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2 BILL NO. 5 - 2014
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5 Moved by: Wanda R. D. Williams
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9 An Ordinance striking Chapter 2-711, as amended, entitled "Residency," of the Codified
10 Ordinances of the City of Harrisburg and repealing Ordinance No. 20 of 2002.,
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13
14 **WHEREAS**, the City of Harrisburg enacted Ordinance No. 20 of 2002, codified at
15 Chapter 2-711, "Residency," which required certain employees to reside within the corporate
16 limits of the City; and
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18 **WHEREAS**, on or about September 16, 2013, City Council passed Bill No. 23-2013,
19 exempting certain city employees from the residency requirement set forth in Chapter 2-711 of
20 the Codified Ordinances of the City of Harrisburg, including members in Local Union No. 521,
21 American Federation of State, County and Municipal Employees (AFSCME); the Fraternal
22 Order of Police, Capital City Lodge No. 12 (FOP); and all management-level employees; and
23

24 **WHEREAS**, the City of Harrisburg and Local Union No. 428, International Association
25 of Firefighters (IAFF), are now parties to a Collective Bargaining Agreement (CBA), as
26 modified by a Second Amendment to the CBA approved by a majority vote of the membership
27 on February 7, 2014, which is effective from January 1, 2006 through December 16, 2017; and
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29 **WHEREAS**, under the CBA, the City and IAFF have agreed that IAFF employees will

30 be exempt from the residency requirement set forth in Chapter 2-711 of the Codified Ordinances
31 of the City of Harrisburg; and

32

33 **WHEREAS**, the Codified Ordinances of the City of Harrisburg would have to be
34 amended to reflect the aforementioned change and comport with the terms of the Collective
35 Bargaining Agreement; and

36

37 **WHEREAS**, upon making such amendment, there would be no employee of the City as
38 defined in Chapter 2-711 of the Codified Ordinances of the City of Harrisburg still required to
39 comply with the terms of the Ordinance; and

40

41 **WHEREAS**, because Ordinance No. 20 of 2002, codified at Chapter 2-711,
42 “Residency,” is moot, it should be repealed.

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44 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
45 **HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME**, as
46 follows:

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48 **SECTION 1.** Ordinance No. 20 of 2002, Chapter 2-711, entitled “Residency,” of the
49 Codified Ordinances of the City of Harrisburg is hereby repealed.

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51 **SECTION 2.** The City Clerk is hereby directed to make appropriate changes to the

52 Codified Ordinances of the City of Harrisburg.

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54 **SECTION 3. DELEGATION.**

55 Appropriate City officials are authorized and directed to take such actions as are
56 necessary to effectuate this ordinance.

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58 **SECTION 4. SEVERABILITY.**

59 If any provision, sentence, clause, section, or part of this ordinance or the application
60 thereof to any person or circumstance is for any reason found to be unconstitutional, illegal or
61 invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall
62 not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this
63 ordinance. It is hereby declared as the intent of the Council of the City of Harrisburg that this
64 ordinance would have been adopted had such unconstitutional, illegal or invalid provision,
65 sentence, clause, section or part not been included herein.

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67 **SECTION 5. REPEALER.**

68 All ordinances or parts of ordinances in conflict herewith be and the same are hereby
69 repealed.

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71 **SECTION 6. EFFECTIVE DATE.**

72 This ordinance shall take effect in accordance with the law.

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74 Seconded by: Eugenia Smith

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Passed the City Council April 22, 2014
Walter D. Williams
President of City Council

Attest Ka Petr
City Clerk

YEAS		NAYS
<input checked="" type="checkbox"/>	MR. ALLATT	
<input checked="" type="checkbox"/>	MS. DANIELS	
<input checked="" type="checkbox"/>	MR. KOPLINSKI	
	MS. REID	<input checked="" type="checkbox"/>
	MS. SMITH	
<input checked="" type="checkbox"/>	MS. WILSON	
<input checked="" type="checkbox"/>	MS. WILLIAMS	
Yeas	<u>5</u>	
Nays	<u>1</u>	

INTER

OFFICE

MEMO


To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date: March 21, 2014

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2014 RESOLUTION NO. -2014

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

Asst 

City Solicitor

3/21/14

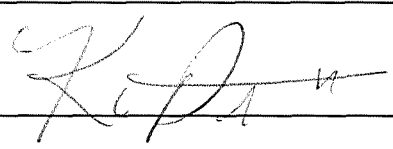
Date

Requested by Department/Bureau: Law Bureau

Department/Bureau Contact Person: NAG

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on


Received by:

Date: 3-21-14