

No. 2004-18

AN ACT

HB 1236

Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," further providing for shade tree commission members, their appointment, terms and vacancies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2902 of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, is amended to read:

Section 2902. Commission Members; Appointment; Terms; Vacancies.—[A] *(a) Except as provided in subsection (b), a shade tree commission shall be composed of three members who shall be residents of the township.*

[The] (b) The board of supervisors may, by ordinance, provide that the commission be composed of five members who shall be residents of the township.

(c) Whenever a shade tree commission of three members is established by any township, the initial terms of members shall be for periods of three years, four years and five years respectively. [All subsequent terms shall be for a period of five years.] On the expiration of the term of any shade tree commissioner, a successor shall be appointed by the board to serve for a term of five years.

(d) Whenever a shade tree commission of five members is established by any township, the board of supervisors shall appoint members to staggered terms so that one term expires every year. On the expiration of the term of any shade tree commissioner, a successor shall be appointed by the board to serve for a term of five years.

(e) Members of the commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.

(f) Vacancies in the office of shade tree commissioner shall be filled by the board of supervisors for the unexpired term.

Section 2. This act shall take effect in 60 days.

APPROVED—The 24th day of March, A.D. 2004.

EDWARD G. RENDELL