

BILL NO. 4 OF 2022

INTRODUCED: October 18, 2022

BY: Mayor Greg Lincoln

ENACTED: November 15, 2022

ORDINANCE NO.: 1565

CITY OF CONNELLSVILLE
FAYETTE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1, PART 12 OF THE CODIFIED ORDINANCES OF THE CITY OF CONNELLSVILLE RELATING TO CIVIL SERVICE RULES, EXAMINATIONS, HIRINGS, AND PROMOTIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Connellsville previously adopted ordinances relating to Civil Service rules, examinations, hiring, and promotions, which ordinances have been codified at Chapter 1, Part 12 of the Codified Ordinances of the City of Connellsville; and

WHEREAS, the City Council of the City of Connellsville desires to update Chapter 1, Part 12 of the Codified Ordinances of the City of Connellsville in various respects, including to render them consistent with existing Civil Service rules, regulations, procedures, and practices; and

WHEREAS, the City of Connellsville has commissioned a Civil Service Commission, which is also referred to as a Civil Service Board, for the purpose of fulfilling various requirements relating to the hiring and promotion of certain positions within the City; and

WHEREAS, the City of Connellsville has the power to enact ordinances, resolution, rules, regulations, procedures, and practices relating to the Civil Service Commission, including hirings and promotions, pursuant to the Third-Class City Code, 11 Pa.C.S.A. § 14401, et seq.; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12435, affords the City of Connellsville with the power “to enact, make, adopt, modify, repeal and enforce, in accordance with this part, ordinances, resolutions, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth that are either of the following: (1) Expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) Necessary to the exercise of the powers and authority of local self-government in municipal affairs.”

BE IT ENACTED AND ORDAINED by the City Council of the City of Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. Amendment of Ordinance 1148 and Section 1-1214 of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Ordinance No. 1148, by deleting Section 1-1214 of the Codified Ordinances of the City of Connellsville and replacing it with the following:

- “1. There shall be administered by the Civil Service Commission a written examination on practical police skills and knowledge (and any and all subjects deemed proper or necessary by the Commission), which shall constitute 55% of the score, or such other percentage as may be adopted, in advance of such examination, by resolution of the City Council. An oral examination by the Civil Service Commission shall be made of each candidate who passes the written examination. This oral examination shall constitute 45% of the score towards promotion.
2. In case of tie scores, then preference shall be given according to seniority.
3. For purposes of this Part, any evaluation committee shall consist of the members of the Civil Service Commission.”

Section 2. Amendment of Ordinance 1148 and Section 1-1215 of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Ordinance No. 1148, by deleting Section 1-1215 of the Codified Ordinances of the City of Connellsville and replacing it with the following:

- “1. The three persons who receive the highest scores on the accumulation of the written and oral examinations, evaluation and addition of seniority points shall be certified to City Council on a list of eligible persons. The Mayor shall nominate one person from said list for promotion. Council shall then vote on the nomination.
2. All such promotions shall be on a probationary status for a period of 1 year and if such person obtains a satisfactory rating as hereinafter set forth, then that person shall be placed in a permanent status as to such promotion, unless otherwise extended by the Mayor and Chief of Police.”

Section 3. Amendment of Ordinance 1148 and Section 1-1217 of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Ordinance No. 1148, by deleting Section 1-1217 of the Codified Ordinances of the City of Connellsville and replacing it with the following:

“The written examinations referred to shall be given at such times as may be designated by City Council, except that if vacancies shall occur and no persons

shall be qualified for promotion under this Section, then an examination may be given at the earliest practicable date for that vacancy, said test and the list derived therefrom to be good for a period of 2 years.”

Section 4. Amendment of Ordinance 1148 and Repeal of Section 1-1219 of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Ordinance No. 1148, by repealing Section 1-1219 of the Codified Ordinances of the City of Connellsville in its entirety.

Section 5. Adoption of Third-Class City Code Civil Service Provisions by Reference. The City Council hereby adopts the Civil Service provisions of the Third-Class City Code, 11 Pa.C.S.A. § 14401, et seq., by reference. In the event of any conflict between the provisions of the ordinances of the City of Connellsville or any Civil Service rule, regulation, procedure, and practice with the mandatory requirements of the Third-Class City Code, the conflicting provision of the Third-Class City Code shall govern.

Section 6. Adoption of Civil Service Rules and Regulations. The City Council hereby authorizes the adoption or amendment of Civil Service Rules, Regulations, Policies, Procedures, and Practices by the City Council by resolution, as may be determined to be appropriate by the City Council with the advice of the Civil Service Commission.

Section 7. Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.


Section 8. Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately.

This Ordinance is duly ORDAINED AND ENACTED by at least three members of the City Council of the City of Connellsville at a duly advertised public meeting held on the 15th day of November, 2022.

ATTEST:

By:


Vern Olfert, City Clerk

CITY OF CONNELLSVILLE


Greg Lincoln,

Mayor and President of Council