

**BANGOR BOROUGH
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 974

AN ORDINANCE OF THE BOROUGH OF BANGOR, NORTHAMPTON COUNTY, PENNSYLVANIA, ABOLISHING ALL WARDS AND PROVIDING FOR THE ELECTION OF SEVEN MEMBERS OF COUNCIL AT LARGE IN A MANNER AS NOT TO INTERFERE WITH THE TERMS OF THOSE PREVIOUSLY ELECTED, REPEALING ALL INCONSISTENT ORDINANCES OR PORTIONS THEREOF, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Pennsylvania Borough Code, 8 Pa. C.S. § 601, grants the Bangor Borough Council the right to abolish all wards by Ordinance; and

WHEREAS, the Pennsylvania Borough Code, 8 Pa. C.S. § 816, requires the Ordinance abolishing all wards to provide for the election of seven members of Council at large; and

WHEREAS, the Bangor Borough Council believes that the abolishment of all wards and a reduction in the number of Council members is in the best interests of the public; and

WHEREAS, the Borough of Bangor, Northampton County, Pennsylvania desires to abolish all wards, to reduce the number of Borough Council members to seven, and to provide for the election of seven members at large in a manner that does not interfere with the terms of current Council Members.

NOW, THEREFORE, it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania, as follows:

Section 1. Wards Abolished

All wards in the Borough of Bangor are hereby abolished.

Section 2. Number of Council Members and Election Schedule Set

That, seven members of council shall be elected at large in a manner as not to interfere with the terms of those members of Council previously elected as set forth in Section 816 of the Pennsylvania Borough Code, 8 PA. C.S. § 816, and is provided below:

1. At the first municipal election following the effective date of this Ordinance, the electors of the Borough shall elect three members of Council which, when added to the number

of members of Council already in office whose terms are not about to expire, will bring the membership of the Council to seven.

2. In addition, the following shall apply:

- a. The newly elected members of Council shall serve for terms of four years from the first Monday of January following the first municipal election following the effective date of this Ordinance. At the second municipal election after the effective date of the Ordinance, the electors of the Borough shall elect four members of Council, that, when added to the number of members of Council elected at the previous municipal election, shall bring the members of Council to its full complement of seven. Three of the members of Council elected at the second municipal election shall serve for a four-year term following the first Monday of January following the municipal election, and the remainder shall serve for a two-year term. This will bring the number to be elected in the Borough in succeeding municipal elections into conformity with the number elected in the other boroughs of the Commonwealth not divided into wards.
- b. In the third municipal election following the effective date of this Ordinance, the electors of the Borough shall elect four members of Council, each to serve for a term of four years from the first Monday of January following the municipal election.
- c. In the fourth and subsequent municipal elections following the effective date of this Ordinance, the electors of the Borough shall elect three or four members of Council, as the case may be, each to serve for a term of four years from the first Monday of January following the municipal election.

Section 3. Vacancies in Office

At any time following the effective date of this Ordinance, when a vacancy may occur in the office of a member of Council originally elected or appointed from a particular ward, the individual appointed to fill the vacancy shall not be required to be a resident of the area formerly comprising the ward, but shall be otherwise qualified for office as provided in the Pennsylvania Borough Code 8 PA. C.S. § 816.

Section 4. Notice of Elimination of Wards

The Secretary of the Borough is hereby authorized and directed to forward a copy of this Ordinance and all statutorily required notices to the Northampton County Board of Elections.

Section 5. Authority

That, the Borough intends for this Ordinance to be fully interpreted and implemented in compliance with the Pennsylvania Borough Code pursuant to 8 PA. C.S. § 601(a)(6).

Section 6. Repealer

All Ordinances, or parts thereof, that conflicts with this Ordinance is hereby repealed.

Section 7. Severability

If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance. Borough Council hereby declares that it would have adopted this Ordinance and each section, sub-section, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

Section 8. Effective Date

This Ordinance shall take effect immediately upon its adoption.

ORDAINED AND ENACTED into an Ordinance this 23rd day of April, 2018.

Borough Council of the Borough of Bangor

BY: James W Kresge
James Kresge, President

ATTEST: Janelle Hauff
Janelle Hauff, Secretary

APPROVED by the Mayor this 25 day of April, 2018.

BY: Brooke Kerzner
Brooke Kerzner, Mayor