

Legislation Text

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Proposing an amendment to The Philadelphia Home Rule Charter to provide for the creation of an Office of Emergency Management, to provide for the powers and duties of such Office, and to otherwise provide for incorporation of the Office into the City government and to make certain technical changes; 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 III - EXECUTIVE AND ADMINISTRATIVE BRANCH - ORGANIZATION

CHAPTER 1 OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

§ 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated.

The executive and administrative work of the City shall be performed by:

- (a) The following elected or appointed officers:

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Director of Sustainability;

Director of Emergency Management.

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CHAPTER 2 ELECTION OR APPOINTMENT

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§ 3-206. Other Department Heads ***and Officers.***

With the approval of the Mayor:

(a) The Managing Director shall appoint the Police Commissioner, the Health Commissioner, the Fire Commissioner, the Street Commissioner, the Parks and Recreation Commissioner, the Welfare Commissioner, the Water Commissioner, the Commissioner of Public Property, the Commissioner of Licenses and Inspections, the Commissioner of Records, ~~and~~ the Prisons Commissioner ~~;~~, **and the Director of Emergency Management;**

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CHAPTER 7 BUREAUS AND DIVISIONS; DEPUTIES; OTHER EMPLOYEES

§ 3-701. Deputies.

The head of any department, the Managing Director, the Director of Finance, the City Treasurer, ~~and~~ the Personnel Director, **and the Director of Emergency Management** shall have the power with the approval of his appointing officer or commission, or if he is an elective officer, on his own responsibility, to appoint and fix the compensation of a deputy or such number of deputies as the Administrative Board shall approve. The deputies may be called assistants if the Administrative Board so determines. Deputies, in the absence of the heads of their respective departments, or of the officers for whom they are deputies, shall have the right to exercise all the powers and perform all the duties vested in and imposed upon such department heads or officers, except the power to appoint officers or employees, and may at any time exercise such of the powers and perform such of the duties of the head of the department or officer as may be prescribed by such head or officer.

Whenever there shall be a vacancy in the office of the head of any department or any other office to which this section applies, such deputy as shall be designated in writing by the appointing power or in the case of an elective department head or officer, by the Mayor, shall exercise the powers and perform the duties of the department head or officer until the vacancy is filled. With the approval of the Mayor in writing, the Managing Director, the City Controller, the City Treasurer, the City Solicitor, the Director of Finance, the Director of Commerce or the Personnel Director, and with the approval of the Managing Director in writing, any other department head may authorize any deputy to serve in his stead on any board or commission.

§ 3-702. Employment and Compensation of Bureau Chiefs and Other Employees.

(1) The Mayor, the Managing Director, the Director of Finance, the City Treasurer and the Personnel Director, **the Director of Emergency Management** and the heads of the several departments and the several boards, and commissions shall appoint and fix the compensation of such secretaries, consultants, experts, bureau or division chiefs, superintendents, assistant superintendents, assistant chiefs, and other assistants and employees as may be required for the proper conduct of the work of their respective offices, departments, boards or commissions.

(2) The number and compensation of all employees in the Law and Commerce Departments, and in the offices of the Managing Director, the Director of Finance and the City Representative, shall be subject to the approval of the Mayor; the number and compensation of all employees in the office of the Personnel Director shall be subject to the approval of the Civil Service Commission; the number and the compensation of all employees in all departments **and offices** under the supervision of the Managing Director and in their

departmental boards and commissions shall be subject to the approval of the Managing Director; and the number and compensation of all employees in the Department of Collections, and its departmental board and commission, and the Procurement Department shall be subject to the approval of the Director of Finance.

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ARTICLE V

EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

Managing Director and Departments, Boards, and Commissions, *and Offices* under his Supervision

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CHAPTER 13

OFFICE OF EMERGENCY MANAGEMENT

§ 5-1300. *Creation.*

The Office of Emergency Management is hereby created in the Office of the Managing Director, headed by the Director of Emergency Management.

§ 5-1301. *Powers and Duties.*

The Office of Emergency Management shall have the power and its duty shall be to perform the following functions:

- (a) Develop, periodically update, and coordinate the implementation of the City's emergency operations plan and related plans.*
- (b) Coordinate among City departments and agencies and non-governmental agencies to improve emergency preparedness, response and recovery.*
- (c) Promote public awareness and education regarding emergency preparedness.*
- (d) Develop and implement strategies to reduce the consequences of future disasters.*

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ARTICLE VII

EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

Personnel Director and Civil Service Commission and the Civil Service

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CHAPTER 3

CIVIL SERVICE: GENERAL PROVISIONS AND EXEMPTIONS

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§ 7-301. Exemptions.

All officers and employees of the City, including all officers and employees of all departments, all independent boards and commissions and all departmental boards and commissions, shall be under civil service except:

* * *

(b) The Managing Director, the Director of Finance and the Personnel Director and their deputies, the heads of departments, *the Director of Emergency Management* and their deputies, and members of boards and commissions but the number of exempt deputies *in the Office of Emergency Management and* in any department other than the Law Department, shall not exceed two or, for any particular department *or the Office of Emergency Management*, such higher number as the Administrative Board may authorize, provided that for any particular department *or the Office of Emergency Management*, other than the Law Department, the total number of exempt deputies shall not exceed ten and no more than four shall reside outside the City at the time of appointment;

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APPENDIX

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CHAPTER A-2

§ A-200. Schedule.

This Charter shall become effective on the first Monday of January, 1952, except in the following particulars:

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(12) The amendments to this Charter relating to the Office of Emergency Management shall take effect July 1, 2016.

Explanation:

~~Strikethrough~~ indicates matter deleted.

Bold Italics indicates new matter added.