



**TOWNSHIP OF NORTH FAYETTE  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 522**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH FAYETTE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 1 OF THE TOWNSHIP CODE OF ORDINANCES, AS AMENDED, TO CODIFY THE ESTABLISHMENT OF THE TOWNSHIP.**

**WHEREAS,** the Township of North Fayette (hereinafter "Township"), is a Municipal Corporation, duly organized and existing under the laws of the Commonwealth of Pennsylvania; and

**WHEREAS,** the Township was incorporated on March 16, 1846, as a Township of the Second Class; and

**WHEREAS,** the Township encompasses a territory of twenty-seven (27 sq mi) square miles, and is bounded by Findlay Township to the northwest, Robinson Township to the northeast, Moon Township to the north, Collier Township to the east, Oakdale Borough and South Fayette Township to the southeast, McDonald Borough to the south, and Robinson Township, Washington County, from the southwest to the west. Oakdale Borough withdrew from the Township in 1872.

**WHEREAS,** this territory, previously part of Moon Township, is named for Gilbert du Motier, Marquis de Lafayette, the well-known French aristocrat, freemason, and military officer who served in the Continental Army during the Revolutionary War; and

**WHEREAS,** the Township is governed by the Second Class Township Code of the Commonwealth of Pennsylvania; and

**WHEREAS,** as specified in the Second Class Township Code, the elected officials of the Township consist of the Board of Auditors, the Board of Supervisors, and the Tax Collector. The Board of Auditors consists of three elected auditors and the Board of Supervisors consists of three elected Supervisors; and

**WHEREAS,** the Board of Supervisors wishes to codify the establishment of the Township by including this information in the Township Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for the Township of North Fayette, and it is hereby ordained and enacted by the authority of the aforesaid as follows:

**SECTION 1. AMENDMENTS.**

That the part of the code entitled "Administration and Government", as codified as Chapter 1, of the Township Code of Ordinances, is hereby amended, as follows:

1. That the part of the code entitled "Commissions and Boards", codified as Chapter 1, Part 2, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 1, Part 4.
2. That the part of the code entitled "Office of the Township Manager", codified as Chapter 1, Part 3, of the Township Code of Ordinances, as amended, is hereby re-titled as "Appointed Officials", and moved in its entirety and recodified as Chapter 1, Part 5.
3. That the part of the code entitled "Tax Collector", codified as Chapter 1, Part 4, of the Township Code of Ordinances, as amended, is hereby deleted.
4. That the part of the code entitled "Delinquent Tax Collector", codified as Chapter 1, Part 4, Section A, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 1, Part 5, Section 3.
5. That the part of the code entitled "Tax Certification Fee", codified as Chapter 1, Part 4, Section B, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 1, Part 3, Section 4, Subsection 1, Paragraph B.
6. That the part of the code entitled "Collection of Taxes and Municipal Claims", codified as Chapter 1, Part 5, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 24, Part 10.
7. That the part of the code entitled "Fire Insurance Proceeds Escrow", codified as Chapter 1, Part 6, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 7, Part 3.
8. That the part of the code entitled "Public Comment at Public Meetings", codified as Chapter 1, Part 7, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 1, Part 3, Section 2, Subsection 5.
9. That the part of the code entitled "Departmental Organization", codified as Chapter 1, Part 8, of the Township Code of Ordinances, as amended, is hereby moved in its entirety and recodified as Chapter 1, Part 6.
10. Chapter 1 of the Township Code of Ordinances, as amended, is hereby amended to establish a new Part 2, entitled "Establishment of the Township", as set forth below:

**Chapter 1 – Administration and Government**  
**Part 2 – Establishment of the Township**

**§ 1-201 Establishment of the Township.**

1. The Township of North Fayette is a Municipal Corporation, duly organized and existing under the laws of the Commonwealth of Pennsylvania.
  2. The Township was incorporated on March 16, 1846, as a Township of the Second Class, and is governed by the Second Class Township Code (Act 69 of 1933, as reenacted and amendment).
11. Chapter 1 of the Township Code of Ordinances, as amended, is hereby amended to establish a new Part 3, entitled "Elected Officials", as set forth below:

**Chapter 1 – Administration and Government**  
**Part 3 – Elected Officials**

§ 1-301 Elected Officials.

1. As specified in the Second Class Township Code, the elected officials of the Township consist of the Board of Auditors, the Board of Supervisors, and the Tax Collector. The Board of Auditors consists of three elected auditors and the Board of Supervisors consists of three elected Supervisors.

§ 1-302 Board of Auditors.

1. Composition of Board.
  - A. The Board of Auditors is comprised of three individuals who are elected for staggered six-year terms.
2. Organization Meeting.
  - A. In accordance with Second Class Township Code, the Board of Auditors shall meet annually for organization on the day immediately following the day of the annual organization meeting of the Board of Supervisors.
  - B. The Board of Auditors shall elect a chairman and a secretary.
3. Authority, Powers, and Duties.
  - A. The duties of the elected auditors are specified in the Second Class Township Code.
  - B. Appointment of Accountant.
    - (1) As authorized by Section 917 of the Second Class Township Code, the Board of Supervisors may, by resolution, appoint a certified or competent public accountant or a firm of certified or competent public accountants to make an examination of all the accounts of the Township for the fiscal year stated in the resolution.

- (2) When an accountant or firm is appointed by the Board of Supervisors, the Board of Auditors shall not audit, settle or adjust the accounts audited by the appointee but shall perform the other duties of the office as specified in the Second Class Township Code.

§ 1-303 Board of Supervisors.

1. Composition of Board.

- A. The Board of Supervisors is comprised of three individuals who are elected for staggered six-year terms.

2. Organization Meeting.

- A. In accordance with Second Class Township Code, the Board of Supervisors shall meet to organize at a convenient time and place on the first Monday in January of each year. If the first Monday is a legal holiday, the meeting shall be held the following day.
- B. The Board of Supervisors shall elect one member as chairman and another as vice-chairman, and shall appoint a treasurer and a secretary.

3. Authority, Powers, and Duties.

- A. The Board of Supervisors serves as the governing body of the Township.
- B. The duties of the elected Supervisors are specified in the Second Class Township Code.

4. Compensation of Supervisors.

- A. Reserved.

5. Public Comment at Public Meetings

A. Provisions Regarding the Orderly Presentation of Public Comments.

- (1) Under and subject to the rules and procedures hereunder, Board of Supervisors shall afford Township of North Fayette residents and taxpayers a reasonable opportunity to be heard on matters of concern, official action or deliberation which are or may be before the Board of Supervisors:

- (a) Public Comments on Agenda Items about Which Official Action Is Contemplated. With regard to items specifically listed on the meeting agenda as matters

about which a call for a motion for official action will or may take place at that same meeting, Township of North Fayette residents and taxpayers may address comments thereon during the "Resident and Taxpayer Comments — Agenda Items Only" portion of said public meeting, which shall normally occur at the commencement of the meeting following the Pledge of Allegiance and other such ceremonial or other perfunctory proceedings.

- (b) Public Comments on Other Matters. With regard all matters not covered by the foregoing subsection hereof, Township of North Fayette residents and taxpayers may address comments thereon during the "Resident and Taxpayer Comments — Other Matters" portion of said public meeting, which shall normally occur at the conclusion of the meeting prior to adjournment thereof.
  
- (c) Additional Comments Period as May Be Required. To the extent that a matter may come before Board of Supervisors for official action during the course of a public meeting upon a motion duly made and seconded, which matter was not specifically identified on the meeting agenda as one for which official action would or might take place at that same meeting, and concerning which those in attendance at such meeting were not made aware by Board of Supervisors prior to the conclusion of the "Resident and Taxpayer Comments — Agenda Items Only" portion thereof, Board of Supervisors shall to the extent necessary provide such other reasonable opportunity for public comment on said matter, prior to taking official action thereon, under such circumstances and under such conditions as may be determined by a majority of Board of Supervisors present.

B. General Rules and Procedures Governing All Public Comments.

- (1) Township of North Fayette residents and taxpayers wishing to address comments to Board of Supervisors during the course of public meetings may do so in accordance with the following rules and procedures:
  - (a) Township of North Fayette residents and taxpayers who wish to address Board of Supervisors during the course of the public meeting must first sign the

public roster located near the entrance of the meeting place at every public meeting.

- (b) Township of North Fayette residents and taxpayers shall state their name and address for the record, and shall briefly set forth the subject matter about which they wish to address Board of Supervisors, prior to commencing their comments thereon.
- (c) Township of North Fayette residents and taxpayers shall limit their remarks to matters of concern, official action or deliberation which are or may be before the Board of Supervisors, and shall present same in accordance with the procedures set forth in § 1-701 hereof.
- (d) Township of North Fayette residents and taxpayers shall at all times direct their comments to the Chair and shall at all times refrain from using offensive or abusive language and from inciting others to violence or disorder, and shall otherwise observe such norms of propriety and decorum as the Board of Supervisors may determine to be necessary to maintain good order during the continued conduct of said meeting. The Board of Supervisors shall not allow the continued comment by, and shall retake the floor from, any speaker who refuses to abide by foregoing norms and, if necessary to maintain order as required to conduct the meeting, shall cause any person who refuses upon warning to cease and desist from violating these rules or from otherwise disrupting the meeting to be removed from the meeting place.
- (e) Township of North Fayette residents and taxpayers wishing to present papers to Board of Supervisors shall, unless otherwise directed by the Chair, deliver same to the Township Manager, who shall accept and transmit or otherwise dispose of same as directed by the Board.
- (f) Township of North Fayette residents and taxpayers shall limit their remarks to five minutes or less, unless permission to extend their remarks is granted by a majority vote of Board of Supervisors members present upon motion duly made and seconded.
- (g) Notwithstanding the foregoing, Township of North

Fayette residents and taxpayers may be asked to limit the extent of comment on points that are redundant, repetitive, or which serve only to reiterate remarks already presented by others at the meeting, and the Board of Supervisors reserves the right, when the number of speakers or other circumstances require, to limit remarks which are redundant, repetitive, or which serve only to reiterate remarks already presented by others at the meeting.

- (h) The Board of Supervisors may, by majority vote upon a motion duly made and seconded, defer resident and taxpayer comments to the next regular meeting or to a special meeting occurring in advance of the next regular meeting, to the extent that it determines that there is not sufficient time at a meeting for residents or taxpayers to comment.
- (i) The Board of Supervisors may invoke such other temporary rules and procedures as may become necessary during the course of a public meeting to maintain good order or to otherwise facilitate the efficient conduct of such meeting.
- (j) Written Comments and Questions. Township of North Fayette residents and taxpayers are encouraged to submit written comments and questions to the Township Manager's office in advance of public meetings to supplement or in lieu of public comments. Township residents and taxpayers are also encouraged to first communicate comments, concerns, and questions concerning administrative matters, as well as requests for use of public spaces, to the Township Administration office for resolution prior to presenting such matters to the Board of Supervisors.

§ 1-304 Tax Collector.

1. Elected Tax Collector

A. Authority, Powers, and Duties.

- (1) The duties of the elected Tax Collector are specified in the Second Class Township Code.

B. Tax Certification Fee

(1) Tax Certifications. The North Fayette Township Board of Supervisors hereby authorizes the Tax Collector of North Fayette Township to provide tax certifications upon request by the public.

(2) Fee. The Tax Collector of North Fayette Township may assess, collect and retain, from the party requesting the certification, as compensation for providing such additional service, a fee in the amount as established, from time to time, by resolution of the Board of Supervisors, for each year for which a certification is requested, not to exceed a total in the amount as established, from time to time, by resolution of the Board of Supervisors.

12. Chapter 1 of the Township Code of Ordinances, as amended, is hereby amended to establish a new Part 7, entitled "Fees for Township Services", as set forth below:

**Chapter 1 – Administration and Government**  
**Part 7 – Fees for Township Services**

**§ 1-701 Establishment.**

1. The Board of Supervisors may, by resolution adopted from time to time, establish a schedule of fees as shall be necessary to cover the costs associated with Township services and the collection of Township accounts and expenditures.

That the part of the code entitled "Taxation, Special", as codified as Chapter 24, of the Township Code of Ordinances, is hereby amended, as follows:

1. That the part of the code entitled "Taxation, Special", codified as Chapter 24, of the Township Code of Ordinances, as amended, is hereby re-titled as "Taxation".

**SECTION 2: SEVERABILITY.**

That if any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 3: CONFLICT.**

Any ordinances or any part of any ordinance which conflict with this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 4: EFFECTIVE DATE.**

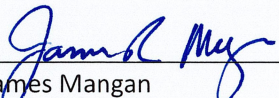
That this Ordinance shall take effect immediately upon enactment as provided by law.

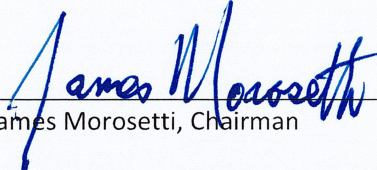


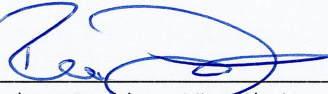
ENACTED AND ORDAINED into Law this the 27<sup>th</sup> day of February 2024.

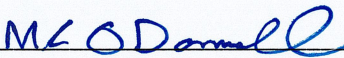
ATTEST:

TOWNSHIP OF NORTH FAYETTE

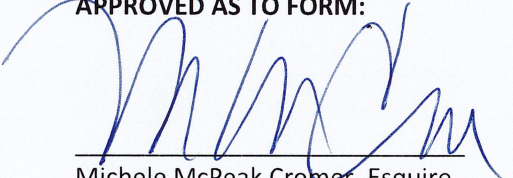
  
James Mangan  
Township Manager

  
James Morosetti, Chairman

  
Robert Doddato, Vice Chairman

  
Mark O'Donnell, Treasurer

APPROVED AS TO FORM:

  
Michele McPeak Cromer, Esquire  
Township Solicitor

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