

Legislation Details (With Text)

File #: 230740 **Version:** 1 **Name:**

Type: Bill **Status:** ENACTED

File created: 10/26/2023 **In control:** Committee on Law and Government

On agenda: **Final action:** 11/30/2023

Title: Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment to the Philadelphia Home Rule Charter to provide for indemnification and defense by the City in connection with claims made against any registered community organization arising directly out of the lawful participation by such an organization in zoning matters and related land-use process; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

Sponsors: Council President Clarke, Councilmember Jones, Councilmember Squilla

Indexes: PHILADELPHIA HOME RULE CHARTER

Code sections:

Attachments: 1. Bill No. 23074001, As Amended.pdf, 2. CertifiedCopy23074001.doc

Date	Ver.	Action By	Action	Result	Tally
12/14/2023	1	MAYOR	NO ACTION TAKEN		
11/30/2023	1	CITY COUNCIL	READ AND PASSED	Pass	15:0
11/16/2023	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
11/16/2023	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
11/16/2023	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
11/14/2023	0	Committee on Law and Government	HEARING NOTICES SENT		
11/14/2023	0	Committee on Law and Government	HEARING HELD		
11/14/2023	0	Committee on Law and Government	AMENDED		
11/14/2023	1	Committee on Law and Government	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
10/26/2023	0	CITY COUNCIL	Introduced and Referred		

Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment to the Philadelphia Home Rule Charter to provide for indemnification and defense by the City in connection with claims made against any registered community organization arising directly out of the lawful participation by such an organization in zoning matters and related land-use process; 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 2024 primary election, currently scheduled for April 23, 2024, an amendment to the Philadelphia Home Rule Charter contained in Resolution No. 230750, approved by Council on November 30, 2023, 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:

Should the Philadelphia Home Rule Charter be amended to require the City to provide for the indemnification and defense of registered community organizations in connection with claims made against them arising directly out of their lawful participation in the City’s zoning variance process?

SECTION 3. The Clerk of Council is hereby directed to (i) certify to the Board of Elections, within five days of this Ordinance becoming law, a copy of this Ordinance and Resolution No. 230750; and (ii) 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. 230750, 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 one time, during the three (3) weeks preceding the 2024 primary election, currently scheduled for April 23, 2024, 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; and further, at such other time and in such other manner as the Clerk 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 in at least two (2) newspapers of general circulation in the City, and in The Legal Intelligencer, once a week for three consecutive weeks during the period of thirty days prior to the election. One such publication may be combined with the publication of the notice required by 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.