

BOARD OF COMMISSIONERS,
COUNTY OF YORK,
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE 1998-05

ADDITIONS/AMENDMENTS TO THE YORK COUNTY CODE

AN ORDINANCE ADDING NEW SECTIONS OR AMENDING SECTIONS TO THE YORK COUNTY CODE TO REVISE THE SMOKE-FREE WORKPLACE POLICY, INCORPORATE THE BY-LAWS OF THE YORK COUNTY PLANNING COMMISSION, INCORPORATE THE PROCEDURE FOR THE YORK COUNTY PLANNING COMMISSION TO SELECT AND APPOINT A SOLICITOR, INCORPORATE THE YORK COUNTY ORGANIZATIONAL STRUCTURE, AMEND THE HOTEL TAX PROVISIONS TO CHANGE THE DEFINITION OF PERMANENT RESIDENT AND REQUIRING ALL OPERATORS TO FILE A TAX RETURN, INCLUDE THE YORK COUNTY REDEVELOPMENT AUTHORITY AS A COUNTY AUTHORITY AND ITS BY-LAWS, ESTABLISH A TIME AWAY NOTICE POLICY, AND AMEND AUTHORIZED AIRFARE TRANSPORTATION POLICIES.

IT IS HEREBY ORDAINED AND ENACTED, by the Board of Commissioners of the County of York, the following Ordinance adding new sections to or amending existing sections of the York County Code.

1. An amendment changing Sections 307-01 and 307-02 of the Code to redefine County designated smoke-free and smoking areas, as attached hereto and incorporated herein.
2. An addition to the Code incorporating the bylaws of the York County Planning Commission, as attached hereto and incorporated herein.
3. An addition to the Code incorporating the procedure of the York County Planning Commission to select and appoint a solicitor, as attached hereto and incorporated herein.
4. An addition to the Code incorporating the York County organizational structure, as attached hereto and incorporated herein.
5. An amendment changing Section 107-3 revising the definition of a permanent resident and Section 107-7 revising the requirements for filing a hotel excise tax return, as attached hereto and incorporated herein.
6. An addition to the Code incorporating the resolution dated January 24, 1963 establishing the York County Redevelopment Authority, as attached hereto and incorporated herein.
7. An addition to the Code incorporating the bylaws of the York County Redevelopment Authority, as attached hereto and incorporated herein.
8. An addition to the Code incorporating a time away notice policy for County employees, as attached hereto and incorporated herein.
9. An amendment changing Section 263-19 C to clarify County policy concerning air travel.

Ordained and enacted this 30th day of December, 1998.

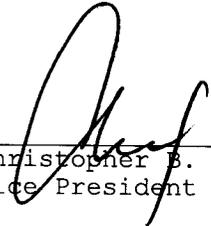
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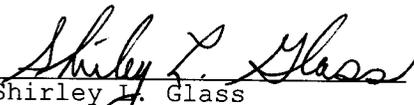
BOARD OF COMMISSIONERS

ATTEST:


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Administrator/Chief Clerk


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Vice President


Shirley L. Glass
Commissioner

BOARD OF COMMISSIONERS,
COUNTY OF YORK,
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO.

AMENDMENTS TO THE YORK COUNTY CODE

AN ORDINANCE AMENDING SECTIONS OF THE YORK COUNTY CODE TO CHANGE THE HOTEL EXCISE TAX DEFINITION OF PERMANENT RESIDENT AND REQUIRING ALL OPERATORS TO FILE A TAX RETURN.

IT IS HEREBY ORDAINED AND ENACTED, by the Board of Commissioners of the County of York, Commonwealth of Pennsylvania the following Ordinance amending sections of the York County Code, as follows:

York County Code, Part I, Chapter 107, Taxation, is amended as follows:

ARTICLE I

Section 107-3. Definitions.

Which reads:

PERMANENT RESIDENT - A person who has occupied or has the right to occupancy of a room or rooms in a hotel as a patron for a period exceeding 60 consecutive days.

Shall be amended and changed as follows:

PERMANENT RESIDENT - A person who has occupied or has the right to occupancy of a room or rooms in a hotel as a patron for a period exceeding 30 consecutive days.

Section 107-7. Filings.

Which reads:

The operator shall file a hotel excise tax return when paying the tax summarizing the consideration received.

Shall be amended and changed as follows:

All operators shall file, with the County Treasurer, a hotel excise tax return summarizing the taxable and non-taxable consideration received. The return shall be filed in accordance with the provisions of Section 107-6.

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January 21, 1963 Cont'd.

The Institution District Report showing 16 on the present waiting list was received from Mr. Rohrbaugh and accepted for file.

Notices of Viewers Meetings relative to property of J. S. Gleason, Jr., as Administrator of Veterans Affairs, Veterans Adm. Wilkes-Barre, Pennsylvania, George M. & F. Lorraine Grimshaw, the Cumberland County National Bank and Trust Company, Adm. of Est. of Edna M. Taylor and Kenneth R. and Doris Keller, all in Fairview Township were read to the Board.

The following Resolution establishing a York County Redevelopment Authority was unanimously adopted on motion of Mr. Kilgore and seconded by Mr. Fitzgerald:

WHEREAS there exists in certain communities in the County of York, areas which have become blighted because of the unsafe, unsanitary, inadequate or overcrowded condition of the dwellings therein or because buildings thereon, or the lack of proper light and air and open space or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or economically or socially undesirable land uses, and

WHEREAS such conditions or a combination of some or all of them have and will continue to result in making such areas economic or social liabilities, harmful to the social and economic well-being of the entire communities in which they exist, depreciating values therein, reducing tax revenues, and thereby depreciating further the general community-wide values, and

WHEREAS the General Assembly of the Commonwealth of Pennsylvania enacted the act known as the "Urban Redevelopment Law" approved the 24th day of May A.D. 1945, P.L. 991, its Supplements and Amendments, to provide for the creation of bodies corporate and politic to be known as Redevelopment Authorities and provided therein for the formation of such authorities for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they shall become available for economically and socially sound redevelopment in manner provided in said Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of York, the governing body of said County, that there is need for an Authority to function within the territorial limits of said County of York, and

BE IT FURTHER RESOLVED by the Board of Commissioners of the County of York that a certified copy of this resolution be filed with the Department of State and a duplicate copy thereof be filed with the Department of Commerce to the end that a Certificate of Incorporation shall be issued to the Redevelopment Authority of the County of York by the Secretary of the Commonwealth as provided in the aforesaid Act of Assembly.

*Not inadequate planning of the area of development covered by the

120

January 21, 1963 Cont'd.

At the request of the County Treasurer, Charles Dietz, Mr. Kilgore moved the County Treasurer be authorized to set aside \$5,000. from the County's General Operating Fund for utilization on a daily basis in this office. Mr. Fitzgerald seconded this motion which passed unanimously.

There being no further business, the meeting adjourned.

Carroll H. Leppo
Chief Clerk

January 24, 1963

The Board of County Commissioners met this day at 10:00 A.M. with the President, Mr. Busser, presiding. All members were present.

Minutes of the previous meeting were approved as read on motion of Mr. Kilgore, seconded by Mr. Fitzgerald and unanimously passed.

Bills were approved and authorization given for signing checks from the General Fund totalling \$78,259.58 on motion of Mr. Kilgore, seconded by Mr. Fitzgerald and unanimously passed.

A notice from the Pennsylvania Public Utility Commission inquiring as to whether or not the County objects to the modification of the Commission's Order issued February 19, 1962 concerning alteration of crossing where State Highway Route 123 crosses the track of the Pennsylvania Railroad Company, in the Borough of Dillsburg, was read to the Board. No objections were voiced by the Board, and the P.U.C. is to be notified as such.

The Annual Report from Children's Services for the year 1962 was received and accepted for file.

On motion of Mr. Kilgore, seconded by Mr. Fitzgerald, the following Resolution was unanimously adopted:

- At the regular meeting of the County Commissioners of York County, the following action was taken as required by Administrative Manual AM 25-2 "Federal Contributions for Civil Defense Personnel and Administrative Expense".

The pay range for the Civil Defense Chief of Shelter Service will be on a per diem basis of \$1.50 per hour, increased to \$1.55 per hour effective January 1, 1963, plus \$.10 per mile, with a Pay Range of \$1,200. as minimum, \$1,500. intermediate and \$1,800. as maximum.

This position was established by the York County Salary Board effective July 1, 1962. This position, Chief of Shelter Service, was filled August 1, 1962. The York County Civil Defense Chief of Shelter Service is now employed and being paid within this Pay Range.

BY-LAWS

of the

Redevelopment Authority of the County of York

ARTICLE I - Name

Section 101. The name of the Authority shall be "Redevelopment Authority of the County of York."

Section 102. Seal of the Authority: The Seal of the Authority shall be circular in form and shall bear the words "Redevelopment Authority of the County of York, Incorporated, 1964, Pennsylvania", as hereto attached.

Section 103. Offices of the Authority: The offices of the Authority shall be at Commissioners Office, York County Court House, York, Pa., but the Authority may have offices at such other place or places as the Authority may from time to time designate by resolution.

ARTICLE II - Officers

Section 201. Officers: The officers of the Authority shall be a Chairman, a Vice-Chairman, a Secretary-Treasurer.

ARTICLE III - Duties

Section 301. Chairman: The Chairman, as chief executive officer, shall supervise the Authority's affairs and activities. He shall preside at all meetings of the Authority and shall submit such recommendations and information as he may consider proper, or which he was directed by the Authority to obtain, concerning the business affairs and policies of the Authority. The Chairman and one other member of the Authority shall sign all contracts, deeds and other instruments to be made by the Authority, except as otherwise determined by a resolution of the Authority.

Section 302. Vice-Chairman: The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman. Upon the resignation or death of the Chairman, the Vice-Chairman shall perform all the duties of the Chairman until such time as the Authority shall elect a new Chairman.

Section 303. Secretary-Treasurer: The Secretary-Treasurer shall be the custodian of all official records and documents as well as of the seal belonging to the Authority. He shall have custody of all monies of the Authority and shall deposit same in the name of the Authority, and in such banks as the Authority shall direct. He shall sign all orders, vouchers, and checks for the payment of money and shall pay out and disburse such monies only at the direction of the Authority. He shall keep regular books of account showing receipts and expenditures and shall render to the Authority at each regular meeting or as otherwise directed by the Authority, an account of his transactions and also the financial condition of the Authority. He shall give a corporate bond for the faithful performance of his duties in an amount to be determined by the Authority. He shall be required to give notice of all annual, regular, and special meetings of the Authority as provided by these By-Laws. The Secretary shall have the power to affix the seal to all instruments and documents directed to be so executed by the Authority.

ARTICLE IV - Appointed Personnel

Section 401. Executive Director: The Executive Director shall have the general supervision over the administration of the business and affairs, and over the employees of the Authority subject to the direction of the Authority. It shall be his duty to countersign all checks, prepare all vouchers, and otherwise generally manage the affairs of the Authority, unless otherwise determined by the Authority. He shall not be a member of the Authority and shall be appointed by majority vote of the Authority members.

Section 402. Additional Personnel: Additional personnel as employed by the Authority, shall have such duties as the Authority or the Executive Director shall direct.

Section 403. Additional duties: The officers of the Authority shall perform other duties and functions as may from time to time be required by the Authority or the By-Laws and Regulations of the Authority.

Section 404. Solicitor: A Solicitor may be employed by a resolution approved by a majority vote of the Authority members.

Section 405. Assistant Secretary-Treasurer: The Assistant Secretary-Treasurer shall perform the duties of the Secretary-Treasurer in the absence or incapacity of Secretary-Treasurer. In the case of resignation or death of the Secretary-Treasurer, he shall perform the duties as are imposed on the Secretary-Treasurer until such time as the Authority shall elect a new Secretary-Treasurer. The Assistant Secretary-Treasurer may be a member of the Authority.

ARTICLE V - Elections

Section 501. The Chairman, Vice-Chairman, Secretary-Treasurer shall serve without compensation other than necessary expenses. The officers shall be elected at the first organizational meeting of the Authority and thereafter at the annual meeting of the Authority from among the duly appointed members of the Authority. They shall hold office for one year from the time of their election.

Section 502. Vacancies: Should the office of Chairman, Vice-Chairman, Secretary-Treasurer become vacant, the Authority shall elect a successor from its membership at a special meeting to be held not later than two weeks from the time the office became vacant.

ARTICLE VI - General Business

Section 601. At the annual meeting, the Authority shall select and employ an Executive Director whose duties shall be set forth in these By-Laws.

Section 602. Additional personnel may from time to time be employed by the Authority as is deemed necessary. Such personnel shall have the duties and functions as are prescribed by the several Acts of the Legislature governing Urban Redevelopment Authorities.

Section 603. By resolution, the Authority shall indicate who shall sign and countersign all vouchers, checks, contracts, reports and documents of the Authority; who shall be authorized to sign in the absence or incapacity of those so first authorized; in what bank or banks shall be kept the funds of the Authority; the duties of all officers and employees.

Section 604. "Reports, as may be required, shall be made to the Commonwealth of Pennsylvania."

Section 605. The Secretary shall give two days' notice in writing of the intention to increase the indebtedness of the Authority to all members of the Authority. However, if all members are present at any meeting, notice may be given of the intention to increase the indebtedness at the next meeting as determined by the Authority.

Section 606. Committees: The Chairman may appoint committees consisting of two members of the Authority as the exigencies of the occasion require.

ARTICLE VII - Meetings

Section 701. Annual Meetings: Annual meetings of the Authority shall be held each year at the regular meeting place of the Authority except when this date falls on a legal holiday, then the regular meeting shall be held on the next day after, that is not a Sunday or a legal holiday. The Secretary shall give two weeks' notice of annual meetings.

Section 702. Regular Meetings: Regular meetings shall be held at such times and places as the Authority shall determine by resolution. The Secretary shall give at least two days' notice of all regular meetings.

Section 703. Special Meetings: The Chairman of the Authority may, when he deems it necessary or expedient, and shall upon the written request of two members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting shall be delivered to each member of the Authority at least two full days prior to the meeting. At such special meeting, no business shall be considered other than is designated in the call, except that if all members are present and all consent, all business may be transacted at such meetings.

Section 704. Quorum: At all meetings of the Authority, three members shall constitute a quorum for the purpose of elections and transacting all other business. However, a small number may meet and adjourn until another time or until a quorum is present.

Section 705. Order of Business: At all meetings except special meetings, the following shall be the order of business: (1) Roll Call, (2) Reading and approval of the minutes of the previous meeting, (3) Bills and communications, (4) Reports of Officers and Executive Director, (5) Reports of Committee, (6) Unfinished business, (7) New business, (8) Elections (if these are to be held), (9) Adjournment. All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 706. Voting: The voting on all questions coming before the Authority shall be by roll call except in the case of elections. Upon a roll call, the ayes and nays shall be entered upon the minutes of such meetings. In the case of elections, the voting shall be by ballot.

ARTICLE VIII - Amendments

Section 810. Amendments: The By-Laws of the Authority shall be amended only upon written notice of intention to so amend the By-Laws given seven days prior to the meeting at which the By-Laws are to be amended. A quorum shall be sufficient to amend the By Laws.

AMENDMENT TO THE CODE OF YORK COUNTY, PENNSYLVANIA
ADDING A NEW SECTION TO CHAPTER 263, PERSONNEL POLICIES

Time Away Notices

A "Time Away Notice Form" shall be completed by all York County Directors and filed with the Commissioners' Office for absences of two (2) days or more. This Form should be filed in advance of planned travel or vacation. The purpose of this policy is to ensure that a responsible contact person has been assigned to act on behalf of a Director during his or her absence. This policy does not apply to elected officials.

TIME AWAY NOTICE

Submit to: COUNTY COMMISSIONERS OFFICE, 1 West Marketway, York,
PA 17401

I am planning to be absent on the following days: _____

Reason for absences: _____

The following is the contact person during my absence:

(name) (position)

Date: _____

Signed: _____

Department: _____

Please submit your intention for vacation, conference, convention, seminar, (etc.) days to the Commissioners Office at least two (2) weeks in advance of your time away from your office. This form should be submitted for one or more complete days of absence.

In case of late notice because of circumstances beyond your control, please call the President Commissioner's secretary with the information and follow up with submission of this form. Thank you.

AMENDMENT TO THE CODE OF YORK COUNTY, PENNSYLVANIA
DELETING THE EXISTING AND ADDING A NEW SECTION 263-19 OF
CHAPTER 263 PERSONNEL POLICIES

Section 263-19C of Chapter 263 of the Code of York County defining authorized air travel is repealed.

A new Section 263-19C of Chapter 263 of the Code of York County is added to read as follows:

C. The traveler shall select the lowest cost transportation available. Air travel shall only be approved if the cost of air travel is less than the cost of automobile reimbursement at the approved County mileage reimbursement rate, or if the total automobile round trip mileage exceeds six hundred (600) miles. First class air travel shall not be authorized or reimbursed.