

GERMAN TOWNSHIP

ORDINANCE NO. 07082014

AN ORDINANCE ESTABLISHING MINIMUM PROPERTY MAINTENANCE AND SAFETY STANDARDS, DUTIES OF CODE OFFICIALS, METHODS OF ENFORCEMENT AND PENALTIES FOR VIOLATION THEREOF.

**SECTION 101
GENERAL**

101.1 Title. These regulations shall be known as the Property Maintenance Code of German Township, hereinafter referred to as "this code".

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 102
APPLICABILITY**

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code

shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

102.4 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

103.1 Appointment. The code official(s) shall be appointed by the German Township Supervisors as they may, from time to time, determine.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such

expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premise is occupied and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

104.4 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.5 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

SECTION 105 APPROVAL

105.1 Modifications. Whenever there are practical differences involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation.

A. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be subject to the penalties and procedures set forth in Ordinance No. 07082014-1, or its successor.

B. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

**SECTION 107
NOTICES AND ORDERS**

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.

4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of the code.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified mail or first class mail addressed to the last known address; or
3. Posted in a conspicuous place in or about the structure affected by such notice.

107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.3 and 106.4.

107.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Parts. Whenever the words dwelling unit, dwelling, premises, building, rooming house, rooming unit, housekeeping unit or story are stated in this code, they shall be construed as though they were followed by the words or any part thereof.

SECTION 202 GENERAL

202.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

202.2 Responsibility. The owner of the premise shall maintain the structures and exterior prior in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

202.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 203 EXTERIOR PROPERTY AREAS

203.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

203.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

203.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

203.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

203.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, property precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

203.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

203.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

203.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

203.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 204 SWIMMING POOLS, SPAS AND HOT TUBS

204.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

204.2 Enclosures. Private swimming pools, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches

(1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self closing and self latching gates shall be maintained such that the gate will positively close and latch when release from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 205 EXTERIOR STRUCTURE

205.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to post a threat to the public health, safety or welfare.

205.2 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Township's Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting

materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;

10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting/ all load effects; or

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that is anchored with connections not capable of supporting all nominal loads and resisting, all load effects.

Exceptions:


1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the code official.

205.3 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

THIS ORDINANCE adopted at a public meeting of the German Township Board of Supervisors on the 8th day of July, 2014, shall be effective on the 13th day of July, 2014.

GERMAN TOWNSHIP SUPERVISORS

BY: 
Floyd Gladman

BY: 
Robert Belch

BY: 
Daniel Shimshock

Attest: 
Secretary

ORDINANCE 07082014-1

AN ORDINANCE SETTING CRIMINAL AND CIVIL FINES AND PENALTIES FOR ALL PRE-EXISTING ORDINANCES.

BE IT ENACTED and ORDAINED by The Township of German, Fayette County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

1. PURPOSE AND INTENT. The purpose and intent of this ordinance is to revise and amend the provisions of each and every Ordinance of German Township which pre-date the effective date of this ordinance.

2. CRIMINAL PROSECUTION AND PENALTIES. For each and every Ordinance which regulates building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution, the manner and method of criminal prosecution and penalties for violations thereof shall be as follows:

As a summary offense, before a District Justice in the same manner provided for the enforcement of a summary offense under the Pennsylvania Rules of Criminal Procedure. Any person who shall violate or fail to comply with any of the provisions of an ordinance shall, upon conviction thereof, in a summary proceeding before a District Justice, be sentenced to pay a fine of not less than one hundred (\$ 100.00) dollars nor more than one thousand (\$1000.00) dollars, costs of prosecution, restitution and/or a term of imprisonment up to ninety (90) days, per violation. Each day that a violation continues shall constitute a separate offense

3. CIVIL ENFORCEMENT AND PENALTIES. For each and every Ordinance which does not qualify for criminal prosecution pursuant to 53 Pa.C.S.A. 66601(c.1)(2) or which, in the discretion of the prosecuting officer, enforcement thereof is not warranted by filing a summary offense, then enforcement shall be as follows:

As a civil action in law or in equity, before a District Justice in the same manner provided for under the Pennsylvania Rules of Civil Procedure of District Justice Rules. Any person who shall violate or fail to comply with any of the provisions of an ordinance shall be assessed a civil penalty of not less than one hundred (\$ 100.00) dollars nor more than six hundred (\$600.00) dollars, court costs, restitution and reasonable attorney fees incurred by the Township in the enforcement of proceeding, per violation. Each day that a violation continues shall constitute a separate offense.

4. ABROGATION. The prosecution, enforcement and penalties provisions of this ordinance shall supersede such provisions of any and all other ordinances which may be in effect in any other ordinance heretofore adopted by the Township Supervisors, and the prosecution, enforcement and penalties provisions of any and all other ordinances heretofore in existence are hereby abrogated, repealed, revoked and rescinded.

5. SPECIFIC REPEAL. This ordinance specifically repeals German Township Ordinance 060804-3.

6. SEVERABILITY. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the ordinance which shall remain in full force and effect, and for this purpose, the provisions of this ordinance are declared to be severable.

APPROVED ON THE 8th DAY OF July 2014 BY 3 AFFIRMATIVE VOTES OF THE GERMAN TOWNSHIP SUPERVISORS.

EFFECTIVE ON THE 13th DAY OF July, 2014.



Robert Belch, Chairman



Floyd Gladman, Vice Chairman



Daniel Shimshock, Secretary

RESOLUTION 07072014-1

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF GERMAN PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS FOR THE 2014 BUDGET

WHEREAS the Board of Supervisors of German Township adopted a budget for the calendar year 2014 on December 20, 2013. and

WHEREAS the Second Class Township Code Article XXXII. Section 3202(e) authorizes the Supervisors to, by Resolution. make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year not otherwise appropriated. and

WHEREAS the township recently received \$199,386.72 in Act 13 of 2012 impact fee revenues from the Commonwealth. and

NOW, THEREFORE. be it resolved by the Board of Supervisors of German Township. makes the following supplemental appropriations for the 2014 budget from these impact fee revenues:

\$199,386.72 will be appropriated in the 2014 budget under the Road & Bridge Maintenance Line item.

THIS RESOLUTION WAS APPROVED AND ADOPTED ON THE 8th DAY OF July, 2014. UPON UNANIMOUS VOTE OF THE MEMBERS OF THE BOARD OF SUPERVISORS OF GERMAN TOWNSHIP.

ATTEST:



Daniel Shimshock, Secretary

BOARD OF SUPERVISORS OF
GERMAN TOWNSHIP:



Floyd Gladman III, Chairman

Resolution 07082014-2

TOWNSHIP OF GERMAN
FAYETTE COUNTY,
PENNSYLVANIA

A RESOLUTION APPROVING THE PROCEDURES FOR COMPLIANCE WITH THE PROCUREMENT OF PROFESSIONAL SERVICES PURSUANT TO THE PROVISIONS OF ACT 44 OF 2009.

WHEREAS, pursuant to Act 44 of 2009, each municipal pension system is required to develop procedures to select the most qualified person (company) to enter into a professional services contract; and

WHEREAS, said procedures are to ensure that the availability of a professional services Contract is advertised to potential participants in a timely and efficient manner; and

WHEREAS, the procedures are required to include applications and disclosure forms to be used to submit a proposal for review and to receive the award of a professional services contract; and

WHEREAS, the Township of German, Fayette County, Pennsylvania, desires to establish procedures for compliance with the procurement of professional service contracts pursuant to the provisions of Act 44 of 2009; and

WHEREAS, there is attached hereto the procedures to be used by the Township of German with respect to said procurement. A copy of said procedures is attached hereto, and made a part hereof, and marked as "EXHIBIT A".

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Board of Township Supervisors of the Township of German that said Township hereby approves the procedures for compliance with the procurement of professional service contracts pursuant to the provisions of Act 44 of 2009 as set forth in "EXHIBIT A" attached hereto.

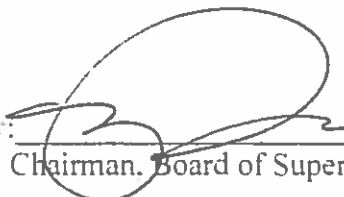
ENACTED AND RESOLVED this 8th day of July, 2014.

ATTEST:



Township Secretary

TOWNSHIP OF GERMAN

By: 

Chairman, Board of Supervisors

TOWNSHIP OF GERMAN MUNICIPAL PENSION SYSTEM

PROCEDURES FOR COMPLIANCE WITH THE PROCUREMENT FOR PROFESSIONAL SERVICE CONTRACTS PURSUANT TO THE PROVISIONS OF ACT 44 OF 2009

Introduction:

Each municipal pension system shall develop procedures to select the most qualified person to enter into a professional services contract. The procedures shall ensure that the availability of a professional services contract is advertised to potential participants in a timely and efficient manner. Procedures shall include applications and disclosure forms to be used to submit a proposal for review and to receive the award of a professional services contract.

The following represents the procedures adopted by this municipality for the purchase or provision of professional services for the Township of Dunbar Municipal Pension System including, but not limited to the following services: investment management, legal, actuarial and other consulting services.

1) Request for Proposal (RFP) Application(s) including disclosures:

Applications will be drafted at the time services are needed. The applications will address the applicant's qualifications, experience, expertise and compensation to be charged. An Act 44 compliant Disclosure Form will be included as part of the application. The award of a professional services contract is not subject to a requirement that the lowest bid be accepted.

2) Advertisement:

The Municipality shall advertise the availability of a Request for Proposal for a professional services contract to potential participants or candidates in a timely and efficient manner. An advertisement of such will include the following:

- a. The services that are the subject of the proposed contract;
- b. Specifications relating to the services;
- c. Procedures to compete for the contract;
- d. Required disclosures and additional information desired.

3) Review:

The evaluation process will involve several steps. The municipality will evaluate the initial responses to the RFP. The municipality will determine a list of finalists, interview finalists if desired and make a final decision. The criteria to be used in the evaluation process may differ depending on the type of professional services requested but all will include the following:

- a. The applicant's qualifications, experience, and expertise related to Pennsylvania municipal pension systems:
- b. The applicant's knowledge of Act 205 and other Pennsylvania municipal pension legislation:
- c. The applicant's approach to managing risk and research capabilities:
- d. The quoted fee(s) associated with the desired service(s) sought:
- e. The applicant's availability to meet with the municipal pension system's representatives for periodic reviews:
- f. The recommendations by other municipal pension systems serviced by the applicant:
- g. The ultimate confidence of the municipality as represented by the vote to accept the applicant in contract.

4) Personnel:

Prior to entering into a professional services contract, the contractor shall disclose the names and titles of each individual who will be providing professional services to the municipal pension system, including advisors or subcontractors of the contractor. Please note, existing service providers shall submit annual Act 44 related disclosures. Disclosures will include all of the following:

- a. Whether the individual is a current or former official or employee of the municipality:
- b. Whether the individual is a current or former registered Federal or State lobbyist:
- c. A description of the responsibilities of each individual with regard to the services provisions of the contract:
- d. The resume of an individual listed in the aforementioned disclosures shall be provided to the municipality upon request.

5) Conflict of Interest:

All RFP proceedings shall include a minimum restriction of one year on the:

- a. Participation by a former employee of a contractor or potential contractor in the review of a proposal or negotiation of a contract with that contractor:
- b. Participation by a former employee of the municipality in the submission of a proposal or the performance of a contract.

Additionally, all RFP proceedings shall include disqualification for:

- a. Any individual or entity that currently holds a professional services contract, which responds to, applies for, or otherwise solicits, a professional services contract, that has conveyed a gift having more than a nominal value to any municipal official or employee of this municipality since December 17, 2009; or
- b. Any individual or entity that currently holds a professional services contract, which responds to, applies for, or otherwise solicits, a professional services contract, that has made a political contribution to any parties, candidates or current office holders of or for this municipality since December 17, 2009.

Furthermore, all RFP proceedings shall include the following:

- a. A person or an affiliated entity that enters into a professional services contract with a municipal pension system may not have a direct financial, commercial or business relationship with any official of the municipal pension system or the municipality which controls the municipal pension system unless the municipal pension system consents in writing to the relationship following full disclosure:
- b. If a person that enters into, or has applied for, submitted an offer or bid for, responded to a RFP on or otherwise solicited, a contract with a municipal pension system or an officer, director or employee of a municipal pension system is aware, or reasonably should be aware, of an apparent, potential or actual conflict of interest, the person shall disclose the conflict and promptly eliminate the conflict.

6) **Public Information:**

Following the award of a professional services contract, all applications and disclosure forms shall be made public except for proprietary information or other information protected by law.

7) **Notification and Posting of Proceedings:**

Following the decision by the municipality of a finalist, the relevant factors that resulted in the selection for award of the professional services contract must be summarized in a written statement and included or attached to the documents awarding the contract. Within 10 days of the selection for award of the professional services contract, the original application, the RFP summary of proceedings and selection statement and all disclosure forms must be transmitted to all unsuccessful applicants and posted on the municipal pension system's website, if a website is maintained, at least seven days prior to the execution of the professional services contract.

8) **Increase:**

A professional services contract shall not be amended to increase the cost of the contract by more than 10% or \$10,000, whichever is greater, unless the increase and a written justification for the increase are public and posted on the municipal pension system's website, if a website is maintained, at least seven days prior to the effective date of the amendment.

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