other address as it may be able to obtain from the County Office of Assessment and Revision of Taxes.
- D. Each notice as described above shall include the following:
 - (1) The type of tax or other charge, the date it became due and the amount owed, including penalty and interest.
 - (2) A statement of the Township's intent to impose or assess attorney fees within 30 days after the mailing of the first notice or within 10 days after the mailing of the second notice.
 - (3) The manner in which the assessment or imposition of attorney fees may be avoided by payment of the account.

§ 1-604. Related Action. [Ord. 4-1997, 6/2/1997, § 4]

The proper officials of the Township are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Part.

PART 7
ADVISORY RECREATION AND PARKS BOARD

§ 1-701. Establishment of Board. [Ord. 2008-01, 4/7/2008]

There is hereby created, pursuant to Section 2204 of the Second Class Township Code (Act of May 1, 1933, P.L. 103, No. 69; reenacted July 10, 1947, P.L. 1481; reenacted and amended November 9, 1995, P.L. 350, No. 60), a board to be known as the "Earl Township Advisory Recreation and Parks Board" ("Board"). The Board shall be composed of five residents of this Township.

§ 1-702. Appointment and Terms of Office. [Ord. 2008-01, 4/7/2008]

Members of the Board shall be appointed by the Board of Supervisors in accordance with the following procedures:

- A. Board members shall serve for terms of five years, or until their successors are appointed, except that members first appointed shall be appointed so that the terms of not more than two members expire annually. All persons appointed shall serve their full terms unless they voluntarily resign or are removed by the Board of Supervisors for dereliction or neglect of duty. Vacancies occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments.
- B. Whenever possible, due consideration will be given to representation from various geographic sections within the Township, so that all members shall not be from the same general area.

§ 1-703. Service Without Pay. [Ord. 2008-01, 4/7/2008]

Members of the Board shall receive no compensation for their services but may be reimbursed by the Township for all expenses incurred in performing their duties.

§ 1-704. Advisory Role. [Ord. 2008-01, 4/7/2008]

The Board is to be advisory and shall coordinate its activities with the elected officials, Planning Commission, and other such local governmental bodies.

§ 1-705. Organization of Board. [Ord. 2008-01, 4/7/2008]

The members of the Board shall elect a Chairperson and Secretary and select all other necessary officers to serve for a period of one year. The 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.

§ 1-706. Authority of the Board. [Ord. 2008-01, 4/7/2008]

The Board shall have the following powers:

- A. Identify the open space, recreation, park and trail needs of the Township.
- B. Plan and supervise recreation programs approved by the Board of Supervisors.
- C. Recommend plans, programs, and policies regarding the provision of recreation and park services.
- D. Advise the Board of Supervisors in the acquisition and development of parklands.
- E. Undertake recreation and park tasks as requested by the Board of Supervisors.

§ 1-707. Reporting. [Ord. 2008-01, 4/7/2008]

The Board shall keep minutes of its meetings, which it shall submit to the Board of Supervisors. The 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.

§ 1-708. Annual Budget. [Ord. 2008-01, 4/7/2008]

The Board, at such times as directed by the Board of Supervisors, shall annually submit for approval to the Board of Supervisors a proposed budget for the ensuing year, setting forth all proposed expenditures, salaries, and programs with sufficient justification. The Board shall not in any manner obligate the Board of Supervisors for the payment of any Township funds until the same are appropriated by the Board of Supervisors.