

CITY OF ST. MARYS

ORDINANCE NO. ____

REQUESTING THE ELK COUNTY BOARD OF ELECTIONS TO PLACE ON THE NOVEMBER BALLOT A REFERENDUM QUESTION TO AMEND THE CITY CHARTER TO CLARIFY THAT APPOINTMENT OR ELECTION TO A VACANCY DOES NOT AFFECT THE TERM LIMITS IMPOSED BY THE CHARTER.

WHEREAS, Section 304 of the Home Rule Charter states that no Council Member may serve for more than two terms consecutively;

AND WHEREAS, Section 402 of the Home Rule Charter states that the Mayor may not serve for more than two terms consecutively;

AND WHEREAS, Section 1003 of the Home Rule Charter states that any person elected to fill a vacancy shall be elected for the unexpired term;

AND WHEREAS, Section 1003 has been interpreted to include the unexpired term in the calculation of term limits imposed by Sections 304 and 402 of the Charter;

AND WHEREAS, City Council determines that applying unexpired terms against the term limits unnecessarily restricts service by citizens of the City in the elected offices of the City, to the detriment of City government;

AND WHEREAS, the Pennsylvania Home Rule Charter and Optional Plans Law allows for the amendment of home rule charters by referendum initiated at the request of the governing body of the municipal government; and the Pennsylvania Election Code requires that all municipal referenda be authorized by the county board of elections;

NOW, THEREFORE, the City of St. Marys, by City Council, ordains as follows:

Section 1. The Secretary of the City is directed and authorized to make a request to the Elk County Board of Elections to place on the November 2023 ballot for the City of St. Marys the following question:

“Shall Section 1003 of the St. Marys Home Rule Charter be amended by adding the following sentence: **“Any term of office filled by appointment or election under this Section shall not be included in calculating the term limits imposed by Sections 304(b) and 402 of this Charter.”**”

Section 2. If the proposed amendment is approved by the electors at the November 2023 election, it shall be interpreted to retroactively apply to all prior appointments or elections which have occurred under Article X of the Home Rule Charter.

Adopted this ____ day of _____, 2023.

CITY OF ST. MARYS, by:

ATTEST:

Mayor

Secretary