

ORDINANCE NO. 2919

AN ORDINANCE TO ADD A NEW CHAPTER (CHAPTER 30) TO THE COUNTY CODE TITLED “REMOVAL PROCEDURES FOR MEMBERS OF APPOINTED BOARDS, COMMISSIONS, AND ADVISORY COMMITTEES”.

WHEREAS, the Sussex County Code currently does not contain procedures for the removal of members of appointed boards, commissions and advisory committee; and

WHEREAS, the Sussex County Council desires to create a new Chapter 30 of the Sussex County Code to outline procedures for the removal of members of appointed boards, commissions and advisory committees prior to the end of their term.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County is hereby amended by adding a new Chapter 30, under Part I, Administrative Legislation, §§ 30-1 through 30-3, entitled “Removal Procedures for Members of Appointed Boards, Commissions, and Advisory Committees,” as shown in the italicized and underlined language as follows:

Chapter 30 Removal Procedures for Members of Appointed Boards, Commissions, and Advisory Committees

§ 30-1. Statutory Authority. This ordinance is adopted pursuant to the State’s general grant of power to Sussex County under 9 Del. C. § 7001 and the vesting of that power in Sussex County’s County Council under 9 Del. C. § 7002. The title of this chapter will be “Removal Procedures for Members of Appointed Boards, Commissions, and Advisory Committees.”

§ 30-2. Purpose. This ordinance is adopted for the purposes for establishing removal procedures for members of appointed boards, commissions and advisory committees as those individuals are presently exempted from the County’s personnel rules under Sussex County Code § 29-3(A)(1)(b).

§ 30-3. Service at the Pleasure of Council.

A. Notwithstanding any other provision of this Code, all members of appointed boards, commissions and advisory committees serve at the pleasure of County Council and may be removed prior to the expiration of their terms upon a hearing and an affirmative majority vote by County Council. The hearing may be private or, at the member’s request, open to the public.

B. If a board, commission, or advisory committee member is removed pursuant to § 30-3(A), they will be ineligible for renomination to the same board, commission, or advisory committee for the duration of the then-existing term.

C. If a board, commission, or advisory committee member is removed pursuant to § 30-3(A), a successor will be chosen to serve the remainder of the removed member’s term. The successor will be chosen according to the existing selection procedures for the relevant board, commission, or advisory committee.

Section 2. Effective Date. This Ordinance shall become effective upon its adoption.

Synopsis

This Ordinance creates a new Chapter 30, under Part I, Administrative Legislation, §§ 30-1 through 30-3, entitled “Removal Procedures for Members of Appointed Boards, Commissions, and Advisory Committees,” which creates procedures for the removal of members of appointed boards, commissions and advisory committees prior to the end of a member’s term.

No language has been deleted. All new text is italicized and underlined.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2919 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 25TH DAY OF APRIL 2023.

**Tracy N. Torbert
Clerk of the Council**