

**ORDINANCE
NO. 1877**

**AN ORDINANCE OF THE CITY OF WARREN, A HOME RULE MUNICIPALITY,
IN WARREN COUNTY, COMMONWEALTH OF PENNSYLVANIA
AUTHORIZING THE PLACEMENT OF REFERENDUM QUESTIONS
ON THE NOVEMBER 2016 GENERAL ELECTION BALLOT
PERTAINING TO THE MAJORITY VOTE OF COUNCIL**

WHEREAS, effective January 2, 1978, the citizens of the Borough of Warren, now known as the City of Warren (hereinafter the "City"), elected to transfer the authority to act in municipal affairs from State law to a local Charter (hereinafter the "Charter") and become a Home Rule municipality, operating under the Home Rule and Optional Plans Law (53 Pa. C.S.A. §2901 et seq.); and

WHEREAS, according to the Home Rule and Optional Plans Law specifically 53 Pa. C.S.A. §2941, amendments to the Charter may be proposed by City Council via ordinance, followed by a referendum, to the electorate of the City; and

WHEREAS, Section 603 of the City's Charter states that "a majority of the members of Council shall constitute a quorum"; and

WHEREAS, Section 604 of the City's Charter provides that "no action of Council shall be official unless approved by three (3) or more members"; and

WHEREAS, the City desires to amend the Charter to correctly reflect the minimum number of Council votes required to constitute a majority vote; and

WHEREAS, Section 701 of the City's Charter provides, in part, that "[f]inal action on ordinances shall be at a lawful meeting of Council and shall be by a favorable vote of three (3) or more members of Council"; and

WHEREAS, in 1990, the number of Council members was increased from five (5) to seven (7); and

WHEREAS, based on information currently available, Sections 604 and 701 of the Charter were inadvertently left unchanged and, thus, the number of Council members required to take any action or to adopt any ordinance remains at three (3); and

WHEREAS, in an effort to amend the Charter to accurately set forth the number of Council members required to take any action or to adopt any ordinance, which amendment must be approved by the electorate, it is requested that the following questions be placed on the ballot at the November 2016 General Election:

- A. "SHALL SECTION 604 OF THE HOME RULE CHARTER OF THE CITY OF WARREN BE AMENDED TO STATE THAT NO ACTION OF COUNCIL SHALL BE OFFICIAL UNLESS APPROVED BY FOUR (4) OR MORE MEMBERS?"
- B. "SHALL THE FIRST SENTENCE OF SECTION 701 OF THE HOME RULE CHARTER OF THE CITY OF WARREN BE AMENDED TO STATE THAT FINAL ACTION ON ORDINANCES SHALL BE TAKEN BY A FAVORABLE VOTE OF FOUR (4) OR MORE MEMBERS OF COUNCIL?"

WHEREAS, City Council is authorized, pursuant to the Home Rule Charter and Optional Plans Law, specifically 53 Pa.C.S.A. §2941 et seq., to adopt an ordinance placing the above questions on the ballot to amend the City's Charter; and

WHEREAS, City Council desires to have these questions placed on the ballot for the November 2016 General Election.

NOW, THEREFORE THE CITY OF WARREN ORDAINS, and it is hereby ordained by Warren City Council:

Section 1.

Council desires to have the following questions placed on the ballot for the November 2016 General Election:

- A. "SHALL SECTION 604 OF THE HOME RULE CHARTER OF THE CITY OF WARREN BE AMENDED TO STATE THAT NO ACTION OF COUNCIL SHALL BE OFFICIAL UNLESS APPROVED BY FOUR (4) OR MORE MEMBERS?"
- B. "SHALL THE FIRST SENTENCE OF SECTION 701 OF THE HOME RULE CHARTER OF THE CITY OF WARREN BE AMENDED TO STATE THAT FINAL ACTION ON ORDINANCES SHALL BE TAKEN BY A FAVORABLE VOTE OF FOUR (4) OR MORE MEMBERS OF COUNCIL?"

Section 2.

This Ordinance shall be submitted to the Warren County Board of Elections on, or before, August 9, 2016 for the purpose of complying with the requirements of the Home Rule Charter and Optional Plans Law, specifically Section 2941 et seq., and that the same shall be considered the City's Ordinance to the Warren County Board of Elections for the purpose of having the questions set forth in Section 1 placed on the ballot for the November 2016 General Election.

Section 3.

The Warren County Board of Elections is hereby authorized and empowered to amend the language in the question set forth in Section 1 for the purpose of clarifying the language of this Ordinance but in no way to change its meaning or intent.

Section 4.

The City Clerk is hereby instructed to publish notice of the referendum at least once per week for each of the three (3) weeks leading up to November 8, 2016 in a newspaper of general circulation in the City.

ADOPTED this 1st day of August, 2016.