

ARTICLE 181
GENERAL PROVISIONS

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181.01 PURPOSE.

The operation of City of York government is a shared responsibility of elected officials, staff, and many citizens who serve voluntarily on various boards. The City is best served when there is broad representation of citizen demographics and interests on its boards, commissions, authorities, and committees. The City of York is sensitive to the need for fairness in making appointments to its boards. In making appointments, the Council will have as a goal the fair representation of all City of York citizens, taking into consideration age, sex, race and geographic distribution. The City wishes to appoint qualified, knowledgeable, and dedicated people to serve on its boards. The City will continuously solicit the interest and input of its citizens in making appointments. The City expects its appointees to take actions while serving on its boards, which are consistent with, and which uphold City policies pertaining to the area in which he or she is serving.

181.02 DEFINITIONS.

The following words and terms, when used in this article, shall have the following meanings:

- a) **“Board”** means boards, commissions, authorities and committees of the city.
- b) **“Oath of Office”** means a public pledge that a person will perform their duties, with the promise of doing so truthfully.

181.03 CREATION; REQUIREMENT OF STATE STATUTES AND/OR LOCAL ORDINANCES.

- a) The Mayor and City Council may by ordinance, unless otherwise provided by state statute or local ordinance, create boards which may perform the duties prescribed including, but not limited to, making studies, conducting research and investigations, holding hearings, and preparing recommendations as necessary to accomplish the mission and goals of the city.
- b) The Mayor and City Council may provide by ordinance, unless otherwise provided by law, for the manner of appointment, makeup, and composition of boards and their periods of existence.
- c) All appointments shall be consistent with the requirements of applicable state statutes or local ordinances.
- d) Appointments to boards made by the Mayor shall require City Council confirmation unless otherwise stated by state statute or local ordinance.

181.04 ELIGIBILITY FOR APPOINTMENT; APPLICATION.

- a) Eligibility for appointment shall be in accordance with applicable state statutes and/or local ordinances.
- b) Applicants must complete the board application to be considered for appointment.
- c) Completed applications for boards appointed by City Council shall be submitted to the City Clerk.
- d) Completed applications for boards appointed by the Mayor shall be submitted to a designee of the Mayor's staff.
- e) No one may serve on more than two appointed board positions at one time, unless exempted by nature of the position he or she may hold in governmental service.
- f) Applications received for boards without a vacancy shall be kept on file for at least 3 years.
- g) Reappointment of board members to the same board shall not require resubmission of an application.

181.05 SELECTION PROCESS; APPOINTMENT; OATH.

- a) All applications for a particular position will be returned in accordance with Section 181.04(c) and 181.04(d).
- b) The City Clerk shall forward all applications to City Council for appointments made solely by City Council and shall also forward the same to the Director with oversight of the board being applied to.
- c) The designee of the Mayor's staff shall forward all applications for appointments made by the Mayor to the Mayor and shall also forward the same to the Director with oversight of the board being applied to.
- d) The Director may, at his or her discretion, interview the applicant prior to making a recommendation for appointment.
- e) The Director shall submit their written recommendation for approval or denial of the application to the Mayor, City Council, City Clerk and the designee of the Mayor's staff within 20 days of receipt of the application. A recommendation by a Director for denial of an application shall be accompanied by a written explanation for the denial recommendation.
- f) Recommendations for appointment or reappointment to any board shall be provided to the City Clerk who shall place the appointment/reappointment on an upcoming legislative agenda for Council consideration of approval.
- g) All applications requiring Council confirmation for appointment shall be included in Council's agenda packet for the meeting in which the appointment is to be considered.
- h) Appointees to boards are required to take an oath of office which shall be submitted to the City Clerk prior to participating on the board to which appointed.

181.06 ATTENDANCE; REMOVAL.

The City has an expectation that appointees will be conscientious in their attendance at assigned meetings. Regular attendance ensures increased knowledge of the subject matter and more continuity in understanding activities surrounding the subject matter.

- a) Unless otherwise stated by state statute or local ordinance, three consecutive, unexcused absences or failure to attend fifty percent (50%) of the meetings of the board over the course of a six-month period on the part of any appointee automatically constitutes resignation by the appointee from said board and generates automatic acceptance of such resignation of the appointee by City Council or the Mayor, whichever the case may be. Excused absences are defined as absences caused by events beyond one's control and are subject to approval by the board to which the appointee is a member.
 - 1) If individuals refuse to resign, they may be removed by action of the City Council or the Mayor, as the case may be, unless said removal conflicts with state statute and/or local ordinance.
- b) In any case where the appointment to any board is made by the Mayor, the appointee may be removed at the pleasure of the Mayor, unless otherwise stated by state statute or local ordinance, and the vacancy thus created shall be filled for the balance of the unexpired term.
- c) Where an appointment to a board is made exclusively by City Council, an appointee may be removed at the pleasure of Council, unless otherwise stated by state statute or local ordinance, and the vacancy thus created shall be filled for the balance of the unexpired term.

181.07 VACANCIES.

- a) A list of open positions shall be made available on the city's website and identified by the word "Vacancy" or "Vacant" This procedure will be carried out by the City Clerk.
- b) The City Clerk shall identify and report to Council any vacancies appointed by City Council.
- c) The designee of the Mayor's staff shall identify and report to the Mayor any vacancies appointed by the Mayor.

181.08 NOTIFICATION; RESIGNATIONS.

- a) The City Clerk shall notify candidates for appointment to any board that Council appoints to that their application has been approved or denied. If approved, the City Clerk shall notify the candidate which City Council meeting their appointment will be presented for approval and request the candidate to attend said meeting.

- b) The designee of the Mayor's staff shall notify candidates for appointment to any board the Mayor appoints to that their application has been approved or denied. If approved, and Council confirmation is required, the designee of the Mayor's staff shall notify the candidate which City Council meeting their appointment will be presented for approval and request the candidate to attend said meeting.
- c) If possible, the candidate should attend the Council meeting in which their appointment will be considered so that the Oath of Office can be administered by the City Clerk once the appointment is approved.
- d) Appointees shall give written notice of resignation from their respective board to the chair of their board, as well as to the City Clerk and the designee of the Mayor's staff.

181.09 INFORMATION FOR BOARDS, COMMISSIONS, AUTHORITIES AND COMMITTEES.

- a) The City Clerk shall maintain up-to-date information on all appointments made by the City Council and the Mayor, as the case may be. The information shall contain:
 - 1. Name of each board.
 - 2. Functions of each board.
 - 3. Statute or cause creating said board.
 - 4. Current members, addresses, telephone numbers, and term expirations.
 - 5. Regular meeting day, time and location, if determined.
- b) The secretary or city liaison to each board shall ensure the City Clerk and designee of the Mayor's staff are notified of current officers, change of officers, resignations, and current contact information or change of contact information for each board member.

181.10 BYLAWS.

Each board may establish its bylaws, rules, and regulations not inconsistent with the city charter, local ordinances, or applicable state law, as it deems appropriate and necessary for its internal organization, election of officers, and the conduct of its affairs, copies of which shall be filed with the City Clerk.

181.11 COUNCIL LIAISONS.

To facilitate the transfer of information from boards, a Council liaison will be assigned to each board.

181.12 COMPENSATION.

No member of any board shall receive any compensation for his or her services, but he shall be reimbursed for any necessary expenses actually incurred by him or her in the performance of his or her official duties. Any board incurring or requiring the expenditure of funds in connection with its official duties shall request the same from the director of the department to which the board is attached. It shall be the duty of any such director to provide for such expenses and expenditures in his or her budget request for each fiscal year and to designate such provision as being for the work of the board and its members involved.

181.13 CONFLICT OF INTEREST.

- a) In the event an issue comes before a board and a member of that board has a financial-, personal-, or employment-related interest in the outcome of the issue, that member shall notify his or her fellow board members that he or she has a potential conflict of interest and will request that he or she be excused from voting, which shall be approved by a majority of the board members present.
- b) Members of boards that are required to submit a financial interest form pursuant to the provisions of the Public Official and Employee Ethics Act "Ethics Act," 65 Pa C.S. § 1101 et. seq., shall complete said form and return to the City Clerk on or before May 1st of each year.
- c) An appointee will not be considered for any employment vacancy in the agency or department where he or she is serving by appointment, unless the appointee resigns his or her seat on the city board in which they serve prior to employment, unless exempted by nature of the position he or she may hold in governmental service.