

Council of the City of York, PA
Session 2014
Bill No.
Ordinance No.

[Executive Summary](#)

INTRODUCED BY: **Carol Hill-Evans**

DATE: **August 19, 2014**

AN ORDINANCE

OF THE CITY COUNCIL OF THE CITY OF YORK PROVIDING FOR THE ESTABLISHMENT OF A CIVIL SERVICE BOARD IN ACCORDANCE WITH ACT 22 OF 2014 AND PROVIDING FOR THE WINDING UP OF AFFAIRS OF THE EXISTING YORK CITY POLICE CIVIL SERVICE COMMISSION AND YORK CITY FIRE CIVIL SERVICE COMMISSION; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

WHEREAS, pursuant to Act 22 of 2014, the Commonwealth of Pennsylvania made revisions to the Third Class City Code, the Act of June 23rd, 1931 (P.L.932, No. 317), as reenacted and amended June 28, 1951 (P.L.662, No. 164) as amended (Act 22 of 2014 shall be referred to in this Ordinance as the "Amendments"); and

WHEREAS, the Amendments provide that there will be one civil service board operative for both police officers and firefighters in Third Class Cities; and

WHEREAS, as of the effective date of Act 22 of 2014 and the date hereof, the City of York, in accordance with previous Pennsylvania Law, including the Third Class City Code and Act 272 of 1933 (the provisions of which relating to fire civil service commissions are being repealed by the Amendments), has separate civil service commissions for both police and fire, each of which have adopted its own rules and regulations and procedures; and

WHEREAS, City Council of the City of York is adopting this Ordinance to provide for the creation of a new single civil service board for both fire and police and for the winding up of affairs of both the existing Police Civil Service Commission and the existing Fire Civil Service Commission.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of York, York County, Pennsylvania, as follows:

SECTION 1. In accordance with Section 417 of the Amendments and codified at 53 P.S. 39402 et seq., City Council of the City of York hereby creates the City of York Civil Service Board to provide for and oversee the examination of applicants for appointment to and promotion to any position in the police or fire departments, which City of York Civil Service Board (the "Board") shall consist of three citizens who shall be appointed by City Council. The terms of such board members shall be four (4) years, or until their successors are appointed and qualified. The terms of those initially appointed to the Board, shall, however, be staggered with one person to serve for two years, one person to serve for three years and one person to serve for four years. All successive appointments shall be in accordance with Section 420 of the Amendments, codified at 53 P.S. 39403. If any vacancies occur, they shall be filled by the City Council for the unexpired term. Alternates may also be appointed by City Council in accordance with the Amendments.

SECTION 2. The appointments to and operation and authority of the Board shall be in conformity with and pursuant to Article XLIV of the Amendments.

SECTION 3. In accordance with Section 440 of the Amendments, any proceedings that have been initiated or are pending before the existing Police Civil Service Commission or Fire Civil Service Commission will continue before such applicable commissions until concluded.

SECTION 4. Until such time as the newly created Board shall adopt its own rules and regulations, it shall follow the existing rules and regulations adopted by the City Police Civil Service Commission and the City Fire Civil Service Commission with respect to appointments, hires, and promotion for police and fire personnel, respectively.

SECTION 5. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of York that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 7. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this _____ day of _____, 2014, by the Council of the City of York, York County, Pennsylvania, in lawful session duly assembled.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: _____, _____, _____, _____, _____

NAYS: _____.

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this _____ day of _____.

Approved: _____
Mayor Date

Vetoed: _____
Mayor Date