

ORDINANCE NO. 05 – 2023

BOROUGH OF WEST CHESTER

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA AMENDING THE ADMINISTRATIVE CODE OF THE BOROUGH OF WEST CHESTER, CODIFIED IN CHAPTER 3 OF THE WEST CHESTER BOROUGH CODE, SECTION 3-37 TO ADOPT A NEW SECTION 3-37.K(2.1) AND 3-37.K(2.2) TO AUTHORIZE BOROUGH COUNCIL TO APPOINT TWO ALTERNATE MEMBERS TO THE CIVIL SERVICE COMMISSION.

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of West Chester as follows:

**SECTION 1.** Section 3-37.K shall be amended to adopt a new Section 3-37.K(2.1) which shall state as follows:

“**§3-37-K(2.1).** Council may appoint no more than two qualified electors of the Borough to serve as alternate members of the Commission. The term of office of the alternate members shall be six years. An alternate member may participate in any proceeding or discussion of the Commission but may not vote as a member of the Commission unless designated as a voting alternate member pursuant to Section 3-37.K(2.2).”

**SECTION 2.** Section 3-37.K shall be amended to adopt a new Section 3-37.K(2.2) which shall state as follows:

“**§3-37-K(2.2).** Three members of the Commission shall constitute a quorum. If, by reason of absence or disqualification of a member a quorum is not reached, the chair shall designate as many alternate members of the Commission to sit on the Commission as may be needed to provide a quorum. An alternate member of the Commission shall continue to serve on the Commission and all proceedings involving the matter or case for which the alternate was initially designated until the Commission has made a final determination of the matter or case. Designation of alternate members shall be made on a case by case basis in rotation according to declining seniority among the alternates.”

**SECTION 3.** Section 3-37.K(3) shall be revised to state as follows:

“**§3-37-K(3).** Members of the Civil Service Commission, including alternate members, shall hold no other office in the Borough.”

**SECTION 4. SEVERABILITY.** If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such

unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

**SECTION 5. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

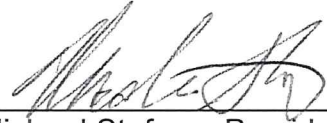
**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS 21st\_ DAY OF JUNE, 2023.

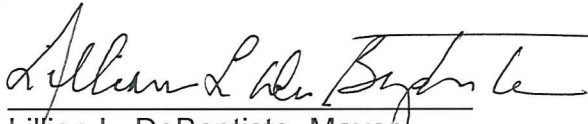
ATTEST:

**COUNCIL FOR THE BOROUGH  
OF WEST CHESTER**

  
\_\_\_\_\_  
Sean Metrick, Secretary

By:   
\_\_\_\_\_  
Michael Stefano, President

APPROVED THIS 21ST DAY OF JUNE, 2023.

  
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Lillian L. DeBaptiste, Mayor