

TO THE RESIDENTS OF THE BOROUGH OF MIDDLETOWN

Notice is hereby given that the Borough Council of the Borough of Middletown will consider for adoption the following Ordinance at the Regular Business Meeting on December 6, 2022 at 7 P.M. in the Council Chambers of Middletown Borough Council located at Borough Hall, 60 West Emaus Street, Middletown, PA 17057.

ORDINANCE NO. 2022-1401

AN ORDINANCE OF THE BOROUGH OF MIDDLETOWN, DAUPHIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 66 (PUBLIC WORKS, DEPARTMENT OF), TO ESTABLISH THAT BOROUGH COUNCIL MAY, AT ITS DISCRETION, APPOINT BY RESOLUTION MORE THAN ONE SUPERINTENDENT TO OVERSEE THE ELECTRIC DEPARTMENT AND THE HIGHWAY/PROPERTY DEPARTMENT

WHEREAS, Section 1006 and 1101 of the Borough Code authorizes the Council of the Borough of Middletown to determine the hiring and compensation of employees (8 Pa. C.S. §§ 1006 and 1101); and

WHEREAS, Borough Council previously enacted, and from time to time has amended, Chapter 66 of the Code of the Borough of Middletown ("Middletown Code"); and

WHEREAS, the Borough has determined that additional oversight of the various departments within the Public Works may be warranted to ensure the health, safety and welfare of the residents of the Borough; and

WHEREAS, the Borough wishes to amend Chapter 66 of the Middletown Code as provided herein.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the authority of the Borough Council of the Borough of Middletown, Dauphin County, Pennsylvania, that the Middletown Code, Part I (Administrative Legislation), Chapter 66 (Public Works, Department of) is hereby amended as follows:

- I. **AMENDMENTS.** Part I (Administrative Legislation), Chapter 66 (Public Works, Department of), of the Middletown Code is hereby amended by deleting the bracketed language and adding the bolded and underlined language:

Section 1: Section 66-4 of the Code shall be amended as follows:

§ 66-4. Superintendent and Assistant Superintendent

- A.** There is hereby established the offices of Superintendent and Assistant Superintendent, which shall be responsible for performing those duties assigned by the Director of the Department of Public Works.
- B.** The Borough Council may, **at its discretion**, appoint by resolution [the] **a Superintendent of the Electric Department and a Superintendent of the Department of Highway/Property** [and Assistant Superintendent] who shall each

report to the Director of the Department of Public Works. The Superintendents shall report to the Borough Manager whenever the position of the Director of the Department of Public Works is vacant.

C. The Borough Council may, at its discretion, appoint by resolution Assistant Superintendents who shall each report to the Superintendent of their respective Departments.

- II. SEVERABILITY.** If any section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or Chapter 66 of the Middletown Code as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter 66 of the Middletown Code. Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, phrase and word thereof, irrespective of the fact that any one or more of those sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.
- III. REPEALER.** All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.
- IV. EFFECTIVE DATE.** This Ordinance shall become effective in accordance with applicable law.

If you would like to obtain a copy of the proposed Ordinance prior to the Regular Business Meeting, please contact the Borough Secretary at 717-902-0706 or at gmiller1@middletownborough.com.

BOROUGH OF MIDDLETOWN
Grace Miller, Borough Secretary