

ORDINANCE NO. 1381

AN ORDINANCE AMENDING CHAPTER 50, SECTION 50-3, OF THE CODE OF THE BOROUGH OF CATASAUQUA, RELATING TO THE BOROUGH MANAGER, TO AMEND THE RESIDENCY REQUIREMENT AT SECTION 50-3

SECTION 1: LEGISLATIVE HISTORY AND BACKGROUND

WHEREAS, pursuant to §1141 of the Pennsylvania Borough Code, 8 Pa.C.S.A. §101, *et. seq.*, (hereinafter, "Borough Code") the Borough of Catasauqua (hereinafter, "Borough") created by ordinance the office of Borough Manager; and

WHEREAS, pursuant to Chapter 50, Manager, of the Code of the Borough of Catasauqua (hereinafter, "Code") the Borough created the office of Borough Manager and set forth requirements for the office; and

WHEREAS, Sub-section 50-3 of the Code, relating to the Qualifications of the Borough Manager, includes a requirement that during his tenure, the Manager "shall remain, a resident of the Borough of Catasauqua;" and

WHEREAS, Borough Council of the Borough of Catasauqua (hereinafter, "Council") finds that the strict residency requirement for the Borough Manager unnecessarily limits the residency options for qualified candidates; and

WHEREAS, Council desires to amend Chapter 50 the Code to revise the residency requirement for the Borough Manager and related provisions contained in Sub-section 50-3.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Catasauqua, Lehigh County, Pennsylvania, as follows:

SECTION 2: ORDINANCE TEXT

1. Sub-section 50-3 of Chapter 50 of the Code of the Borough of Catasauqua, titled "Qualifications," is deleted in its entirety, and the following is substituted therefor:

"The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to his actual experience in or his knowledge of accepted practices in respect to the duties of his office as herein outlined. The Manager need not be a resident of the Borough of Catasauqua or of the State of Pennsylvania at the time of his appointment, however within sixty (60) calendar days of his first day of work as Manager, he or she shall establish, and thereafter maintain, a residence within a fifteen (15) air mile radius of Borough Hall."

SECTION 3: SAVINGS CLAUSE

The provisions of this Ordinance are severable, and if any provisions hereof are declared illegal or invalid on constitutional or statutory grounds by any court of competent jurisdiction, then those provisions not specifically declared illegal or invalid shall remain in full force and effect.

SECTION 4: PROTANTO REPEAL

All Ordinances inconsistent herewith shall be and the same are hereby repealed to the extent of such inconsistency.


SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect immediately upon Mayoral approval or as otherwise provided in §3301.3(b)(2) or (3) of the Borough Code.

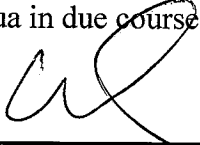
ENACTED, ADOPTED AND ORDAINED on this 6th day of May, 2019.

BOROUGH OF CATASAUQUA

BY: 
Brian McKittrick, Council V.P.

ATTEST: 
Steve Travers, Secretary

AND NOW, this 6th day of May, 2019, the above Ordinance is hereby **APPROVED** by the Mayor of the Borough of Catasauqua in due course.


Vincent Smith, Acting Mayor
Borough of Catasauqua