

Legislation Text

File #: 020084, Version: 0

Proposing an amendment to Section 2-102 of the Philadelphia Home Rule Charter, relating to the redistricting of the City to revise the boundaries of the councilmanic districts after each decennial census, 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:

ARTICLE II
LEGISLATIVE BRANCH

The Council - Its Election,
Organization, Powers and Duties

CHAPTER 1
THE COUNCIL

* * *

Section 2-102. Councilmanic Districts. The original districts shall be:

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(1) It shall be the mandatory duty of the Council to redistrict the City in accordance with the procedures set forth in this Section within six months after the calendar year that follows the calendar year of publication by the United States Census Bureau of the population of the City at each decennial census. Each district shall consist of a ward or contiguous wards or divisions of wards containing as nearly as possible the population factor obtained by dividing the City's population at the preceding decennial census by ten. At the expiration of the six months period, if the Council shall have failed to redistrict the City as herein required, the councilmen shall not receive any further salaries until the Council shall have passed and the Mayor shall have approved a redistricting ordinance as herein required or until such ordinance shall have become law without the Mayor's approval.

(2) Within thirty days after publication of a decennial census, the Council President shall convene a Council Redistricting Committee consisting of the Council President, the Majority Leader of Council, the Majority Whip of Council, the Minority Leader of Council, and one at-large member of Council appointed by the Council President.

(3) The Redistricting Committee shall seek suggestions from all members of Council concerning redistricting. All resources that are available to the Redistricting Committee, including but not limited to technical assistance and computer hardware and software, shall be made available to members of Council to assist them in developing any recommendations they may have concerning redistricting, and any such suggestions by Councilmembers shall be submitted to the Redistricting Committee in writing. The Redistricting Committee shall hold at least one public hearing to receive testimony from the public relevant to redistricting. The Redistricting Committee shall then prepare and adopt a proposed redistricting plan in the form of a written report signed by at least three members of the Redistricting Committee which includes: (i) a proposed redistricting resolution that would create the proposed new districts in the form of a list of the wards and/or divisions of wards comprising each proposed new district; (ii) a map of the City that clearly illustrates the boundaries of the proposed new districts; and (iii) any other maps, redistricting data, documents or other information the Redistricting Committee believes would assist the Council in considering the proposed redistricting plan. The Redistricting Committee's report shall be filed with the chief clerk, who shall transmit copies to each member of Council and make the report available to the public. The proposed redistricting resolution included as part of the Redistricting Committee's report shall be regarded as having been introduced and referred to Council's Committee of the Whole immediately upon the filing of the report with the chief clerk.

(4) The Committee of the Whole shall hold a public hearing on the redistricting resolution. Notice of such hearing shall be given in the same manner as notice is given for hearings on bills, except such notice shall be given at least fifteen days before the hearing. Following the hearing, the Committee of the Whole shall report the redistricting resolution without amendment to the Council with the Committee's recommendation as to whether the redistricting resolution should be adopted or rejected. After the Committee of the Whole report and recommendation is read at a meeting of the Council, the redistricting resolution shall lie over for at least five days before the final vote is taken. The Council shall then approve or reject the redistricting resolution, without amendment. Approval of the redistricting resolution shall require the vote of two-thirds of all the members of the Council, and upon such approval, the redistricting resolution shall become law.

(5) If the Council rejects the redistricting resolution or any revised redistricting resolution prepared in accordance with this subsection, the Redistricting Committee shall prepare and forward to the Council a revised redistricting plan and redistricting resolution in accordance with all the procedures set forth in subsection (3), and Council shall approve or reject the redistricting resolution in accordance with all procedures set forth in subsection (4).

(6) Whenever the Redistricting Committee is in the process of preparing a proposed redistricting plan or revised redistricting plan, the Council may by a resolution adopted by two-thirds of all the members of the Council forward to the Redistricting Committee recommendations as to the configuration of any district or districts, and the Redistricting Committee shall consider but shall not be bound by such recommendations. Any such resolution shall include, with respect to each district as to which recommendations are made: (i) a list of all the wards and/or divisions of wards proposed for such district; (ii) a map clearly illustrating the proposed boundaries of such district; and (iii) any other maps, redistricting data, documents or other information the Council believes would assist the Redistricting Committee in considering the recommendations.

(7) If the Council fails to redistrict the City within the required time, any elector may petition the Court of Common Pleas for relief in the manner provided by law.

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Explanation:

Italics indicates material to be added.

~~Strikethrough~~ indicates material to be deleted.