



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 250878

Introduced October 9, 2025

Councilmember O'Rourke

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter providing for perpetual City ownership and operation of the City's water supply and sewage systems and facilities; and providing for the submission of the proposed amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

~~Strikethrough~~ indicates matter deleted from the Charter by these amendments.

Bold indicates matter added to the Charter by these amendments.

ARTICLE V

EXECUTIVE AND ADMINISTRATIVE BRANCH – POWERS AND DUTIES Managing Director and Departments, Boards and Commissions under Supervision

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CHAPTER 8 WATER DEPARTMENT

§ 5-800. Functions.

The Water Department shall have the power and its duty shall be to perform the following functions:

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(a) ~~Water.~~ **Water Service Delivery.** It shall operate the City's water supply system, and shall either itself, or by contract, construct, maintain, repair and improve City water supply facilities, including fire and drinking hydrants and water meters. **Any contract related to the City's water supply system and facilities shall maintain City ownership and operation of system, plants, and facilities that are integral to the delivery of water supply services.**

(b) Water Supply Improvement. It shall make investigations and prepare plans and estimates looking towards the acquisition by the City of new and better sources of water supply, and shall, with the approval of the Managing Director, make its recommendations to the Mayor for transmission to the Council. It shall also investigate and adopt methods for improving the quality of the water supply.

~~(b)~~ **(c) Sewage and Sewage Disposal.** The Department shall operate, and itself, or by contract, maintain, repair and improve the City's sewage system and sewage disposal plants. When authorized by the Council, it shall acquire, design and construct additional sewage disposal plants and sewage facilities. **Any contract related to the City's sewage system, disposal plants and sewage facilities shall maintain City ownership and operation of system, plants, and facilities that are integral to the delivery of wastewater treatment services.**

(d) Notwithstanding the limitations in Subsections (a) and (c) hereof, the Department may enter into contracts pursuant to which a private entity owns and/or operates a facility that provides services ancillary to a water or sewage system, plant, or facility including the production of electric power, or treatment or reuse of byproducts of a wastewater treatment system, plant, or facility.

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§ 5-803. ~~Authority or Private Operator.~~ **Reserved.**

~~This Chapter shall not be construed to prevent the City from creating an authority under any applicable statute or from contracting with a private operator to perform any or all of the operations and to render any or all of the services provided for herein and from contracting with any such authority or private operator to supply such services to the City. Notwithstanding any of the provisions of this charter, the Council may, by ordinance, abolish the Water Department if all of its functions shall be turned over to an authority or to a private operator. If some but not all of its functions are so turned over, the Council may, by ordinance, assign the functions which remain to another department and abolish the Water Department, if the Council shall determine that the continuation of a separate Water Department is not warranted.~~

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APPENDIX

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CHAPTER A-2

§ A-200. Schedule.

This Charter shall become effective on the first Monday of January, 1952, except in the following particulars:

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() **The amendments to this Charter related to the Water Department's ownership and operation of the City's water and sewage systems, plants, and facilities shall take effect upon certification of the election at which the amendments were approved.**