

ORDINANCE NO. 993

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE EXPANDING THE DUTIES, POWERS, AND RESPONSIBILITIES OF THE MUNICIPAL MANAGER, CREATING ADMINISTRATIVE DEPARTMENTS, SPECIFYING THE DUTIES OF DIRECTORS OF THOSE DEPARTMENTS, ESTABLISHING THE FUNCTIONS OF EACH DEPARTMENT ESTABLISHED, AND PROVIDING FOR CONTINUANCE, CREATION, OR TERMINATION OF AUTHORITIES

The Municipality of Monroeville, Pennsylvania, hereby ORDAINS as follows:

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 01. Short Title. This Ordinance shall constitute and be designated as "The Administrative Code of Monroeville, Pennsylvania".

Section 02. Definitions. As used in this Ordinance, the words and terms shall have the following meaning:

- A. Administrative: The function of carrying out the policies, ordinances or mandates of Council;
- B. Council: The Municipal Council as provided for in the Home Rule Charter;
- C. Home Rule Charter: The Home Rule Charter of Monroeville as approved by the electors of said Borough on May 21, 1974, with Amendments, if any, thereafter lawfully adopted and approved;
- D. Law: The Constitution and any statute of Commonwealth of Pennsylvania;
- E. Manager: The Municipal Manager as provided for in Article VII of the Home Rule Charter.

ARTICLE II

THE MUNICIPAL MANAGER

- Section 01. Appointment, Qualifications and Removal. The provisions in the Home Rule Charter relating to the appointment, qualifications and tenure of the Manager shall govern those matters.
- Section 02. Powers and Duties. In addition to the powers and duties of the Manager prescribed in Section 702 of the Home Rule Charter, the Manager shall:
- A. Have the authority to designate himself or to assign any other employee of the Municipality to perform the duties and exercise the functions of any office or position under his jurisdiction, during a vacancy, or in the absence or disability of an incumbent, or where service is required appropriate to the personnel classification of the individual so assigned;
 - B. Have the power to prescribe rules and regulations that he considers necessary for the operation of any department, office or other agency of the Municipality under his authority;
 - C. Have the power to investigate, examine or inquire into the affairs or operations of any department, office or other agency of the Municipality under his authority;
 - D. Have the power to direct any department, office or other agency of the Municipality under his authority;
 - E. Have the duty of preparing the agenda with the approval of Council for each meeting of the Council and supplying pertinent facts thereto;
 - F. Have the duty of insuring that the provisions of all franchises, leases, permits, and privileges granted by the Municipality are observed;
 - G. Have the power to employ, by and with approval of the Council, experts and consultants to perform work and to advise in connection with any of the functions of the Municipality;

- H. Have the power to purchase all supplies and equipment for the various agencies, boards, departments, and other offices of the Municipality. In connection with this power, the Manager shall keep account of all purchases and shall prepare, on a regular basis or as directed by Council, a list of bills and payroll authorized for payment for action by Council prior to payment. The Manager may, with the approval of Council, prepare rules and regulations whereby payments can be made on a timely basis for proper refunds by residents and clients. All such refunds are subject to ratification by Council at their next regular meeting and are subject to the sections of the Home Rule Charter. When directed by Council, the Manager will make a full written report on any items of purchase, vendors account, or activity in any budget entry;
- I. Have the responsibility of receiving all complaints regarding services or personnel of the Municipality. The Manager or an officer designated by him shall investigate and dispose of such complaints within his power and shall make recommendations for alleviation of complaints to Council for these problems and complaints not within his power. The Manager shall prepare a written report on all actions taken to alleviate complaints and problems when requested by Council.
- J. Have the responsibility of performing all other proper duties as designated him by the Council, ordinances, and resolutions.

ADMINISTRATIVE DEPARTMENTS

Section 01. Departments. The Municipality shall have the following Administrative Departments, which shall be operated under the supervision of the Manager:

Department of Administration;
Department of Community Development;
Department of Public Safety;
Department of Public Works;
Department of Recreation and Parks;
Department of Law;

and such other Departments as may be created by amendment of this code.

Section 02. Directors of Departments. As provided in Section 702 (b) of the Home Rule Charter, the Manager with the consent of Council, shall appoint all Department Heads, each of whom shall be known as the "Director" of his Department. Department Heads shall be chosen solely on the basis of executive, administrative and technical qualifications appropriate to the functions and duties of their respective Departments, and shall be subject to removal at the discretion of the Manager, as provided in Section 702 (a) of the Home Rule Charter. Provided: The manager shall serve as the Director of any Department until the appointment of a separate Director shall be made.

Section 03. Duties of the Directors. Under the direction of the Manager, each Department Head or Director shall:

A. Direct employees in the performance of all duties and responsibilities required of the Department and its subordinate agencies as provided by law, by this Code, by any other Ordinance of the Municipality, or by Administrative policy and procedures directions, and such other duties as may be required by the Manager, and which are not in conflict with the law, the Home Rule Charter, or any other provision of this or any other Ordinance of the Municipality;

B. Be immediately responsible to the Manager for the effective administration of his Department and all activities and the functions assigned thereto;

C. Subject to the approval of the Manager, prescribe the internal organization of his Department and its constituent and subordinate agencies, the duties of subordinate officers and employees of the Department; and develop a detailed manual of department procedures for discharged departmental functions;

D. Assign functions, powers and duties to subordinate officers and employees within his Department and modify those assignments, subject to the authority of the Manager as set out in Section 202 B of this Ordinance;

E. Be responsible for the work of his Department and supervise and direct the work of the employees of his Department, measure the performance of the employees in accordance with approved procedures, and report regularly to the Manager;

F. Furnish to any Department or agency of the Municipality any service, labor, material and equipment that may be needed to perform a municipal function or service;

G. Prepare and submit to the Manager whatever reports the Manager may require, including periodic reports relating to Departmental activities;

H. Serve as staff officer to any Committee, Commission or Board that is assigned to his Department by the Manager;

I. Coordinate the activities and work of his Department with pertinent regional and area-wide programs and, if any program shall cease to be conducted on a regional or area-wide basis and shall be assigned by the Manager or the Council to his Department, superintend the incorporation of that program into his Department;

J. Provide the maximum level, quantity and quality of service within the limitations of the budget;

K. Be responsible for manpower planning within his Department;

L. Plan and execute appropriate training for Departmental personnel;

M. Recommend to the Manager policies and procedures designed to improve the quality of municipal functions and services.

N. Establish, maintain, and preserve a system of filing and indexing records and reports in sufficient detail, in order to furnish all information necessary for proper control of departmental activities and to form a basis for the periodic reports to the Manager.

Department of Administration.

A. The functions of the Department of Administration shall be the administration and direction of municipal activity pertaining to:

1. The receipt, expenditure, accounting, investment, custody and control of municipal funds, assets, and property, except to the extent that any such activity is expressly charged to any other Department, office, or agency;
2. The development and enforcement of personnel rules and regulations, participation in and direction of labor relations and contract regulations, training of personnel, and administration of the position classification system, the wage and salary plan, and the fringe benefit program for personnel;
3. The communication of information and ideas between the government and the people -- informing the public through the media, educating the public by presentation of specific information, and measuring public opinion and attitudes for the purpose of proposing new and/or modified programs or abandoning the existing ones;
4. The processing of facts and figures utilizing electronic data processing equipment for the purpose of analysis, efficiency, and economy; and
5. The purchase of materials and services for use by the Municipality pursuant to Article XIV of the Home Rule Charter, applicable ordinances, and administrative policies and procedures, the development of specifications for materials and services based upon the operational needs of municipality. The development and

administration of contractual documents with vendors, and the maintenance of inventory controls over purchase items in keeping with section 702 (q) of the Home Rule Charter, applicable ordinances, and administrative policies and procedures.

6. Cooperate with Library Board and employees to insure proper administration.

B. The Department of Administration shall be headed by the (Assistant Municipal Manager) who shall be responsible for the performance of the functions of that Department.

Section 05. Department of Community Development.

A. The functions of the Department of Community Development shall be the administration and direction of municipal activity pertaining to:

1. The review and enforcement of land use controls and regulations, as related in the Zoning Ordinance and other applicable law, including but not limited to:

- a. regulating height or number of stories and size of buildings;
- b. regulating the percentage of a lot that may be occupied by a building;
- c. specifying the size of yards, courts, and other open spaces;
- d. controlling the density (population) by use in relation to lot size;
- e. regulating location and use of building structures and land for commerce, industry, residence, or other purposes; and
- f. dividing municipalities into districts of such number, shape, and area as may best be suited to carry out the purpose of land-use planning.

2. The tabulation, preparation, and presentation of basic information on the Municipality of Monroeville including but not limited to:

- a. population
- b. economic characteristics
- c. land use
- d. public facilities
- e. transportation networks

3. The preparation or review, if consultants are retained; and maintenance of the comprehensive plan of the municipality including data collection, mapping, and analysis as required by law, or administrative directive.

4. The preparation, review, and maintenance of plans for human services including:

- a. the collection and analysis of data on social problems and the identification of resources to meet those problems;

- b. the development of a sound service referral service for residents for health care, equal opportunity employment, education opportunities, problem oriented counselling by recognized organizations;

- c. the coordination with the human services plan with the physical and economic development of the municipality.

5. The inspection of all work done pursuant to the provisions of the Zoning Ordinance, Building Code, the Subdivision Ordinance, and the coordination of structural inspections performed by other levels of government, and the issuance of permits required by law dealing with structural safety.

Department of Public Works.

A. The functions of the Department of Public Works shall be the administration and direction of municipal activity pertaining to:

1. The provision of engineering services including but not limited to:
 - a. street and highway design
 - b. sewer system design
 - c. traffic engineering
 - d. construction inspection of public works
 - e. rights of way
 - f. surveying
 - g. street construction
 - h. street lighting
 - i. traffic signalization
 - j. drainage system design
 - k. mapping and public works information keeping
2. The provision of special public works services including:
 - a. building custodial service
 - b. local government frequency radio maintenance and operation
 - c. vehicle maintenance
 - d. cost accounting
 - e. performance reporting
 - f. building and grounds maintenance

3. The provision of street maintenance services including but not limited to:
 - a. street repair
 - b. street cleaning
 - c. street marking and striping
 - d. snow removal and winter removal
 - e. street sign and traffic sign manufacturing and procurement
 - f. street sign and traffic sign installation and maintenance
 - g. storm sewer construction
 - h. storm sewer maintenance
4. The provision of park maintenance and street tree maintenance services.
5. The provision for collection of residential solid waste produced in the municipality and coordination of storage and disposal of solid waste and waste water treatment.
6. The provision of sanitary sewer services including:
 - a. sanitary sewer construction
 - b. sanitary sewer maintenance

Section 07.

Department of Public Safety.

- A. The functions of the Department of Public Safety shall be the administration and control of municipal activity pertaining to the protection of persons and property, except to the extent that any such activity is expressly charged to any other department, office or agency.

- B. The Department of Public Safety shall be responsible for the performance of the following functions:
1. The provision of police services which shall be divided into the following functional areas under the supervision of the director:
 - a. uniform services division which shall be responsible for protecting life and property, preserving the peace, suppressing crime, and the apprehension of violators of the law;
 - b. investigative services division which shall be responsible for the investigation of crimes, identification and apprehension of criminals, recovery of property, the identification and preservation of evidence, and for assistance in preparation of cases for court;
 - c. auxiliary services division which shall be responsible for the operation of departmental communications systems, the maintenance of departmental records, the safeguarding and protection of all persons and property in the custody of the department, the maintenance and operation of the lockup, and the maintenance of all property owned or operated by the department, including vehicle maintenance;
 - d. the office of the Public Safety Director shall provide the following staff functions to the entire police services unit:
 - (1) Administrative office responsible for the supervising and control of all matters related to unit personnel, the formulation of departmental policy, regulations, and procedures, the preparation and administration of grants and programs as approved by the Manager, other projects as desired and designated, and the preparation of statistical and written information designed to assess the criminal threat and evaluate unit efficiency in alleviating that threat,

- (2) Crime prevention program designed to communicate the essential principles and procedures in crime protection, alleviate, to the greatest extent, criminal trends within the municipality, and foster support from the public for police efforts in general,
 - (3) Traffic safety responsible for the administration and coordination of all matters related to traffic law enforcement, the direction of the parking enforcement program, and the supervision of the school crossing guard program,
 - (4) Training programs designed to maintain or enhance professional police service proficiency.
2. The coordination of fire suppression efforts involving the volunteer fire companies of the municipality as those efforts involve and affect the municipality.
 3. The coordination of emergency medical services involving the volunteer fire companies of the municipality as those efforts involve and affect the municipality and the preparation of a disaster relief program coordinating the capabilities of career service employees, fire company volunteers, and their respective resources.
 4. The inspection of all work done pursuant to the provisions of the Fire Code and the coordination of life safety inspections performed by other levels of government, and the issuance of permits required by law dealing with life safety. Also the issuance of those permits where the question of public safety is paramount, such as fire arms permits, vendor permits, parade and demonstration permits, etc.

Department of Recreation and Parks.

- A. The functions of the Department of Recreation and Parks shall be the administration and control of municipal activity pertaining to recreation programs and park and recreational facility utilization and operation.
- B. The Department of Recreation and Parks shall be responsible for the performance of the following functions:

. The administration, organization, and conduct of recreational programs for all citizens of the municipality;

. The development of procedures and regulations designed to facilitate park and other recreational facility utilization;

. The supervision of the park development program; and

. The planning of new and expanded recreational opportunities and park facilities.

Department of Law.

A. The functions of the Department of Law shall be the administration and control of municipal activity pertaining to all legal questions arising in conduct of municipal business.

B. The Department of Law shall be responsible for the performance of the following functions:

1. The provision of legal services which shall be divided into the following functional areas under the supervision of the Director:

a. land use and zoning division shall be responsible for provision of:

(1) legal advice and opinion to the Director, and Zoning Hearing Board, and attendance at scheduled meetings;

(2) participation in litigation of all legal actions and claims brought against the municipality involving planning, land use, and zoning matters which do not directly involve the Zoning Hearing Board;

(3) review of documents issued by the Zoning Hearing Board for legality;

(4) special legal services as designated.

- b. labor relations division which shall be responsible for provisions of:
 - (1) legal and technical services in regard to labor contract negotiations;
 - (2) drafting and/or review of labor contracts;
 - (3) representative at hearings involving labor contracts;
 - (4) participation in litigation of all legal actions brought against the municipality involving labor relations;
 - (5) legal advice and opinion to the municipality on matters pertaining to labor relations legal questions;
 - (6) special legal services as required.
2. The preparation and revision of ordinances or resolutions, when so requested by the Council, Manager, or any committee thereof;
3. The provision of legal opinions upon any legal matter or question submitted by the Council, Manager, or committee thereof;
4. The attendance at all Council meetings;
5. The litigation of all legal actions and claims brought by or against the municipality. Nothing herein is to prohibit the director of the department of law from representing the municipality when divisional functions are not staffed or recommending the retention of additional legal counsel;
6. The approval for legality of all contracts, agreements, or other legal documents executed by authorized municipal officials.

7. The provision of legal service to the police unit of the Municipality including but not limited to:

a. legal advice on criminal justice and traffic laws procedures, and rules;

b. legal representation in criminal justice matters involving the police unit and the career service employees of the police services unit as needed; and

c. legal opinion on the enforcement of municipal ordinances and proper procedures thereto.

FINANCIAL DISCLOSURE BY MUNICIPAL OFFICIALS

- Section 01. Purpose. Where government is based on the consent of the governed, every citizen is entitled to have confidence in the integrity of his government. In order to enhance citizen confidence in local government, the disclosure of financial interest of certain municipal officers and employees is required.
- Section 02. Disclosure of Financial Interest. Annually, by May 1 of each year the members of the Municipal Council, the Mayor, the Planning Commission, the Zoning Hearing Board, the Pension Committees, the Library Board, the Monroeville Water Authority, and all administrative employees, department heads, and senior level municipal employees grade 35 or equivalent and above shall complete a disclosure of financial interest form.
- Section 03. Disclosure Form. The Municipal Manager shall prepare a form for the disclosure of material financial interest which shall be submitted to and approved by the Municipal Council. The form shall include the disclosure of all real estate in the Commonwealth of Pennsylvania and offices, directorships, and salaried employment. It shall further include all other material financial interest in excess of \$1,000.00 including entities to whom compensated services have been furnished. For purposes of this section, material financial interest includes any personal and pecuniary interest accruing to an officer or employee or to a spouse or to any other relative who resides in the same household.
- Section 04. Maintenance of Form. The Municipal Manager shall provide for the maintenance of such forms which shall be available for public inspection upon written request.

ARTICLE IV

AUTHORITIES

Section 01. Authorities. Authorities, as referred to in this Article, shall mean those bodies, political and corporate, created under the Municipality Authorities Act of 1945 and other amendments.

Those Authorities that were established by the Municipality before the effective date of this Ordinance, or of which the Municipality became a member before the effective date of this Ordinance, shall continue in existence, under the provisions of the enabling legislation under which they were created, as previously or in the future supplemented or amended, or any of those Authorities may be terminated as provided by law.

FINANCIAL DISCLOSURE FORM
Monroeville, Pennsylvania

DISCLOSURE OF FINANCIAL INTERESTS

NAME _____ TITLE _____

DEPARTMENT, AGENCY, OR ORGANIZATIONAL UNIT _____

I. Employment Positions

List the names of all corporations, companies, firms, partnerships, joint ventures, non-profit organizations, educational or other institutions with which you, your spouse, or a relative residing in your household are connected as employee, officer, owner or director, member, trustee, partner, advisor, consultant, or stockholder or shareholder of shares in excess of \$1,000.00 value.

Name and Nature of Organization Address Position in Organization

II. Interest in Real Property

List all real property owned by you, your spouse, or any other relative who resides in your household located in the Municipality of Monroeville, State of Pennsylvania.

Common Address Legal Description Assessed Value
(Your residence) (not required) (not required)

III. Other sources of income over \$1,000.00 per annum.

List all sources from which you, your spouse, or a relative residing in your household receives in excess of \$1,000.00 not included in part I of this form.

Source of Income Address

NOTE: When any information listed in paragraphs I, II, or III above refers to your spouse or to a relative residing in your household, indicate same by placing an asterisk next to the information supplied.

The above information is complete and correct to the best of my knowledge and belief.

Signature

Date

ARTICLE VI

INTERPRETATION AND EFFECTIVE DATE

Section 01. Severability. If any provision of this Ordinance shall be held by any Court of competent jurisdiction to be invalid, the invalidity of the provision shall not affect any other provision of this Ordinance. It is the intent of Council that the remaining provisions of this Ordinance shall be given full force and effect as if the invalid provision had not been included in this Ordinance.

Section 02. Effective Date. This Ordinance shall become effective on the 1st day of January, 1976.

ENACTED AND ORDAINED into an Ordinance this 5th day of January, 1976.

MUNICIPALITY OF MONROEVILLE

ATTEST:

Marshall W. Bove
MANAGER

R. E. Drake
Mayor