

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO.

ADMINISTRATION BILL NO. 15 - 2014

INTRODUCED – OCTOBER 14, 2014

ADOPTED BY COUNCIL - _____, 2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF LANCASTER TO PROVIDE FOR THE EXPANSION OF THE SHADE TREE COMMISSION; AUTHORIZING RESIDENCY AND MEMBER QUALIFICATIONS; PROVIDING FOR THE SHADE TREE COMMISSION TO MAKE AND ALTER BY-LAWS; REPEALING INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

WHEREAS, The "Pennsylvania Third Class Cities Code, Act of June 23, 1931, P.L. 932, No. 317, reenacted and amended June 28, 1951, P.L. 662, No. 164", as amended, (hereinafter referred to as "Third Class Cities Code") empowers Third Class Cities to provide for the establishment of shade tree commissions.

WHEREAS, The powers and duties of the Shade Tree Commission are set forth in Chapter 22, Article III, of the Code of the City of Lancaster; and

WHEREAS, City Council finds it necessary to amend the provisions of Chapter 22, to expand the Shade Tree Commission from three to seven members, and establish residency and member qualifications.

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

SECTION 1. The Code of the City of Lancaster, Chapter 22, Boards and Commissions, Article III, Shade Tree Commission shall be amended with the following:

Subsection 22-9, Establishment; members; compensation; powers and duties, shall be amended as follows:

A. There is established a Shade Tree Commission which shall consist of ~~three~~ seven members who shall serve without compensation and shall be appointed by the Mayor, by and with the consent of the Council. Such Commissioners shall be appointed for terms of three, four and five years, respectively, and on the expiration of any term, the new appointment shall be for five years. Any vacancies shall be filled for the unexpired terms only. The Shade Tree Commission hereby created shall have all the power and authority and shall perform all the

duties prescribed in the Act of Assembly approved May 31, 1907 (P.L. 349), and all subsequent amendments thereto.

B. The members of the Commission shall be residents of the City

C. A majority of the members should have direct experience in forestry, horticulture, landscape architecture, planning, zoning, environmental science, arboriculture, or related fields.

BD. The Shade Tree Commission shall perform the duties and have the powers prescribed by the Third Class City Code and City ordinances.

E. The Shade Tree Commission may make and alter bylaws and regulations to govern its procedures consistent with this article and the laws of the Commonwealth of Pennsylvania.

SECTION 2. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 3. 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 Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this ____ day of _____, 20____, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

Janet Spleen, City Clerk

By: _____
J. Richard Gray, Mayor