

Date Introduced: _____, 2022

Introduced by: Council Member Stephen J. Urban

No 2022- _____
ORDINANCE

AN ORDINANCE OF THE COUNTY OF LUZERNE COUNTY COUNCIL AMENDING THE ADMINISTRATIVE CODE ADDING SECTION 7.03(A) PROHIBITIONS, 7.03(A)(1) ELECTION DROP BOXES, and 7.03(A)(2) AUTOMATIC SECTION REPEALER OF 7.03(A)(1)

WHEREAS, Luzerne County is a Third Class County in the Commonwealth of Pennsylvania governed by a Home Rule Charter that became effective January 2012; and

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

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

WHEREAS, on May 24, 2022, the County Council passed Ordinance 2022-06, which amended the Luzerne County Administrative Code; and

WHEREAS, Section 6:02 of the Charter states; "County Council may amend the Administrative Code by ordinance"; and

WHEREAS, Section VII of the Administrative Code is titled Elections;

NOW, THEREFORE, be it ordained and enacted by the Luzerne County Council by the authority of the same as follows:

The Luzerne County Council hereby directs the creation of Section 7.03, Subsection A. of the Luzerne County Administrative Code to be as prescribed:

A. Prohibitions

1) Election Drop Boxes

The County of Luzerne shall not permit, utilize, fund, or compensate any County Employee, Contractors, Third Party or any Non-Profit groups to logistically move any Election Drop Boxes for Primary, General or Special Elections throughout the County unless explicitly written into law within Pennsylvania C.S. Title 25: Elections, known as the Pennsylvania Election Code.

2) Automatic Section Repealer of 7.03(A)(1)

Upon any legislation passed by the Pennsylvania Legislature, signed and duly enacted by the Governor of Pennsylvania explicitly creating the legal usage of Election Drop Boxes, Section 7.03(A)(1) of the Administrative Code of the County of Luzerne shall be repealed by superseding applicable law.

SECTION TWO: Effective Date

This Ordinance shall become effective on the fifteen (15) day following its enactment by County Council.

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SECTION THREE: REPEALER

Any Ordinance or Resolution 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.

Enacted and Ordained at a meeting of Luzerne County Council held on the _____ day of _____ 2022.

Members of Luzerne County Council, Voted as follows:

	YEA	NAY
Bienias	_____	_____
Lescavage	_____	_____
Lombardo	_____	_____
McDermott	_____	_____
McGinley	_____	_____
Mitchell	_____	_____
Perry	_____	_____
Radle	_____	_____
Thornton	_____	_____
Urban	_____	_____
Wolovich	_____	_____

Chair, Luzerne County Council

Date: _____

Attests:

Clerk to Council, Luzerne County

Date: _____

County Manager, Luzerne County

Date: _____

Approve ____ Reconsider ____