



City of Philadelphia

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

BILL NO. 150219

Introduced March 19, 2015

Councilmember Oh

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

AN ORDINANCE

Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in the Resolution approved by City Council proposing an amendment to The Philadelphia Home Rule Charter to extend the functions of the Department of Streets by amending "Section 5-500" of "ARTICLE V – EXECUTIVE AND ADMINISTRATIVE BRANCH – POWERS AND DUTIES Managing Director and Departments, Boards and Commissions under his Supervision" "CHAPTER 5 – DEPARTMENT OF STREETS AND ITS DEPARTMENTAL BOARD," to impose an obligation on the Department of Streets for streets not owned, controlled, or operated by the City to cause the owner to remediate streets that pose peril to persons or property or to itself remediate the peril to persons or property and to recover the costs of doing so from the owners; and providing for the submission of the amendment to the electors of Philadelphia; fixing the date for the special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. There shall be submitted for the approval or disapproval of the qualified electors of the City of Philadelphia at the election to be held November 3, 2015, an amendment to The Philadelphia Home Rule Charter imposing an obligation on the Department of Streets for streets not owned, controlled, or operated by the City to remediate streets that pose peril to persons or property, and to recover the costs of doing so, as contained in Resolution No. 150228, approved by Council on _____, 2015, and filed in the Office of the Clerk of Council.

SECTION 2. There shall be placed on the ballot the following question to be answered "Yes" or "No" by the qualified electors participating in the election:

City of Philadelphia

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Shall The Philadelphia Home Rule Charter be amended to impose an obligation on the Department of Streets for streets not owned, controlled, or operated by the City to remediate streets that pose peril to persons or property, and to recover the costs of doing so?

SECTION 3. The Clerk of Council is hereby directed to have printed in pamphlet form, in sufficient number for general distribution, the proposed amendment to The Philadelphia Home Rule Charter as set forth in Resolution No. 150228 together with the ballot question set forth in Section 2 of this Ordinance.

SECTION 4. The Clerk of Council is hereby directed to cause to be published in three (3) newspapers of general circulation in the City and in the Legal Intelligencer the proposed amendment to The Philadelphia Home Rule Charter, together with the ballot question set forth in Section 2 of this Ordinance, once a week during the three (3) weeks preceding the election on November 3, 2015; and further, at such other time and in such other manner as he may consider desirable.

SECTION 5. The Mayor is hereby authorized and directed to issue a proclamation giving at least thirty (30) days' notice of such election. The Clerk of Council shall cause a copy of the proclamation to be published, together with the notice provided for in Section 4 of this Ordinance.

SECTION 6. The appropriate officers are authorized and directed to take such action as may be required for the holding of an election on the ballot question set forth in Section 2 of this Ordinance as provided for by the laws of the Commonwealth of Pennsylvania.