

**UNION CITY BOROUGH
ERIE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1128

**AN ORDINANCE OF UNION CITY BOROUGH
ABOLISHING ALL WARDS WITHIN THE BOROUGH;
PROVIDING FOR A REPEALER, SEVERABILITY, AND
AN EFFECTIVE DATE.**

WHEREAS, the Union City Borough (the "Borough") has historically operated two Wards, within the Borough which have served to delineate Borough Council election districts within the Borough; and

WHEREAS, section 601 of the Borough Code provides that the Borough Council has the power, by ordinance, to "abolish all wards," 8 Pa.C.S.A. §601(a)(6); and

WHEREAS, the Borough Council has determined that the continuation of the ward system unnecessarily limits the ability of citizens to run and hold local office, and limits the ability of Borough citizens to consider all candidates for local office; and

WHEREAS, the Borough Council finds that abolishing wards, and allowing each elector of the Borough to consider all candidates for local office, promotes the general welfare of the Borough; and

WHEREAS, section 816 of the Borough Code, 8 Pa.C.S. §816, requires that the Borough increase the number of council members to seven, and provides for a methodology to align the election schedule as such; and

WHEREAS, the Borough Council's intent in adopting this Ordinance is to abolish wards in compliance with all aspects of the Borough Code.

NOW THEREFORE, this 28th day of January, 2020, be it **ENACTED AND ORDAINED** by the Borough Council of the Union City Borough, Erie County, Pennsylvania as follows:

1. Recitals. The recitals described above are incorporated herein as if more fully set forth.
2. Abolishment of Wards. That all wards historically established within the Borough of Union City are hereby abolished.
3. Direction to Borough Secretary. That the Borough Secretary shall forward a copy of this Ordinance to the Erie County Board of Elections as soon as practicable after adoption.
4. Compliance with Pennsylvania Election Code. That the abolishment of all wards has the effect of combining election districts within the Borough, and such combination comprises the entirety of the original boundaries of the election districts which were combined.

5. Election of Members of Council Where Wards Abolished.

a. That at the first municipal election following the effective date of this Ordinance, the electors of the Borough of Union City shall elect a sufficient number of members of council that, when added to the number of members of council already in office whose terms are not about to expire, shall bring the membership of council to a complement of seven (7).

b. Of the newly elected members of council, either three or four, as necessary to bring the number of members of council to be elected in the Borough in succeeding municipal elections into conformity with the number elected in other Borough's of the Commonwealth not divided into wards, shall be elected for four-year terms of office, beginning the first Monday of January following the first municipal election, and the balance shall be elected for two-year terms.

c. At the second municipal election following the effective date of this Ordinance and at all subsequent municipal elections, the electors shall elect three or four members of Council, as the case may be, to serve for a term of four years from the first Monday of January following the subsequent municipal election.


6. Repealer. Any ordinances, rules or resolutions, or parts of ordinances in conflict herewith shall be, and the same are hereby repealed.

7. Severability. The provisions of this Ordinance are severable. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

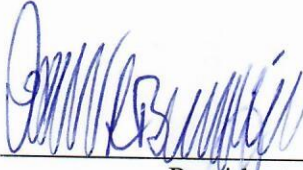
8. Effective Date. This Ordinance shall become effective immediately upon its proper execution by the Borough Mayor.

DULY ENACTED AND ORDAINED this 28th day of January, 2020 by the Borough Council of the Union City Borough, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

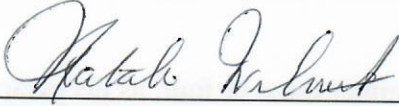


 Cindy Wells, Secretary



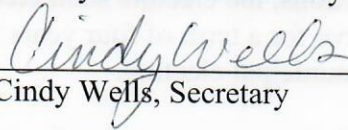
 President

APPROVED



Natalie Wilmoth, Mayor

I certify that the above is a true copy of the Union City Borough, Erie County, Pennsylvania, Ordinance No. 1128, adopted by the Union City Borough Council on January 28, 2020, and advertised in the Corry Journal on January 16, 2020.


Cindy Wells, Secretary

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