

**WHITEMARSH TOWNSHIP
ORDINANCE NO. 853**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WHITEMARSH,
MONTGOMERY COUNTY, PENNSYLVANIA, ARTICLE XVI, ENTITLED “ADVISORY
BOARDS AND COMMISSIONS” TO ADD NEW SECTION 3-53-A ENTITLED “ MEDIA
COMMUNICATIONS ADVISORY BOARD ”**

WHEREAS, the Whitemarsh Township Board of Supervisors (the “**Board of Supervisors**”) has determined that in order to better serve the interests of the citizens of Whitemarsh Township by providing timely public information about government meetings, services, programs and events, it is appropriate to establish a Government Access Channel (hereafter “**GAC**”) on the cable television system(s) serving the community; and

WHEREAS, in order to provide oversight of the GAC and to establish standards for its use, the Board of Supervisors desires to establish an advisory board comprised of qualified Township residents who shall ensure the proper operation of the GAC and maximize the benefits of the GAC to the public; and

WHEREAS, the Board of Supervisors finds that coordination of all media communications services provided by the Township by a single oversight entity will assist the Township in disseminating information of interest to its citizens in a timely and efficient manner.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Whitemarsh Township, as follows:

Section One. Amendment to Township Code.

New Section 3-53-A of the Whitemarsh Township Code, entitled “Media Communications Advisory Board,” is hereby added to Part I, Chapter 3, Article XVI, as follows:

§3-53-A. Media Communications Advisory Board

A. ***Establishment and Purposes.*** There is hereby established a “Media Communications Advisory Board” (“MCAB”) for the following purposes:

(1) To advise the Board of Supervisors and the Township Manager regarding the operation and supervision of the Government Access Channel (“GAC”) operated by the Township in conjunction with the cable television system(s) serving the Township; and

(2) To facilitate and coordinate all media communication services provided by the Township and the dissemination of information relating to governance of the Township and activities and services of interest to its residents.

B. ***Appointment of Members; Term and Compensation.***

(1) The MCAB shall consist of seven (7) members appointed by the Board of Supervisors. All members shall be residents of the Township.

(2) The members shall serve for a term of three (3) years; except that of the members initially appointed, three (3) shall be appointed to serve for a term of three (3) years, three (3) members shall be appointed to serve for a term of two (2) years, and the remaining member shall be appointed to serve for a term of one (1) year. Each member shall serve until his successor has been appointed and qualified. Any vacancy occurring in the membership shall be filled in the same manner as the original appointment for the unexpired term. Consecutive service on the MCAB may not exceed three (3) full terms.

(3) At its first (1st) meeting each calendar year, the MCAB shall elect a chair and a vice-chair from among its members. A majority of the members is required for the MCAB to take any action. The MCAB shall meet at least monthly; however, the chair or a majority of members may call a meeting of the MCAB.

(4) Members shall not receive compensation but may be reimbursed for reasonable expenses incurred in the performance of their official duties.

(5) The unexcused absence of any member from two (2) consecutive meetings, unless the MCAB has excused the absence for good and sufficient reason, shall constitute a resignation.

(6) A member may be removed from office by at least a four-fifths (4/5th) majority of the Board of Supervisors, after written notice, including a clear statement of the grounds for removal, and opportunity for reply, at least thirty (30) days before voting on removal. The only grounds for removal are failure to meet the qualifications or limitations set forth in this Code, substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office, and violation of this Code.

C. ***Powers and Authority.***

The MCAB shall have the following powers and duties:

(1) To promote and develop the best use by the Township of all media communications services available;

(2) To oversee the utilization of all forms of media for the dissemination of information pertaining to the community;

(3) To study, review and make recommendations regarding the purchase of equipment necessary to support cable television communications initiated by the Township;

(4) To develop ideas for local programming on the GAC and utilization of the GAC and the Township's website for dissemination of information pertaining to the community;

(5) To advise the Township staff with regard to the determination of the content of the GAC and, specifically, to determine which meetings conducted by the Township shall be televised on the GAC;

(6) To develop guidelines for the use of the GAC, consistent with applicable laws;

(7) To make recommendations to the Board of Supervisors regarding coordination of available media for public communications and, with the approval of the Board of Supervisors, to develop specific strategies for maximum utilization of the media;

(8) To solicit the cooperation of Township residents and submission of ideas concerning the use of all forms of media communications available;

(9) To act as a liaison to cable television franchisees serving the Township in order to advise the Board of Supervisors on cable technology and operation of cable systems within the Township;

(10) To review operating and capital budget requirements for the operation of media communications, particularly the GAC, and to make recommendations to the Board of Supervisors for expenditure of Township funds for such purposes;

(11) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with this Code;

(12) If requested by the Board of Supervisors, to provide training and education to officials, employees, and those doing business with the Township; and

(13) To prepare an annual report which shall be submitted within thirty (30) days following the end of the fiscal year and prepared for the purpose of its inclusion in the annual report of the Township Manager to the Board of Supervisors pursuant to the Charter.

Section Two. Interpretation.

The words, phrases and provisions of this Ordinance are not to be interpreted in a way that results in an absurd construction of the meaning, or in a way that causes one provision to contradict another.

Section Three. Liberal Construction.

The provisions of this Ordinance shall be liberally construed to effectively carry out the purposes that are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.

Section Four. Affirmation.

Except as specifically hereby amended, Article XVI of the Code is hereby ratified and affirmed in its entirety.

Section Five. Repealer and Interpretation.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, except that this Ordinance shall be construed as a supplement to the existing Whitmarsh Township Code.

Section Six. Severability.

The provisions of this Ordinance are severable, and if any portion thereof is held to be invalid, the decision of the Court shall not affect or impair any of the remaining portions of this Ordinance. It is hereby declared to be the intent of the Supervisors of the Township of Whitmarsh that this Ordinance would have been adopted if the invalid portion had not been included herein.

Section Seven. Effective Date.

This Ordinance shall become effective at the earliest possible date permitted by the provisions of the Whitmarsh Township Home Rule Charter.

ENACTED AND ORDAINED by the Whitmarsh Township Board of Supervisors this 26th day of June, 2008.

WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS