

**ORDINANCE NO 2013-05**

AN ORDINANCE OF THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY,  
PENNSYLVANIA AMENDING CHAPTER 11 ENTITLED "BOARDS AND  
COMMISSIONS" OF THE CODE OF THE BOROUGH OF GREENCASTLE TO INCREASE  
THE SHADE TREE COMMISSION FROM THREE TO FIVE MEMBERS

**WHEREAS**, the Borough of Greencastle desires to increase the number of members serving on the Shade Tree Commission from three (3) members to five (5) members; and

**WHEREAS**, the Council of the Borough of Greencastle deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend certain provisions of Chapter 11 of the Borough of Greencastle.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION I:** Chapter 11 of the Code of the Borough of Greencastle, entitled "Boards and Commissions", Article III thereof, entitled "Shade Tree Commission", Section 3 thereof, entitled "Establishment; powers and duties" is hereby amended in its entirety and shall read as follows:

- A. A Shade Tree Commission is hereby established in and for the Borough of Greencastle, Franklin County, Pennsylvania, and the Shade Tree Commission shall exercise all the powers, duties and obligations imposed by the Act of 1965, P.L. 1956, enacted February 1, 1966 and reenacted May 17, 2012 along with any and all amendments thereto, generally known as the Borough Code.
- B. The Shade Tree Commission shall be composed of five (5) residents of the Borough of Greencastle, who shall be appointed by the Borough Council of the Borough of Greencastle. The three (3) members of the Shade Tree Commission serving on the effective date of this Ordinance shall fulfill their current terms and the Borough Council of the Borough of Greencastle shall appoint one (1) resident to serve as the fourth (4<sup>th</sup>) member of the Shade Tree Commission for a term ending in 2018 and one (1) resident to serve as the fifth (5<sup>th</sup>) member of the Shade Tree Commission for a term ending in 2019. Thereafter, whenever a vacancy has occurred by reason of the expiration of the term of any member, the Borough Council of the Borough of Greencastle shall appoint a member of the Shade Tree Commission for a term of five (5) years from the date of expiration of the prior term to succeed the member whose term has expired.

**SECTION II:** **REPEALER.** All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.

**SECTION III:** **SAVINGS CLAUSE.** In all other respects, Chapter 11 of the Code of the Borough of Greencastle shall remain as previously enacted and ordained.

**SECTION IV: SEVERABILITY.** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

**SECTION V: EFFECTIVE DATE.** This Ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this 4<sup>th</sup> day of November, 2013

Borough Council of the Borough of  
Greencastle, Franklin County, Pennsylvania

By: *Charles R. Ecker*  
President

ATTEST:

*Cecilia Faight*  
Secretary

*Robert E. Shry*  
Mayor of the Borough of Greencastle