



Legislation Details (With Text)

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Title: Proposing an amendment to the Philadelphia Home Rule Charter by revising the powers and duties of the Art Commission to require the Commission to prepare an analysis justifying any removal or relocation of a City statue or monument and to oversee a public referendum process prior to any such removal or relocation; and providing for the submission of the proposed amendment to the electors of Philadelphia.

Sponsors: Councilmember Oh

Indexes: PHILADELPHIA HOME RULE CHARTER

Code sections:

Attachments: 1. Resolution No. 20046100

Date	Ver.	Action By	Action	Result	Tally
9/10/2020	0	CITY COUNCIL	Introduced and Referred		

Proposing an amendment to the Philadelphia Home Rule Charter by revising the powers and duties of the Art Commission to require the Commission to prepare an analysis justifying any removal or relocation of a City statue or monument and to oversee a public referendum process prior to any such removal or relocation; and providing for the submission of the proposed amendment to the electors of Philadelphia.

WHEREAS, In recent months, statutes of all types throughout the United States been the target of unauthorized toppling or removal by local officials without a transparent public process; and

WHEREAS, Philadelphia, the birthplace of American democracy, is home to an abundance of public monuments and statues that memorialize the rich history of our City and Nation; and

WHEREAS, Recently in Philadelphia the issue of the removal, movement and placement of monuments and statues has been of significant concern to the citizens of the City; and

WHEREAS, The disposition of any statute or monument in Philadelphia should be decided through a transparent public process that involves citizen participation; and

WHEREAS, Under Section 6 of the First-Class City Home Rule Act (53 §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 by these amendments.
Bold italics indicates matter added by these amendments.

ARTICLE IV

EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

The Mayor, The City Representative and Departments, Boards, Commissions and Offices under the Mayor

* * *

CHAPTER 6

DEPARTMENT OF PLANNING AND DEVELOPMENT AND ITS DEPARTMENTAL BOARDS AND COMMISSIONS

* * *

§ 4-606. Art Commission.

(1) The Art Commission shall:

* * *

(e) Approve the removal, relocation, or alteration of any existing work of art in the possession of the City, *provided that before approving the removal or relocation of a statue or monument, the following procedures shall be required:*

(.1) The Art Commission shall prepare and post on the City's official website a written analysis justifying the removal or relocation. The analysis shall also evaluate the need for a replacement element to preserve the artistic integrity of the space where the removal or relocation is being considered; and

(.2) The Art Commission shall oversee a public referendum vote in the Council district in which the statue or monument is located. The approval of two-thirds of the residents within such Council district shall be required before the Art Commission may finally approve the removal or relocation of the statue or monument and before any preparations required to remove or relocate the statute may be taken;

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