

CHAPTER 1

ADMINISTRATION AND GOVERNMENT

PART 1

BOROUGH SEAL

§1-101. Borough Seal Adopted

PART 2

ELECTED OFFICERS

- §1-201. Mayor's Salary Fixed**
- §1-202. Compensation of Councilmen**
- §1-203. Tax Collector's Compensation**

PART 3

APPOINTED OFFICERS

A. Borough Manager

- §1-301. Creation of Office of Borough Manager**
- §1-302. Appointment of Manager; Vacancies; Removal**
- §1-303. Qualifications of Manager; Residence**
- §1-304. Manager's Bond**
- §1-305. Manager's Compensation**
- §1-306. General Powers and Duties of Manager**
- §1-307. Specific Powers and Duties of Manager**

B. Code Enforcement Officer

- §1-311. Creation of Office of Code Enforcement Officer**
- §1-312. Appointment of CEO; Vacancies; Removal**
- §1-313. CEO's Bond**
- §1-314. CEO's Compensation**
- §1-315. General Powers and Duties of the CEO**
- §1-316. Specific Powers and Duties of the CEO**
- §1-317. Relief from Personal Liability**

C. Fire Marshal

- §1-318. Office of Fire Marshal Created**

ADMINISTRATION AND GOVERNMENT

- §1-319. Appointment; Compensation; Powers and Duties
- §1-320. Interference with Fire Marshal Unlawful
- §1-321. Penalties

PART 4

DEPARTMENTS AND BUREAUS

A. General

- §1-401. Police Department
- §1-402. Bureau of Fire Prevention
- §1-403. Qualifications, Abilities, Duties, and Responsibilities of the Chief of Police

B. Parking Department

- §1-411. Parking Department Created
- §1-412. Parking Department Powers

PART 5

GETTYSBURG MUNICIPAL AUTHORITY

- §1-501. Intention and Desire to Organize Authority
- §1-502. Articles of Incorporation of Gettysburg Municipal Authority
- §1-503. Water Project First Project to be Undertaken by Gettysburg Municipal Authority
- §1-504. Sewer Project Designated as Additional Project for Gettysburg Municipal Authority
- §1-505. Salaries of Members of Board of Gettysburg Municipal Authority
- §1-506. Certain Payments to Board Members Not Limited or Prohibited
- §1-507. Hospital Project Designated as Additional Project for Gettysburg Municipal Authority

PART 6

BOARDS AND COMMISSIONS

A. Planning Commission

- §1-601. Creation of Commission

B. Recreation

§1-611. Supervision and Maintenance of Recreation Places

PART 7

PENSIONS, RETIREMENT AND SOCIAL SECURITY

A. Police Pension Plan

§1-701. Police Pension Plan

B. Social Security for Borough Employees and Officers

§1-721. Benefits of Extension of Social Security to Borough Employees and Officers

§1-722. Extension of Coverage Authorized

§1-723. Payroll Deduction System, Matching Borough Payments Authorized

§1-724. Appropriation into Contribution Fund and Agreement with State Agency Authorized; Date Participation Commences

C. Nonuniformed Employees Pension Plan

§1-731. Nonuniformed Employees Pension Plan

PART 8

FISCAL AFFAIRS

§1-801. Office of Independent Auditor Established

PART 9

FIREMEN'S RELIEF

§1-901. Recognition of Firemen's Relief Association

§1-902. Foreign Fire Insurance Tax Moneys Received

§1-903. Annual Appropriations

PART 1

BOROUGH SEAL

§1-101. Borough Seal Adopted.

The Town Clerk shall purchase a Seal for the Borough of Gettysburg, and the device which shall be carved on the Seal shall be the Arms of the Commonwealth of Pennsylvania with this inscription: "Borough of Gettysburg, Pennsylvania." The Borough Secretary shall have custody of the Corporate Seal of the Borough of Gettysburg for his or her use in carrying out the duties of the Borough Secretary as prescribed by the Borough Code and any other laws of the Commonwealth of Pennsylvania.

(5/21/1806; as amended by Ord. 1353-08, 9/8/2008)

PART 2

ELECTED OFFICERS

§1-201. Mayor's Salary Fixed.

The salary of the Mayor of the Borough of Gettysburg, Adams County, Pennsylvania, is hereby fixed at \$5,000 per annum, payable from the Borough Treasury in monthly installments beginning on January 1, 2004.

(Ord. 891-74; as amended by Ord. 953-79, 2/12/1979; by Ord. 1064-88, 2/8/1988; by Ord. 1094-89, 12/11 1989; by Ord. 1163-93, 12/13/1993; and by Ord. 1285-03, 12/8/2003)

§1-202. Compensation of Councilmen.

The compensation of each of the members of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, is hereby fixed at \$2,500 per annum, payable from the Borough Treasury in monthly installments beginning on January 1, 2004.

(Ord. 6514; as amended by Ord. 877-73, 12/12/1973, §1; by Ord. 1028-85, 8/12/1985; and by Ord. 1286-03, 12/8/2003)

§1-203. Tax Collector's Compensation.

The compensation to be paid to the Tax Collector of the Borough of Gettysburg for the collection of Borough taxes shall be at the rate of \$1.80 for each tax account collected.

(Ord. 1153-93, 2/11/1993; as amended by Ord. 1302-05, 2/14/2005)

PART 3

APPOINTED OFFICERS

A. Borough Manager

§1-301. Creation of Office of Borough Manager.

The office of Borough Manager is hereby created by the Borough of Gettysburg, subject to the right of the Borough, by ordinance, at any time to abolish such office.

(Ord. 6613, 1/3/1966, §1)

§1-302. Appointment of Manager; Vacancies; Removal.

As soon as practicable after the enactment of this Part 3, the Borough Council shall elect, by a majority vote of all its members, one person to fill the office of Borough Manager. In the case of a vacancy, the Council shall fill said office by majority vote of all its members. The Borough Manager shall, however, be subject to removal at any time by a majority vote of all the members of Council.

(Ord. 6613, 1/3/1966, §2)

§1-303. Qualifications of Manager; Residence.

The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to his actual experience in or his knowledge of accepted practices in respect to the duties of the office as herein outlined. The Manager need not be a resident of the Borough or of the State of Pennsylvania at the time of his appointment; but as soon as possible thereafter he shall become, and during his tenure as Manager shall remain, a resident of the Borough.

(Ord. 6613, 1/3/1966, §3)

§1-304. Manager's Bond.

Before entering upon his or her duties, the Borough Manager shall give a bond to the Borough conditioned for the faithful performance of his or her duties. Such bond shall be issued with a bonding company as surety, in a sum to be fixed from time to time by resolution of the Borough Council, with the premium for the said bond to be paid for by the Borough of Gettysburg.

(Ord. 6613, 1/3/1966, §4; as amended by Ord. 1028-85, 8/12/1985; and by Ord. 1353-08, 9/8/2008)

ADMINISTRATION AND GOVERNMENT

§1-305. Manager's Compensation.

The Borough Manager shall receive such compensation as shall be fixed from time to time by resolution.

(Ord. 6613, 1/3/1966, §5)

§1-306. General Powers and Duties of Manager.

The Manager shall be the chief administrative officer of the Borough, and he shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough. His powers and duties shall relate to the general management of all Borough business not expressly, by statute or ordinance, imposed or conferred upon other Borough officers. The Mayor is hereby authorized to delegate to the Borough Manager, subject to recall by written notification at any time, any of his nonlegislative and nonjudicial powers and duties.

(Ord. 6613, 1/3/1966, §5)

§1-307. Specific Powers and Duties of Manager.

Subject to recall by ordinance, the powers and duties of the Manager shall include the following:

- A. He shall supervise and be responsible for the activities of all municipal departments, except such departments the supervision of which shall not have been delegated to the Manager by the Mayor or by Council, as the case may be.
- B. He shall hire and, when he shall deem it necessary for the good of the service, shall suspend or discharge all employees under his supervision; provided that persons covered by the civil service provisions of the Borough Code shall be hired, suspended or discharged in accordance with such provisions; and provided, further, that the Manager shall report, at the next regular meeting thereafter of Council, any action taken by authority of this subsection.
- C. He shall prepare and submit to the Council before the close of the fiscal year, or on such alternate date as the Council shall determine, a budget for the next fiscal year and an explanatory budget message. In preparing the budget, the Manager, or an officer designated by him, shall obtain from the head of each department, agency, board, or officer estimates of revenues and expenditures and other supporting data as he requests. The Manager shall

review such estimates and may revise them before submitting the budget to the Council.

- D. He shall be responsible for the administration of the budget after its adoption by the Council.
- E. He shall, under the direction of the Mayor, execute and enforce the laws of the commonwealth and ordinances, resolutions and bylaws of the Borough.
- F. He shall hold the offices of Borough Treasurer and Street Commissioner and shall perform all the duties of all such officers, in addition to the specific duties assigned to the Manager by this Part.
- G. He shall attend all meetings of the Borough Council and of its committees, with the right to take part in the discussion, and he shall receive notice of all special meetings of Council and of its committees.
- H. He shall prepare the agenda for each meeting of Council and supply facts pertinent thereto.
- I. He shall keep the Council informed as to the conduct of Borough affairs; submit periodic reports on the condition of the Borough finances and such other reports as the Council shall request; and shall make such recommendations to the Council as he deems necessary.
- J. He shall submit to Council, as soon as possible after the close of the fiscal year, a complete report on the financial and administrative activities of the Borough for the preceding year.
- K. He shall see that the provisions of all franchises, leases, permits, and privileges granted by the Borough are observed.
- L. He may employ, by and with the approval of Council, experts and consultants to perform work and to advise in connection with any of the functions of the Borough.
- M. He shall attend to the letting of contracts in due form of law, and he shall supervise the performance and faithful execution of the same, except insofar as such duties are expressly imposed upon some other Borough officer by statute.
- N. He shall see that all money owed the Borough is promptly paid and that proper proceedings are taken for the security and collection of all the Borough's claims.
- O. He shall be the Purchasing Officer of the Borough, and he shall purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for the various agencies, boards, departments, and other offices

ADMINISTRATION AND GOVERNMENT

of the Borough. He shall keep an account of all purchases and shall, from time to time or when directed by Council, make a full written report thereof. He may also issue rules and regulations, subject to the approval of the Council, governing the requisition and purchasing of all municipal supplies and equipment.

- P. He shall cooperate with the Borough Council at all times and in all matters that the best interests of the Borough and of the general public may be maintained.
- Q. All complaints regarding services or personnel of the Borough shall be referred to the office of the Manager. He, or an officer designated by him, shall investigate and dispose of such complaints, and the Manager shall report thereon to the Council.

(Ord. 6613, 1/3/1966, §7)

B. Code Enforcement Officer

§1-311. Creation of Office of Code Enforcement Officer.

The Office of Code Enforcement Officer (CEO) is hereby created by the Borough of Gettysburg, subject to the right of the Borough, by ordinance, at any time to abolish such office. Various ordinances of the municipality previously designated specific officers for enforcement of those ordinances, including the Zoning Officer, Housing Officer, Health Officer, and/or CEO. It is the purpose of the creation of the Office of Code Enforcement to consolidate those various officers into one office.

(Ord. 1028-85, 8/12/1985)

§1-312. Appointment of CEO; Vacancies; Removal.

The Borough Council or the Borough Manager shall appoint a person or persons, or in the alternative, a company legally operating in the Commonwealth of Pennsylvania specializing in the enforcement of municipal ordinances, to fill the office of CEO.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-313. CEO's Bond.

Before entering upon his, her or its duties, the CEO shall give a bond to the Borough, conditioned for the faithful performance of his, her or its duties. Such bond shall be issued with a bonding company as surety, in a sum to be fixed from time to time by resolution of the Borough Council.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008¹)

§1-314. CEO's Compensation.

The CEO shall receive such compensation as shall be fixed from time to time by resolution of the Borough Council or by agreement authorized by the Borough Council.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-315. General Powers and Duties of the CEO.

The CEO shall be in charge of the Office of Code Enforcement and shall be responsible through the Borough Manager to the Council, as a whole, for the proper and efficient administration of the affairs of said office.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-316. Specific Powers and Duties of the CEO.

Subject to recall by ordinance, the powers and duties of the CEO shall include the following:

- A. The CEO shall enforce and administer all of the provisions of this Part and of those other applicable codes and ordinances which establish the Office of Code Enforcement as their official administration and enforcement agency.
- B. The duties of the CEO shall include the receipt of applications, the issuance of permits, notices, certificates and orders, the making of inspections to determine conformance with applicable codes and ordinances, the undertaking of systematic inspection programs, the undertaking of research and investigations, the recommendation of appropriate administrative rules for review and adoption by the Code Hearing Board, the keeping of records, the issuance of written annual reports and such other activities as may be required.
- C. An official record shall be kept of all business and activities of the Office of Code Enforcement, and all such records shall be open to the public for inspection at all appropriate times, except that no individual, owner, operator, occupant, or other person shall be subject to unwarranted invasion of privacy, and except that all evidence or information obtained in any course of any inspection shall be considered privileged information and shall be kept confidential. Such evidence or information shall not be disclosed except as may be necessary, in the judgment of the CEO, for the proper and effective

¹ Editor's Note: Ord. 1353-08 provided that former §§1-313 and 1-317 be deleted and provided for the renumbering of the remainder of this Part 3.

ADMINISTRATION AND GOVERNMENT

administration and enforcement of the provisions of this Part 3B and shall not otherwise be made public without the consent of the owner, occupant, operator, or other person in charge of the unit, structure or premises inspected.

- D. He shall keep the Council informed as to the conduct of the office of CEO; submit periodic reports on the affairs of said office and such other reports as the Council shall request; and shall make such recommendation to the Council as he deems necessary.
- E. He shall submit to Council, as soon as possible after the close of the fiscal year, a complete report on the affairs and activities of the Office of Code Enforcement for the proceeding year.
- F. In the discharge of his duties, the CEO or his authorized representative, upon showing proper identification where requested, is hereby authorized to enter and inspect, during normal working hours, any structure or premises in the Borough to enforce the provisions of this Part and of those other applicable codes and ordinances. The assistance and cooperation of all other Borough officials, including Police and Fire Departments, shall be available to the CEO to assist in the performance of his duties and in securing rights-of-way.
 - (1) The CEO and the owner, operator or occupant or other person in charge of any structure or premises subject to the provisions of this Part 3B may agree to an inspection by appointment at a mutually convenient time.
 - (2) The owner, operator or occupant or other person in charge of any structure or premises shall give the CEO entry and free access thereto and to every part of the structure or to the premises surrounding the structure.
 - (3) If any owner, operator or occupant or other person in charge fails or refuses to permit entry and free access to the structure or premises under his control, or to any part thereof, with respect to any authorized inspection, the CEO may, upon a showing that probable cause exists for the inspection, file a complaint and may petition for and obtain an order directing compliance with the inspection requirements of this Part from a court of competent jurisdiction. Any person who refuses to comply with such an order issued pursuant to this section shall be subject to such penalties as may be authorized by law for violation of a court order.
- G. He shall serve a notice of violation or order on the person responsible for any situation in violation of those chapters, parts and sections of this Code which are under his direction. If the notice of violation is not complied with within the time specified on the notice, the CEO is hereby authorized to file

a complaint or institute summary criminal proceedings, in accordance with the Rules of Criminal Procedure.

- H. He shall cooperate with the Borough Council and all other departments and agencies of the Borough at all times and in all matters that the best interest of the Borough and of the general public may be maintained.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-317. Relief from Personal Liability.

The CEO or other official or employee shall not, while acting for the Borough, render himself liable personally because of any act or omission as required or permitted in the discharge of his official duties. Any suit instituted against such CEO, official, or employee, because of any act performed by him in the lawful discharge of his duties, shall be defended by the Solicitor of the Borough, and in no case will said officer, official, or employee be liable for costs in any action, suit or proceeding.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

C. Fire Marshal

§1-318. Office of Fire Marshal Created.

The office of Fire Marshal is hereby created in the Borough of Gettysburg, such officer to be appointed by and with the consent of the Borough Council. The office of Fire Marshal shall be in the Department of Fire Prevention, and the Fire Marshal shall report to the Borough Manager, except on those matters of which he is required by law to report directly to the Borough Council.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-319. Appointment; Compensation; Powers and Duties.

The first person to be appointed to the office of Fire Marshal shall be appointed as soon as practicable after the adoption of this Part 3C and shall serve at the pleasure of the Council. Subsequent appointments shall be made at the first meeting of the Borough Council in each even-numbered year, such appointees to serve until their respective successors have been duly appointed and qualified. The aforesaid appointment for a specified term notwithstanding, the Borough Council retains the right to remove the Fire Marshal at its pleasure. Vacancies shall be filled in the same manner as the original appointment was made, for the unexpired portion of the term. If for any reason this office is not separately filled by appointment of and with the approval and consent of the Borough Council, the Fire Chief shall be deemed the ex officio Fire Marshal thereof and shall have all the powers and duties hereinafter given to or imposed upon the Fire Mar-

ADMINISTRATION AND GOVERNMENT

shal. Compensation of the Fire Marshal shall be fixed from time to time by the Borough Council. The Fire Marshal shall perform all duties and shall have and exercise all powers prescribed by law.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-320. Interference with Fire Marshal Unlawful.

No person shall in any way obstruct or prevent, or attempt to obstruct or prevent, the Fire Marshal in the discharge of his duties, by denying or attempting to deny him access to any premises owned or occupied by such person, either by failing or refusing correct information requested by him in the investigation into the cause, origin or circumstances of any fire.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1353-08, 9/8/2008)

§1-321. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not more than \$1,000 and/or to imprisonment for a term not to exceed 90 days.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1236-99, 12/13/1999, §1; as amended by Ord. 1353-08, 9/8/2008)

PART 4

DEPARTMENTS AND BUREAUS

A. General

§1-401. Police Department.

A Police Department consisting of a Chief of Police, sergeants, corporals, privates first class, privates and probationers hereby is established in the Borough of Gettysburg under and pursuant to Section 1121 of the Borough Code, as amended, 53 P.S. §46121.

(Ord. 6075, 7/5/1960, §1; as amended by Ord. 101)

§1-402. Bureau of Fire Prevention.

The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention of the Borough of Gettysburg, which is hereby established. The Fire Marshal shall be the Chief of the Bureau of Fire Prevention. The Fire Marshal shall be appointed by the Borough Council and shall serve at the pleasure of the Council. He shall be assisted by such other members of the Bureau of Fire Prevention as shall be appointed by the Borough Council for the purpose.

(Ord. 142, 6/13/1968, §2)

§1-403. Qualifications, Abilities, Duties and Responsibilities of the Chief of Police.

In the case of a vacancy in the office of Chief of Police, the Borough Council shall nominate a person to the Civil Service Commission, which shall then subject such person to a noncompetitive examination.

- A. The person nominated must possess the following qualifications, namely, he or she must have:
- (1) Completed formal training as required by state legislation for police officers;
 - (2) Five years of police experience, including two years in a supervisory police position, or any equivalent combination of training and experience;
 - (3) The ability to meet minimum physical and medical requirements; and

ADMINISTRATION AND GOVERNMENT

- (4) Possession of, or eligibility for, a valid motor vehicle operator's license issued by the Commonwealth of Pennsylvania.
- B. The examination by the Civil Service Commission shall seek to determine that the nominee possesses the knowledge, skill and ability in the following areas to the degree necessary for successful job performance:
- (1) Police administration;
 - (2) Crime prevention, investigation and detection;
 - (3) Police Department rules and regulations;
 - (4) Geography of the Borough;
 - (5) Criminal justice system as it relates to municipal police service;
 - (6) Relevant federal, state and municipal statutes;
 - (7) Assignment, motivation and review of the work of police personnel in the Borough Police Department.
- C. If such nominee shall be certified by the Civil Service Commission as qualified, he may then be appointed to such position and shall thereafter be responsible for the overall administration and operation of the Police Department, with the following duties and responsibilities:
- (1) To plan, organize, direct and coordinate the activities of department personnel in enforcing laws and municipal ordinances;
 - (2) To formulate rules, procedures and policies for efficient operation of the department;
 - (3) To evaluate applicants for positions within the department and to make recommendations to the Safety Committee of the Borough Council and the Mayor for the hiring of applicants;
 - (4) To evaluate employee work performance and recommend promotions;
 - (5) To prepare budget estimates and to control budget expenditures;
 - (6) To recommend purchase of equipment and supplies;
 - (7) To attend county, state and national conferences and meetings, at the discretion of the Mayor and the Safety Committee;
 - (8) To meet with the Borough Manager, the Safety Committee, and the Mayor and to keep them informed on departmental activities;

- (9) To attend all Council meetings, Safety Committee meetings and any other meetings and or activities as directed by the Borough Council and the Mayor;
- (10) To prepare, approve or disapprove permits for parades and assemblages; and
- (11) To perform any other duties as directed by the Mayor.

(Ord. 1044-86, 7/14/1986)

B. Parking Department

§1-411. Parking Department Created.

A Parking Department is hereby created for the Borough of Gettysburg and empowered to administer, supervise and enforce on-street and off-street parking systems.

(Ord. 1099-90, 6/11/1990, §1)

§1-412. Parking Department Powers.

The Police Department of the Borough of Gettysburg is hereby delegated the power to exercise those functions necessary for the administration, supervision and enforcement of on-street and off-street parking systems. Members of the Police Department of the Borough of Gettysburg are and shall be authorized to enforce all parking regulations of the Borough of Gettysburg.

(Ord. 1099-90, 6/11/1990, §2; as amended by Ord. 1353-08, 9/8/2008²)

² Editor's Note: This ordinance also provided for the repeal of former §1-413, Parking Manager, and §1-414, Enforcement.

PART 5

GETTYSBURG MUNICIPAL AUTHORITY

§1-501. Intention and Desire to Organize Authority.

The Borough Council hereby signifies its intention and desire to organize an authority under the provisions of the Municipality Authorities Act of 1945, as amended.

(6/7/1948, §1)

§1-502. Articles of Incorporation of Gettysburg Municipal Authority.

The Mayor, the President of the Borough Council, and the Secretary are hereby authorized and directed to execute, on behalf of the Borough of Gettysburg, Articles of Incorporation for said Authority, substantially in the following form:

ARTICLES OF INCORPORATION

To the Secretary of the Commonwealth

Commonwealth of Pennsylvania

In compliance with the requirements of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended, the Borough of Gettysburg, Adams County, Pennsylvania, designing to incorporate an Authority thereunder, does hereby certify:

1. The name of the Authority is "Gettysburg Municipal Authority."
2. Said Authority is formed under the provisions of the Act of May 2, 1945, P.L. 382, as amended.
3. No other Authority organized under said Municipality Authorities Act of 1945, or under the Act of June 28, 1935, P.L. 463, as amended, or under the Act of December 27, 1933, P.L. (Special Sessions) 114, is in existence in or for the incorporating municipality, the Borough of Gettysburg.
4. The name of the incorporating municipality is Borough of Gettysburg, Adams County, Pennsylvania, and the names and addresses of its municipal authorities are as follows: . . .
5. The names, addresses and terms of office of first members of the Board of said Authority are as follows: . . .

ADMINISTRATION AND GOVERNMENT

6. In addition to the other powers and purposes set forth in these Articles of Incorporation, as amended, the Authority shall exist for the purpose of acquiring, holding, constructing, financing, improving, maintaining and operating, owning, leasing, either in the capacity of lessor or lessee, projects of any kind or character described in, and shall possess and may exercise all of the powers granted by, the Municipality Authorities Act of 1945, as amended from time to time.

(6/7/1948, §2; as amended by Ord. 1103-90, 9/2/1990, §2)

§1-503. Water Project First Project to be Undertaken by Gettysburg Municipal Authority.

The project which shall first be undertaken by the said Authority is to acquire, hold, construct, improve, maintain, operate, own, and lease, either as lessor or as lessee, waterworks, water supply works, water distribution systems or parts thereof for the supply of the water to the public in the Borough of Gettysburg and such other territory as it may be authorized to serve.

(6/7/1948, §5)

§1-504. Sewer Project Designated as Additional Project for Gettysburg Municipal Authority.

The additional project which shall be undertaken by said Gettysburg Municipal Authority shall be to acquire, hold, construct, improve, maintain, operate, own, and lease, either in the capacity of lessor or lessee, sewers, sewer systems or parts thereof and sewage treatment works, including works for the treatment and disposing of industrial waste and incinerator plants, for the Borough of Gettysburg and for such other territory as it may be authorized to serve.

(6/15/1950, §1)

§1-505. Salaries of Members of Board of Gettysburg Municipal Authority.

Members of the Board of the Gettysburg Municipal Authority shall receive such salaries as may be determined from time to time by resolution of the Borough Council of the Borough of Gettysburg consistent with the provisions of the Municipality Authorities Act.

(12/3/1951, §1; as amended by Ord. 1353-08, 9/8/2008)

§1-506. Certain Payments to Board Members Not Limited or Prohibited.

Nothing contained in §1-505 hereof shall be deemed to limit or prohibit or be construed as limiting or prohibiting or in any manner affecting the payment of compensation and the expenses of members of said Board as officers of said Authority under and pursuant to Section 4B, clause “g”, of the Municipality Authorities Act of 1945, as amended, 53 P.S. §2900Z-5, and Section 7C, 53 P.S. §2900Z-8, of said Act as amended.

(12/3/1951, §2)

§1-507. Hospital Project Designated as Additional Project for Gettysburg Municipal Authority.³

The additional project which shall be undertaken by the said Gettysburg Municipal Authority shall be for the purpose of acquiring, holding, constructing, improving, maintaining and operating, owning, and leasing, either in the capacity of lessor or lessee, projects of the following kind and character: a hospital in Gettysburg.

(Ord. 975, 5/12/1980)

³ Editor's Note: Former Subpart 5B, Gettysburg School Authority, adopted 8/7/1950, as amended, was repealed by Ord. 1353-08, 9/8/2008, since all projects of said Authority have been completed and said Authority has been dissolved.

PART 6

BOARD AND COMMISSIONS

A. Planning Commission

§1-601. Creation of Commission.

A Borough Planning Commission, to be composed of five members, appointed as provided by law (53 P.S. §10202), is hereby created in and for the Borough of Gettysburg. The Planning Commission shall perform all duties and may exercise all powers conferred by law upon Borough planning agencies; provided that the Planning Commission previously created in and for the said Borough 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 borough planning commissions in effect at the time of the happening of the said vacancy.

(8/2/1954; as amended by Ord. 116, 6/13/1968; and revised by Ord. 1028-85, 8/12/1985)

B. Recreation

§1-611. Supervision and Maintenance of Recreation Places.

Consistent with the provisions of Article XXVII, Sections 2701 through 2713, of the Borough Code, the Borough Council of the Borough of Gettysburg shall be vested with the authority to supervise and maintain all recreation places within the Borough of Gettysburg and shall equip, operate and maintain such recreation places and shall, for the purposes of carrying out its authority under the Borough Code, employ recreation directors, play leaders, supervisors, superintendents and any other officers or employees as it may deem proper.

(Ord. 1296-04, 8/9/2004, §3)

PART 7

PENSIONS, RETIREMENT AND SOCIAL SECURITY

A. Police Pension Plan

§1-701. Police Pension Plan.

Effective for participants who terminate employment on or after January 1, 2006, the plan known as the "Borough of Gettysburg Police Pension Plan" is hereby amended and restated in its entirety by substituting the attached amendment and restatement of the Borough of Gettysburg Police Pension Plan in its place.⁴

(Ord. 1220-99, 4/12/1999, §1; as amended by Ord. 1334-07, 4/9/2007; and by Ord. 1353-08, 9/8/2008)

B. Social Security for Borough Employees and Officers

§1-721. Benefits of Extension of Social Security to Borough Employees and Officers.

It is the considered opinion of this body that the extension of the Social Security System to employees and officers of the Borough of Gettysburg will be of great benefit, not only to the employees of the Borough by providing that said employees and officers may participate in the provisions of the Old Age and Survivors' Insurance System, but will also be of great benefit to the Borough of Gettysburg by enabling it to attract and retain in employment the best of personnel and thus increase the efficiency of its government.

(11/9/1953, §1)

§1-722. Extension of Coverage Authorized.

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

⁴ Editor's Note: The current Borough of Gettysburg Police Pension Plan is on file in the Borough Office.

ADMINISTRATION AND GOVERNMENT

(11/9/1953, §2)

§1-723. Payroll Deduction System, Matching Borough Payments Authorized.

The Secretary is hereby authorized to establish a system of payroll deduction to be matched by payments by the Borough of Gettysburg to be made into the Contribution Fund of the Social Security Act through the office of the state agency, and to make charges of this tax to the fund, or funds, from which wage or salary payments are issued to employees of the Borough of Gettysburg. Such payments are to be made in accordance with the provisions of the law and regulations promulgated by the state agency, and the Federal Security Administrator. Such payments which are delinquent shall bear interest at the rate of 1/2% per month until such time as payments are made.

(11/9/1953, §3)

§1-724. Appropriation into Contribution Fund and Agreement with State Agency Authorized; Date Participation Commences.

Appropriation is hereby made from the proper fund, or funds, of the Borough of Gettysburg in the necessary amount to pay into the Contribution Fund as provided in Section 4 of the enabling Act and in accordance with the plan, or plans, and agreement. Authority is given to the Mayor and the Secretary of the Borough of Gettysburg to enter into an agreement with the state agency, which agreement shall be in accordance with Act No. 491 and with paragraph 218 of the Social Security Act. Such plan and agreement shall provide that the participation of this Borough of Gettysburg shall commence as of January 1, 1951.

(11/9/1953, §4)

C. Nonuniformed Employees Pension Plan

§1-731. Nonuniformed Employees Pension Plan.

Effective January 1, 2006, the plan is amended and restated in its entirety by substituting the attached amendment and restatement of the Borough of Gettysburg Nonuniformed Employees' Pension Plan and Trust in its place.⁵

(Ord. 1221-99, 4/12/1999, §1; as amended by Ord. 1335-07, 4/9/2007; and by Ord. 1353-08, 9/8/2008)

⁵ Editor's Note: The current Borough of Gettysburg Nonuniformed Employees Pension Plan is on file in the Borough Office.

PART 8

FISCAL AFFAIRS

§1-801. Office of Independent Auditor Established.

An independent auditor shall be appointed annually by resolution of Borough Council before the close of the fiscal year to make an independent examination of the accounting records of the Borough for such a fiscal year and to perform the other duties and exercise the powers conferred upon him by the Borough Code. Such independent auditor shall be a certified public accountant, registered in Pennsylvania, a firm of certified public accountants so registered or a competent public accountant or a competent firm of public accountants.

(Ord. 835-70, 12/14/1970)

PART 9

FIREMEN'S RELIEF

§1-901. Recognition of Firemen's Relief Association.

The Firemen's Relief Association of Gettysburg is recognized as an organization formed for the purpose of maintaining an association for beneficial and protective purposes for its members and their families in case of death, sickness, temporary or permanent disability or accident from the funds collected therein.

(Ord. 1028-85, 8/12/1985)

§1-902. Foreign Fire Insurance Tax Moneys Received.

The Firemen's Relief Association of Gettysburg is designated the proper association to receive such funds as are due and payable to the Borough Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

(Ord. 1028-85, 8/12/1985)

§1-903. Annual Appropriation.

There is annually appropriated from the Borough Treasury all such sums of money that may hereafter be paid into the Borough Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of 72 P.S. §2262 (1982), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. 1028-85, 8/12/1985)