



City of Philadelphia

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

RESOLUTION NO. 090179 (As Amended, 3/16/09)

Introduced March 5, 2009

Councilmember Clarke

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter relating to how and when required notices shall be published and advertised; and providing for the submission of the 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

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:

Bold italics indicates matter added by this amendment.

ARTICLE II LEGISLATIVE BRANCH – The Council – Its Election, Organization, Powers and Duties

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CHAPTER 2 COUNCILMANIC PROCEDURE

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§2-201. Manner of Introduction, Consideration and Passage of Ordinances.

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(5) Notice of public hearings on bills and notice of bills reported from committee shall be given by advertising in the three daily newspapers of the City having the largest paid circulation, the title of the bill, and in the case of a public hearing, the time and place of the hearing, not less than five days before the public hearing or before the bill comes up for final consideration, as the case may be. In addition, such other notice may be given as will bring public hearings or reported bills to the attention of interested citizens. There need be no advertisement of ordinances after their passage. ***Council may by ordinance adopted by a vote of two-thirds of all of its members specify different or additional requirements for providing notice of public hearings on bills and notice of bills reported from committee, in accordance with applicable law. Any such ordinance may include a requirement that notice be posted on the City's website.***

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ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

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CHAPTER 2 CONTRACTS, PROCUREMENT, PROPERTY AND RECORDS

§ 8-200. Contracts.

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(2) If any purchase or contract for which competitive bidding is required involves an expenditure of more than twenty-five thousand (\$25,000) dollars, which amount shall be adjusted every five (5) fiscal years as rounded to the nearest one thousand (\$1,000) dollars to reflect the percentage change in the most recently published Consumer Price Index for All Urban Consumers (CPI-U) All Items Index, Philadelphia, Pennsylvania, United States Department of Labor, Bureau of Labor Statistics, the following procedure shall be applicable:

(a) The Procurement Department shall advertise for sealed bids at least once a week for two weeks in one of the three newspapers having the largest paid circulation in the City and in such other newspapers as it deems necessary. ***Council may***

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by ordinance adopted by a vote of two-thirds of all of its members specify different or additional methods by which the Department shall provide notice of contracts available for bids, in accordance with applicable law. Any such ordinance may include a requirement that notice be posted on the City's website. The Department shall require a certified check in an appropriate amount which shall be stated in the specifications to accompany all bids unless a bidder has filed an annual bid bond in excess of such amount;

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CHAPTER 4 EXECUTIVE AND ADMINISTRATIVE BRANCH

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§ 8-407. Regulations.

Except as otherwise specifically provided in this charter, every department, board and commission is hereby empowered to make such reasonable regulations as may be necessary and appropriate in the exercise of its powers and performance of its duties under this charter or under any statute or ordinance. Except as otherwise provided in this charter, in the adoption of regulations, the following procedure shall apply:

(a) the department, board or commission promulgating the regulations shall first submit them for approval to the Law Department and upon receiving such approval file them with the Department of Records where they shall be available for public inspection for thirty days:

(b) The Department of Records shall give public notice of such filing by advertising in the three daily newspapers of the City having the largest paid circulation the fact that regulations relating to a particular subject have been filed with it, and that any person affected thereby may request a hearing. *Council may by ordinance adopted by a vote of two-thirds of all of its members specify different or additional requirements for providing public notice of the filing of regulations and the availability of a hearing, in accordance with applicable law. Any such ordinance may include a requirement that notice be posted on the City's website;*

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