

ORDINANCE

AN OMNIBUS ORDINANCE AMENDING PROVISIONS IN THE CITY OF COATESVILLE'S BOARDS, COMMISSIONS AND COMMITTEES TO PROVIDE ATTENDANCE REQUIREMENTS AND PROCEDURES FOR REMOVAL, AND ESTABLISHMENT OF VACANCIES.

WHEREAS, the City of Coatesville is a Third Class City and Home Rule Municipality of the Commonwealth with a business address of One City Hall Place, Coatesville, Chester County, Pennsylvania; and,

WHEREAS, the City of Coatesville has noticed that problems have arisen as a result of members at its various Boards, Commission and Committees failing to regularly attend and participate in these Boards, Commissions and Committees; and

WHEREAS, in order to function properly, the City Council has determined that an appropriate policy needs to be inserted into the appropriate Ordinances creating and regulating the Boards, Commissions and Committees of the City to require regular attendance as a condition of the membership in same.

NOW THEREFORE, in consideration of the foregoing, the City of Coatesville establishes the following attendance requirements for its Boards, Commissions and Committees and accordingly with respect to the various Ordinances establishing Boards, Commissions and Committees each is amended by insertion of the following quoted language inserted to apply to each relevant Board, Commission or Committee as identified hereinafter:

- “(a) Any member of this (as applicable) Board, Commission or Committee absent from three (3) or more consecutive regular meetings of such Board, Commission or Committee without an approved leave of absence granted by the City Council after public hearing and prior written notice thereof shall be removed from such Board, Commission or Committee by the City Council of the City of Coatesville.

- (b) Any member of this (as applicable) Board, Commission or Committee absent from twenty (20) percent or more of the regularly scheduled meetings of such Board, Commission, or Committee within any 1 year period shall be notified in writing by the City Manager acting on behalf of the City Council of the attendance requirements of this section. Any member of a City Board, Commission or Committee who is absent from twenty (20) percent or more of the regular scheduled meetings within one (1) year period shall thereafter be removed for cause from such position by the City Council with prior written notice after public hearing unless such member resigns in writing or waives the public hearing in writing.

- (c) Any member of a City Board, Commission or Committee may be removed for

cause as determined by the City Council after public hearing and prior written notice thereof.

- (d) The provisions of this section shall not preclude the removal of any member of a City Board, Commission or Committee without cause by the City Council when authorized by State law, City Charter or City Ordinance.”

Section 136-15 Board of Housing Appeals is amended by adding a new subsection H. Attendance. (1), (2), (3), (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Board of Housing Appeals” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 214-7 Board of Use Registration Appeals is amended by adding a new subsection J. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Board of Use Registration Appeals” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Chapter 33 Parks and Recreation Commission Section 33-3. Creation of Parks and Recreation Advisory Board is amended by adding a new subsection A. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Parks and Recreation Advisory Board” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 190-16 J. Solid Waste Review Board is amended by adding a new subsection (3) Attendance. (a), (b), (c) and (d) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Solid Waste Review Board” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated.

Section 212-4 UCC Board of Appeals is amended by a new subsection A. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Board of Use Registration Appeals” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Article XVI Zoning Hearing Board, Section 224-83 Membership is amended by adding a new subsection D. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Zoning Hearing Board” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 115-20. Civil Service Board is amended by adding a new subsection A. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Civil Service Board” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 38-20. Control; Fire Fighters’ Pension Fund Commission is amended by adding a new subsection E. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Fire Fighters’ Pension Fund Commission” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Chapter 27. Historical Commission Section 27-6. Meetings; records; quorum is amended by adding a new subsection D. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Historical Commission” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 38-18. C. The Nonuniform Pension Commission is amended by adding a new subsection (1) Attendance. (a), (b), (c) and (d) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference

to the “Nonuniform Pension Commission” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated.

Chapter 41 Planning Commission Section 41-3. Membership; terms of office is amended by adding a new subsection D. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Planning Commission” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 38-3 Police Pension Commission; Police Pension Fund investment account is amended by adding a new subsection D. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Police Pension Fund” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Chapter 49 Reserve Trust Fund Section 49-3. Commission established; members; terms; duties and responsibilities is amended by adding a new subsection G. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Reserve Trust Fund” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Chapter 58 Technology Commission Section 58-6. Officers; rules and regulations; meetings is amended by adding a new subsection A. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Technology Commission” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Section 115-17. Advisory Fire Committee is amended by adding a new subsection E. Attendance. (1), (2), (3) and (4) as follows:

The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Advisory Fire Committee” substituted for “(as applicable) Board, Commission or

Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

Chapter 61 Vacant Property Review Committee Section 61-7 Officers; rules and regulations is amended by adding a new subsection A. Attendance. (1), (2), (3) and (4) as follows:

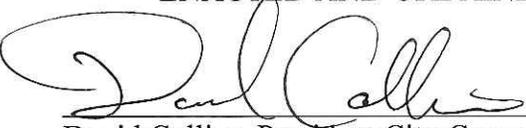
The above quoted subsections (a) through (d) are restated in their entirety with reference to the “Vacant Property Review Committee” substituted for “(as applicable) Board, Commission or Committee” and substituted as well for every reference to “Board, Commission or Committee” and said subsections (a) through (d) are restated and renumbered (1) through (4).

All other terms and conditions of the City Code shall remain in full force and effect.

If any portion of the Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then the portion and only that portion of this Ordinance, which is deemed to be unconstitutional, illegal or unenforceable, shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 22 day of April, 2013.



David Collins, President City Council

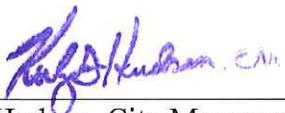
ATTEST:



Kirby A. Hudson, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 26th day of March, 2013, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 22nd day of April, 2013, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Kirby A. Hudson, City Manager