

**BOARD OF COMMISSIONERS
COUNTY OF YORK
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE 2009-01

AMENDMENT TO YORK COUNTY CODE SECTION 263-44

AN ORDINANCE REPLACING SECTION 263-44 OF THE YORK COUNTY
CODE

**SECTION 263-44. CHILDCARE IN COUNTY-OWNED PROPERTY
PROHIBITED.**

A. **PURPOSE.** The County of York, as the owner of all real estate titled in the County of York or as lessee of certain real estate and/or buildings, has the right to establish ordinances to promote the health, safety and welfare of employees and visitors to real estate owned or leased by the County of York. Provision of childcare in property owned or leased by the County of York is not appropriate for a variety of reasons including, but not limited to:

- i. Provision of childcare constitutes a significant liability risk to the County of York.
- ii. Provision of childcare is a distraction to the parent and other employees.
- iii. County of York is not licensed to provide childcare on the premises of County of York owned or leased property.

B. **DEFINITIONS.**

Childcare - shall include regular or sporadic presence of a minor child for the purpose of watching and/or caring for the minor child.

County-Owed Property - shall include all real estate and buildings either titled in the name of the County of York or leased by the County of York or one of its dependents or

agencies.

C. PROHIBITED ACTIVITIES.

i. No employee of the County of York shall bring their minor child onto County-owned property or cause their minor child to be brought onto County-owned property for the provision of childcare.

ii. No employee of the County of York shall provide childcare on County-owned property.

iii. No County employee shall encourage or permit other County employees or visitors to provide childcare on County-owned property.

D. PERMITTED ACTIVITIES.

i. Childcare may take place in properly licensed facilities on County-owned real estate. For example, as of the date of this Ordinance, Kountry Kids located next to Pleasant Acres Nursing and Rehabilitation Center is such a licensed facility.

ii. County employees may bring their minor children onto County-owned property for the purpose of a scheduled event which permits the presence of children in the workplace. The employee must follow all policies associated with this event.

E. ENFORCEMENT

i. County of York reserves the right to file a civil action in the York County Court of Common Pleas to seek injunctive relief to require the offending party to cease and desist the provision of childcare on County-owned property.

ii. County of York reserves the right to seek reimbursement of reasonable counsel fees and costs of suit if the County is required to file a civil suit to enforce this Ordinance.

iii. The offending County employee may be disciplined as the result of violation of this Ordinance. The discipline may be termination if the employee is a repeat offender.

F. EFFECTIVE DATE

i. This Ordinance shall become effective immediately upon passage.

Ordained and enacted this 28th day of January, 2009.

ATTEST:



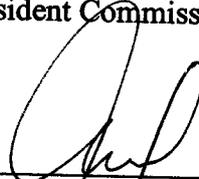
Charles R. Noll
Administrator/Chief Clerk

COUNTY OF YORK



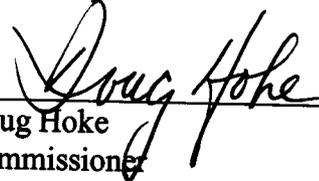
Steve Chronister
President Commissioner

(SEAL)



Christopher B. Reilly
Vice President Commissioner

(SEAL)



Doug Hoke
Commissioner

The above Ordinance was ordained, enacted, and adopted this 28th day of January 2009, at a regular meeting of the Board of Commissioners of the County of York duly advertised and assembled upon motion of Commissioner Hoke and seconded by Commissioner Reilly and passed with a vote of 3 yes and 0 no.

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