

**Amended Bill No. 19, Ordinance No. 18 of 2019**

ARTICLE 121  
Administration Generally

- 121.01 Legislative findings.
- 121.02 Departments authorized.
- 121.03 Department heads.
- 121.04 Rules and regulations.

CROSS REFERENCES

Investigation of departments by Council - see 3rd Class Charter  
Law §409 (53 P.S. §41409)  
Reports - see 3rd Class Charter Law §412 (53 P.S. §41412)  
Number, organization of departments - see 3rd Class Charter  
Law §415 (53 P.S. §41415)

121.01 LEGISLATIVE FINDINGS.

The General Assembly of the Commonwealth of Pennsylvania, by the Act of July 15, 1957, P.L. 901, has granted to the City of York and other third class cities of the Commonwealth of Pennsylvania, the right to adopt a home rule charter and a new form of government and to exercise broadly the power of local self-government. The residents of the City of York having elected to be governed under the Mayor-Council Charter Plan beginning January 1, 1962, this Administrative Code is hereby adopted to effectuate such adoption and to provide for the residents of the City of York, a progressive, efficient and economical

government. It is the purpose of this Code, in keeping with the “Optional Third Class City Charter Law” of 1957, to permit the broadest power of local self-government consistent with the Constitutions of the United States and of the Commonwealth of Pennsylvania and with Charter Law itself, and its provisions shall be read and interpreted in the light of such purpose. (Ord. 2-1962 §1.)

#### 121.02 DEPARTMENTS AUTHORIZED.

The City shall have the following departments under the supervision of the Mayor: Administration, Economic, Community Development, Police, Fire and Public Works. (Ord. 4-2011. Passed 2-1-11.)

#### 121.03 DEPARTMENT HEADS.

(a) Each of the Departments of the Mayor’s Administration shall be headed by a Director. The Police Department shall be headed by a Police Commissioner or Chief of Police, at the discretion of the Mayor. The Fire Department shall be headed by a Fire Chief.

(b) Each department head shall be appointed as provided in Section 123.04(d). A department head need not reside within the City at the time of an appointment by the Mayor, but shall within 120 days following his appointment, become a resident of the City and during the tenure of office shall reside within the City unless Council, by resolution, states otherwise. Each department head shall serve, subject to removal at the pleasure of the Mayor, during the term of office of the Mayor appointing the department head and until a successor is appointed and qualifies. Except for those employees under the Civil Service of the City, a department head may appoint, and with the approval of the Mayor, suspend or remove subordinate officers and employees within a department. In the case of a vacancy in the office of a department head, the Mayor may head one or more departments, **temporarily for a period not exceeding 12 month unless approved with the advice and consent of Council**, and have all of the powers and perform all of the duties of such department head or heads, until such vacancy is filled.

(c) Compensation of Department Heads: Upon this subsection taking effect, the department heads shall receive the same percentage of a cost of living increase approved by the Council for full-time, non-affiliated City employees in the annual City budget. Any additional salary increase or bonus or other change in salary proposed by the Mayor for department heads shall only take effect by approval of Council. (Ord. 5-2008. Passed 2-19-08.)

**(d) The Mayor may appoint an acting department head for a time period not to exceed 12 months unless the appointment of such acting department head has been subject to the advice and consent of Council. No individual may serve as an acting department head for more than 12 months during a Mayor's term of office unless approved with the advice and consent of Council.**

#### 121.04 RULES AND REGULATIONS.

(a) No rule or regulation made by any department, officer, agency, or authority of the City, except such as relates to the organization or internal management of the City, shall take effect until it has been approved as to form and legality by the City Solicitor, approved by the Mayor and filed with the Business Administrator and the City Clerk.

(b) The Business Administrator shall keep a record of all rules and regulations filed with him and shall publish them within sixty days after the date of filing. He shall, with the advice and assistance of the City Solicitor, bind, compile and codify all rules and regulations from time to time. (Ord. 2-1962 §605; Ord. 15-1969 §10.)