

Legislation Text

File #: 180834, **Version:** 1

Proposing an amendment to The Philadelphia Home Rule Charter to change certain gender specific references (such as “councilman,” “councilmen,” and “Councilmanic”) to gender neutral references (such as “councilmember,” “councilmembers,” and “Council”); and providing for the submission of the proposed 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 of Philadelphia on an election date designated by ordinance:

ARTICLE II LEGISLATIVE BRANCH

The Council - Its Election, Organization, Powers and Duties

CHAPTER 1 THE COUNCIL

§ 2-100. Number, Terms and Salaries of ~~Councilmen~~ *Councilmembers*.

The Council shall consist of seventeen members, of whom ten shall be elected from districts and seven from the City at large. The terms of ~~councilmen~~ *councilmembers* shall be four years from the first Monday of January following the year in which they were elected except that a ~~councilman~~ *councilmember* elected to fill a vacancy shall serve only for the balance of the unexpired term. Each ~~councilman~~ *councilmember* shall receive a salary at the rate of \$9,000 per annum, or such other sum as the Council shall from time to time ordain, and the President of Council shall receive in addition a salary at the rate of \$1,000 per annum, or such other sum as the Council shall from time to time ordain.

§ 2-101. The Election of ~~Councilmen~~ *Councilmembers*.

At the municipal election held in 1951, and in every fourth year thereafter, one ~~councilman~~ *councilmember* shall be elected from each ~~councilmanic~~ *council* district and seven from the City at large. Each elector shall have the right to vote for one district ~~councilman~~ *councilmember* and for five ~~councilmen~~ *councilmembers* -at-large. To this end not more than five candidates for ~~councilmen~~ *councilmember*-at-large shall be nominated pursuant to law by any party or other political body. Should a vacancy occur in the office of any ~~councilman~~ *councilmember*, the President of the Council shall issue a writ of election to the board of elections having jurisdiction over elections in the City for a special election to fill the vacancy for the balance of the unexpired term, which election shall be held on a date specified in the writ, but not less than thirty days after its issuance. The President of Council may fix as the date of the special election, the date of the next primary, municipal or general election.

§ 2-102. ~~Councilmanic~~ *Council* Districts.

There shall be ten ~~councilmanic~~ *council* districts. The original districts shall be:

* * *

It shall be the mandatory duty of the Council to redistrict the City within six months after the 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 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~~ *councilmembers* 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.

§ 2-103. Qualifications of ~~Councilmen~~ *Councilmembers*.

A ~~councilman~~ *councilmember* shall be a citizen of the United States, shall have been a resident of the City for at least one year prior to his election, and shall be at least twenty-five years of age when elected to office. For at least one year prior to their election, district ~~councilmen~~ *councilmembers* shall be, and during their terms of office shall remain, residents of the districts from which they were elected. The Council shall be the sole judge of the qualifications of its members.

* * *

CHAPTER 2

COUNCILMANIC *COUNCIL* PROCEDURE

* * *

§ 2-201. Manner of Introduction, Consideration and Passage of Ordinances.

* * *

(6) When any bill is on final passage, votes shall be taken by ayes and nays and the names of the ~~councilmen~~ *councilmembers* voting for and against the bill shall be entered on the journal of proceedings.

* * *

CHAPTER 3

LEGISLATION

* * *

§ 2-301. Other Appropriations.

The Council may not make any operating appropriations in addition to those included in the annual operating budget ordinance except:

* * *

(d) To pay the costs of ~~councilman~~ *Council* investigations and inquiries and the compensation of attorneys retained by the Council as authorized by this charter.

* * *

CHAPTER 4

~~COUNCILMANIC~~ *COUNCIL* INQUIRIES AND INVESTIGATIONS

• * *
•

§ 2-406. Conduct of Proceedings.

The conduct of proceedings at ~~councilmanic~~ *Council* inquiries and investigations shall be subject to such rules as the Council may prescribe.

* * *

ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

* * *

CHAPTER 4

LAW DEPARTMENT

§ 4-400. Functions.

The Law Department shall have the power and its duty shall be to perform the following functions:

* * *

(e) Drafting and Codification of Ordinances. Upon request of the Council or of any ~~councilman~~ *councilmember*, or of the Mayor, the Department shall prepare or assist in preparing any ordinance for introduction into the Council, and within two years after the effective date of this charter, it shall prepare and submit to the Council for its consideration, a comprehensive revision and codification of all the general ordinances of the City which are still in effect.

* * *

ARTICLE X

PROHIBITED ACTIVITIES OF ~~COUNCILMEN~~, *COUNCILMEMBERS*, CITY OFFICERS, EMPLOYEES
AND OTHERS, AND PENALTIES

§ 10-100. ~~Councilmen~~ *Councilmembers* Not to Engage in Certain Activities; Penalties.

As provided by statute, no ~~councilman~~ *councilmember* shall solicit, benefit by, or be interested directly or indirectly in any contract for the purchase of property of any kind to be paid for from the City Treasury, nor shall ~~he~~ *such councilmember* be interested directly or indirectly in any contract for the erection of any structure, or for the supplying of any services to be paid for out of the City Treasury, nor shall ~~he~~ *such councilmember* solicit or recommend the appointment of any person to any position in the civil service, nor shall ~~he~~ *such councilmember* interfere with the performance of the duties of the members of the Philadelphia Police, or of any other employees in any department, board or commission of the City.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate matter added.