

ORDINANCE OF COUNTY COUNCIL

An Ordinance of County Council amending the Administrative Code at Section 2.07 in accordance with the Home Rule Charter of Luzerne County (the "Charter")

WHEREAS, Article VI of the Charter requires that an Administrative Code be established that sets forth a plan for the organization, administrative structure, procedures , and operations of the County government; and

WHEREAS, on June 19 2012, the County Council passed Ordinance 2012-5, which adopted an Administrative Code with the effective date of July 19, 2012; and

WHEREAS, Section 6.02 of the Charter states; "County Council may amend the Administrative Code by Ordinance"; and

WHEREAS, Article II, Section 2.07 of the Administrative Code deals with the Filling Vacancies in Elected Offices; and

WHEREAS, County Council wishes to amend the language in the Administrative Code Article II Section 2.07 to require County Council to prohibit any Board of Elections Certified Candidate from applying for any declared elected officials vacant position.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE LUZERNE COUNTY COUNCIL as follows:

SECTION ONE, Amendment of Article II, Section 2.07 of Administrative Code.

Section 2.07 currently reads as follows:

A. County Council shall fill vacancies in elected offices pursuant to Section 11.05 and 11.06 of the Luzerne County Charter.

B. Upon notification of a vacancy in elected offices, County Council shall seek applications by placing a notice in at least one newspaper of general circulation by distributing a notice to all relevant professional organizations, by publication on the County website, and by complying with the process in Section 7.05 of the Luzerne County Charter.

C. The aforesaid advertisement notice shall include a statement of the qualifications enumerated by the Charter and a date for applications to be received by County Council.

SECTION 2.07 (B) shall be amended to read as follows:

A. County Council shall fill vacancies in elected offices pursuant to Section 11.05 and 11.06 of the Luzerne County Charter.

B. Upon notification of a vacancy in elected offices, County Council shall seek applications by placing a notice in at least one newspaper of general circulation, by distributing a notice to all relevant professional organizations, and by publication on the County website.

C. The aforesaid advertisement notice shall include a statement of the qualifications enumerated by the Charter, Administrative Code and County Ordinances, and a date for applications to be received by County Council.

D. The statement of qualifications must include a provision which prohibits any person, which is currently a Certified Candidate by the Luzerne County Board of Elections, for the vacant Elected Office, from applying for the Vacant Elected Position by Luzerne County Council.

SECTION TWO. Effective Date.

This Ordinance shall take effect on the Fifteenth (15th) day following its enactment

SECTION THREE. Repealer.

Any Resolution or Ordinance or parts thereof that conflict with or are inconsistent with this Ordinance are hereby repealed to the extent of the conflict or inconsistency with this Ordinance.