

## Ordinance No. 541

### AN ORDINANCE TO AMEND SECTION 58-2 TO DEDICATE ONE SEAT ON THE PLANNING COMMISSION TO A REPRESENTATIVE OF THE GOOD WILL FIRE COMPANY

**WHEREAS**, Section 58-2 of the City Code governs the membership of the Planning Commission, including the process for appointment, the length of term, and the removal of such members.

**WHEREAS**, the Good Will Fire Company is responsible for emergency response in and around the City of New Castle, and thus offers an important perspective on appropriate planning needs and recommendations in the City.

**NOW, THEREFORE**, be it ordained by the Council of the City of New Castle, as follows:

**SECTION 1:** Section 58-2 A. of the City Code is hereby amended and replaced in its entirety with the following (with new language identified in bold text):

Said Commission shall consist of nine members to be appointed by the Mayor of New Castle, subject to confirmation by the City Council of New Castle, for a term of three years, excepting that the terms of the original members of the Commission shall expire as indicated in Subsection B hereof. **Additionally, at least one of the nine members shall be a representative of the Good Will Fire Company, as provided in Subsection C hereof.** Any member of the Commission may be removed for cause after a public hearing as determined by resolution of City Council. Vacancies occurring otherwise than by expiration of term shall be filled by appointment of the Mayor, subject to confirmation by the City Council. Said Commission shall elect annually a Chairperson and a Vice-Chairperson from among its own number, and may employ experts, clerical and other assistants to the extent that its fiscal appropriations shall permit.

**SECTION 2:** Section 58-2 of the City Code is hereby amended by adding the following provision as a new Subsection C.:

Beginning in 2024, the next available vacancy on the Planning Commission shall be filled by a representative of the Good Will Fire Company (“the Company”). Thereafter, one seat on the Planning Commission shall at all times be dedicated to a representative of the Company. The representative of the Company shall remain subject to the provisions of Subsection A hereof; however, upon term expiration or removal of such member, an appropriate replacement representative of the Company shall be appointed. If an appropriate representative of the Company is not available to fill a vacant seat, such seat may be filled in accordance with Subsection A hereof. However, the Mayor and Council shall make reasonable attempts to secure a representative of the Company to fill the next available vacancy thereafter.

**SECTION 3:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 4:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 5:** This Ordinance shall become effective immediately upon passage.

First Reading \_\_\_\_\_, 2023

Second Reading \_\_\_\_\_, 2023

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_

\_\_\_\_\_, President of City Council

Attest: \_\_\_\_\_  
\_\_\_\_\_, City Clerk

Approved: \_\_\_\_\_  
\_\_\_\_\_, Mayor