

**ORDINANCE 2024-4**

**AN ORDINANCE OF MILLCREEK TOWNSHIP, ERIE COUNTY, PENNSYLVANIA, AUTHORIZING A REFERENDUM ON THE QUESTION OF ESTABLISHING A GOVERNMENT STUDY COMMISSION TO CONSIDER THE ADOPTION OF AN OPTIONAL FORM OF GOVERNMENT FOR MILLCREEK TOWNSHIP.**

**WHEREAS**, Millcreek Township is a Second Class Township in the Commonwealth of Pennsylvania, governed by the Second Class Township Code; and

**WHEREAS**, under the Home Rule Charter and Optional Plans Law, 53 Pa.C.S.A. § 2901, *et seq.*, the Board is authorized through ordinance to place before the electors of the Township the question of whether a government study commission should be established to study the form of government of the Township and to compare it with other available forms under the laws of the Commonwealth; and

**WHEREAS**, the Board of Supervisor of Millcreek Township wishes to place before the residents of Millcreek Township a Government Study Commission question on the ballot for the 2024 General Election presently scheduled for November 5, 2024; and

**WHEREAS**, the Board believes it is in the best interest of the citizens of the Township for a government study commission to be elected for purposes of studying the form of currently adopted by Millcreek Township.

**IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Millcreek, Erie County, Pennsylvania as follows:

Section 1. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference.

Section 2. The Board of Supervisors hereby directs that the following question be placed on the ballot for the 2024 General Election:

"Shall a government study commission of seven members be elected to study the existing form of government of the municipality; to consider the advisability of the adoption of an optional form of government and to recommend whether or not an optional plan of government should be adopted?"

Section 3. Pursuant to 53 Pa. C.S.A. § 2912 of the Home Rule Charter and Optional Plans Law, the government study commission of seven members shall be elected by the qualified voters at the same election the question is submitted to the electors.

Section 4. Pursuant to 53 Pa.C.S.A. § 2911(c) of the Home Rule Charter and Optional Plans Law, the Solicitor is hereby directed to, within five days after the final enactment

of this Ordinance, file a certified copy of this Ordinance with the Erie County Department of Elections and Voter Registration together with a copy of the question to be submitted to the electors at the 2024 General Election.

Section 5. Pursuant to 53 Pa. C.S.A. § 2952 of the Home Rule Charter and Optional Plans Law, the Solicitor is hereby directed to advise the Erie County Department of Elections and Voter Registration to post a Notice of the Election of the question of a Government Study Commission in each polling place on the day of election and Solicitor shall be responsible for arrangements to publish a notice in at least one newspaper of general circulation in Erie County once a week for three consecutive weeks during the period of 30 days prior to the 2024 General Election.

Section 6. The Solicitor is authorized and directed to take all actions necessary to carry out the directives set forth in Sections 2 through 5 above in this Ordinance.

Section 7. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person(s) or circumstances is for any reason held to be invalid or unconstitutional by any court, such holding(s) shall not be construed to affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared the legislative intent that this Ordinance would have been adopted had such invalid or unconstitutional provision or its application not be included herein.

Section 8. **Repealer.** Any other Ordinance or parts thereof inconsistent with this Ordinance shall be and are hereby expressly repealed.

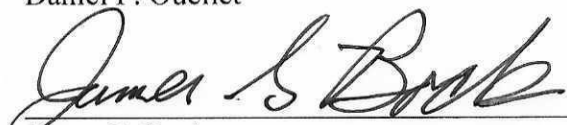
Section 9. **Effective Date.** This Ordinance shall be effective five (5) days after adoption of the Ordinance by the Board of Supervisors.

**BE IT ENACTED** this 28th day of May, 2024.

**MILLCREEK TOWNSHIP SUPERVISORS**

  
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Kim Clear

  
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Daniel P. Ouellet

  
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James S. Bock