

**TOWNSHIP OF MANHEIM
LANCASTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020-05

AN ORDINANCE AUTHORIZING THE BOARD OF COMMISSIONERS OF MANHEIM TOWNSHIP TO ESTABLISH CITIZEN ADVISORY COMMITTEES AND ESTABLISHING THE STRUCTURE, PURPOSE AND ORGANIZATION FOR SUCH COMMITTEES.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Manheim, Lancaster County, Pennsylvania, as follows:

SECTION 1. The Code of the Township of Manheim, as amended (“Code”), is hereby amended by adding Chapter 3 “Citizen Advisory Committees” setting forth the following sections establishing the structure and authorizing the establishment by the Board of Commissioners of citizen advisory committees:

**CHAPTER 3
CITIZEN ADVISORY COMMITTEES**

§ 3-1. Purpose.

The purpose of this chapter is to authorize the Board of Commissioners to establish citizen-oriented advisory committees that will review, research, analyze, discuss and make recommendations to the Board of Commissioners on specific topics, areas, needs or issues that the Board of Commissioners determine are important to the overall health, safety and welfare of the Township. A citizen advisory committee shall furnish information and recommendations to the Board of Commissioners but shall not have actual, or de facto, decision-making authority.

§ 3-2. Creation; Appointments; Terms of Office

- A. The Board of Commissioners shall have the authority to create by resolution citizen advisory committees from time to time to aid in the execution of its corporate powers when it has determined a need exists to engage various skills and capabilities of the Township citizenry to advise it on the best approaches and practices in addressing current and future needs.
- B. Each citizen advisory committee created shall be effective upon the adoption by the Board of Commissioners of a resolution establishing (i) the name and purpose of the advisory committee; (ii) the number of members to serve on the committee; (iii) how frequently the committee should meet; (iii) what information, report, recommendation or other deliverables the advisory committee is expected to provide to the Board of Commissioners; and (iv) whether the advisory committee is a standing committee or an ad-hoc committee that exists only for a specified timeframe. Unless the Board of Commissioners establishes an end-date for a citizens advisory committee, the

committee will continue until the Board of Commissioners takes official action to discontinue the committee or to place the committee into an inactive status.

- C. Each citizen advisory committee enacted shall consist of an odd number of members having no less than five (5) members and no more than nine (9) members.
- D. The Board of Commissioners shall appoint the members of a citizen advisory committee by majority vote. All but one member of a citizen advisory committee shall be a resident, landowner or business owner of Manheim Township, Lancaster County, Pennsylvania. The Board of Commissioners may appoint one member to a citizen advisory committee who is not a resident, landowner or business owner in Manheim Township who can provide expertise, knowledge or experience that the Board of Commissioners deems to be particularly helpful to a committee.
- E. The term for members of a standing committee shall be three (3) years. The term for members of an ad-hoc committee that will be in existence for less than three years will be for the duration of the existence of that committee. Upon the establishment of a standing committee, the initial terms for members shall be staggered as set forth below with any future terms, thereafter, being set for three (3) years:
 - 1) on a committee of five members, two shall be appointed for three years, two shall be appointed for two years and one shall be appointed for one year;
 - 2) on a committee of seven members, three shall be appointed for three years, two shall be appointed for two years and two shall be appointed for one year;
 - 3) on a committee of nine members, three shall be appointed for three years, three shall be appointed for two years and three shall be appointed for one year.
- F. The Board of Commissioners may renew the term of a citizen advisory committee member up to two times for a total of three (3) consecutive terms; i.e., nine (9) years.
- G. Citizen advisory committees serve at the pleasure of the Board of Commissioners and may be abolished by a majority vote of the Board of Commissioners.

§ 3-3. Officers; Meetings; Reporting.

- A. The Board of Commissioners by majority vote shall annually appoint the Chair and Vice Chair for each citizen advisory committee it establishes.
- B. Each citizen advisory committee will select its own Recording Secretary. The Recording Secretary shall take minutes of the public meetings, record them in

a minute book and forward copies of the meeting minutes to the Board of Commissioners within ten (10) days after a meeting.

- C. When establishing a citizen advisory committee, the Board of Commissioners may establish a meeting schedule or a minimum number of times the committee must meet per year; otherwise, a committee shall meet at least four (4) times a year.
- D. A citizen advisory committee may be aided from time to time by experts or advisors in their particular area of study. No expert, advisor or consultant shall be contracted without the express consent of the Board of Commissioners.
- E. While a citizen advisory committee is not subject to the Pennsylvania Sunshine Act, all meetings of a citizen advisory committee should be open to the public and should provide an opportunity for public comment, subject to reasonable rules and regulations. The date, time and location of meetings for citizen advisory committees should generally be available to the public. This could include posting the meetings on the Township website, placing them in the Township's newsletter or announcing them at a Board of Commissioners' meeting. In addition, all meeting minutes of a citizen advisory committee and any official reports, findings or recommendations shall be available for review and copying by the public.
- F. The Chair, Vice-Chair or an authorized member of a citizen advisory committee shall provide an update to the Board of Commissioners every ninety (90) days during one of the Board of Commissioners' regularly scheduled public meetings on the committee's activities and any findings or recommendations it may have.
- G. The Board of Commissioners shall have the authority to take whatever action it deems appropriate to address an advisory committee that fails to comply with the provisions of this Ordinance. This Ordinance does not create a cause of action or otherwise vest any statutory or legal rights in the public or in a third party to enforce its provisions should an advisory committee fail to comply with any provision of this Ordinance.

§ 3-4. Principles, Objective and Limitations of Citizen Advisory Committees.

- A. The objective of a citizen advisory committee is to examine a public issue identified by the Board of Commissioners by meeting over an extended period of time to examine the issue in order to develop policy recommendations or proposals for the Board of Commissioners to consider.
- B. A citizen advisory committee should seek to incorporate the following principles in its advisory committee role:
 - 1) Have broad-based input from Township citizens into planning and decision-making on the issue it has been authorized to address;

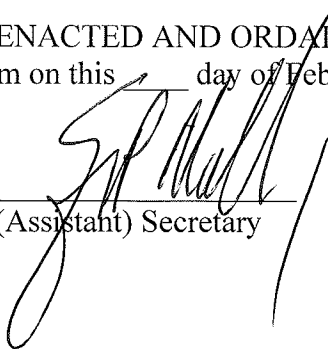
- 2) Develop recommendations based on a focused examination of issues;
 - 3) Provide a forum for in-depth and focused involvement and input from a wide range of stakeholders, ideas and perspectives;
 - 4) Welcome various perspectives and ideas;
 - 5) Promote public participation by the citizens of Manheim Township;
 - 6) Operate transparently, ethically and in the best interest of the public.
- C. Township staff shall work with the Chair or Vice Chair of a citizen advisory committee to respond to reasonable document and material requests, subject to limitations for certain personnel and legal-related matters or other material that is confidential.
- D. Citizen advisory committees are strictly advisory in nature and have no decision-making authority and are prohibited from incurring expenses, making payments, entering contracts, leases or obligations or otherwise binding the Township without the expressed consent of the Board of Commissioners.

SECTION 2. Should any paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall remain in full force and effect, and the same shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. This Ordinance shall become effective upon enactment.

ENACTED AND ORDAINED by the Board of Commissioners of the Township of Manheim on this _____ day of February, 2020.

Attest:


(Assistant) Secretary

(SEAL)

By:


(Vice) President
Board of Commissioners