

ARTICLE 142

ELIGIBILITY FOR BOARD OR COMMISSION MEMBERSHIP

§ 142.01. Definitions. [Ord. 13-1987 § 1, passed 4-8-1987]

As used in this article, certain terms are defined as follows:

- (a) EMPLOYEE — Any person presently employed or who may become employed by the City of Erie in any capacity whatsoever.
- (b) RESIDENCE — The inhabitancy of a permanent dwelling place by an appointee with his family, if any. The requirement of residence shall not be met by such appointee renting a room in the City of Erie, for the purpose of establishing a mailing address, a voting address or an address for other purposes while, in fact, he maintains his actual or family residence elsewhere.

§ 142.02. Eligibility. [Ord. 13-1987 § 1, passed 4-8-1987]

Any person who is appointed to any board, commission or authority of the City of Erie, under the jurisdiction of Council, shall not be an employee of the City of Erie during the period of such appointment.

§ 142.03. City residence required. [Ord. 64-1996 § 1, passed 11-13-1996]

All persons appointed to any board, commission or authority, under the jurisdiction of Council, shall be residents of the City, as that term is defined above, at the time of appointment and shall maintain such residence in the City during the term of such appointment. This shall not apply to persons appointed by Council to the Erie Civic Center Authority, the Erie Sewer Authority, the Erie Airport Authority and the Board of License Examiners.

§ 142.04. Loyalty oath of affirmation required. [Ord. 13-1987 § 1, passed 4-8-1987]

All appointees to any board, commission or authority under the jurisdiction of Council, are hereby required to swear or affirm and sign the oath or affirmation of allegiance and support hereinafter set forth before the City Clerk.

§ 142.05. Text of oath or affirmation. [Ord. 13-1987 § 1, passed 4-8-1987]

The oath or affirmation shall contain the following words and shall be signed at the bottom or end thereof:

"I, _____ hereby swear, or affirm, allegiance to, and support of the Government of the United States of America and its Constitution, the Government of the Commonwealth of Pennsylvania and its Constitution

and the City of Erie. I hereby declare that I am not and will not knowingly become a member of any organization which advocates or supports the overthrow of the Government of the United States of America, the Commonwealth of Pennsylvania or the City of Erie by force or violence".

§ 142.06. Exceptions. [Ord. 13-1987 § 1, passed 4-8-1987]

Notwithstanding the provisions found in Sections 142.02 and 142.03, any person who is currently serving on any board, commission or authority, and who is either an employee of the City of Erie or a nonresident, may continue to serve the term of his appointment until its expiration. Additionally, any City employee who serves on any board, commission or authority as either an ex-officio member or nonvoting member may continue to do so. This provision also applies to their successors.

§ 142.07. Noncompliance. [Ord. 13-1987 § 1, passed 4-8-1987]

Any appointee found to be in violation of any provision contained in this article shall be removed from the board, commission or authority that he serves.

§ 142.08. Appointments. [Ord. 63-2006, passed 12-6-2006]

No appointee shall serve on any board or commission under the jurisdiction of City Council for more than three consecutive terms of which each term shall be three years in duration. No appointee shall serve on any authority under the jurisdiction of City Council for more than two consecutive terms. Notwithstanding this term limitation, any board, commission or authority appointee presently serving a second, third or successive term shall continue until the expiration of his or her term. Thereafter, at the expiration of such term, such individual shall not be reappointed.

In those cases where board or commission appointees serve for a term of five years by virtue of state statute, those appointees shall not serve more than two consecutive terms. Notwithstanding this term limitation, any appointee to a board or commission currently serving in the first or second term of their appointment at the date of the enactment of this section shall be eligible for one additional five-year term at the expiration of such first or second term. Further, this provision shall not prohibit an individual from later serving nonconsecutive terms on a board, commission or authority under the jurisdiction of City Council.