

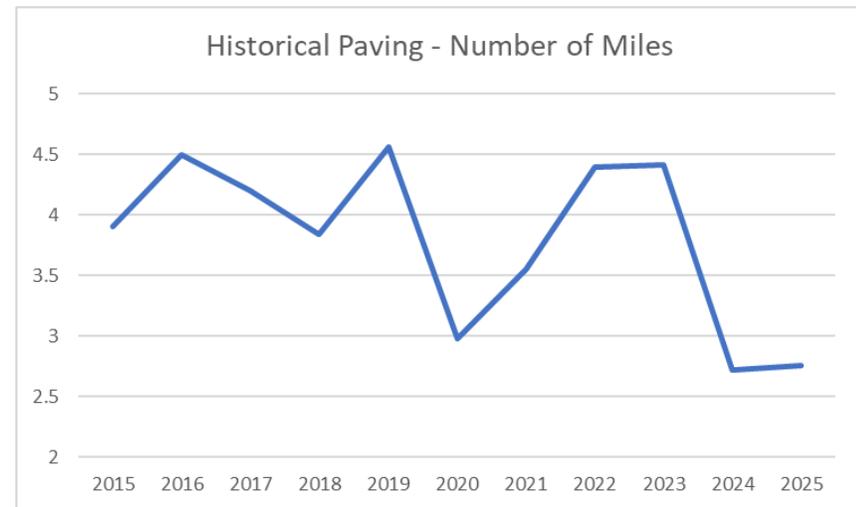
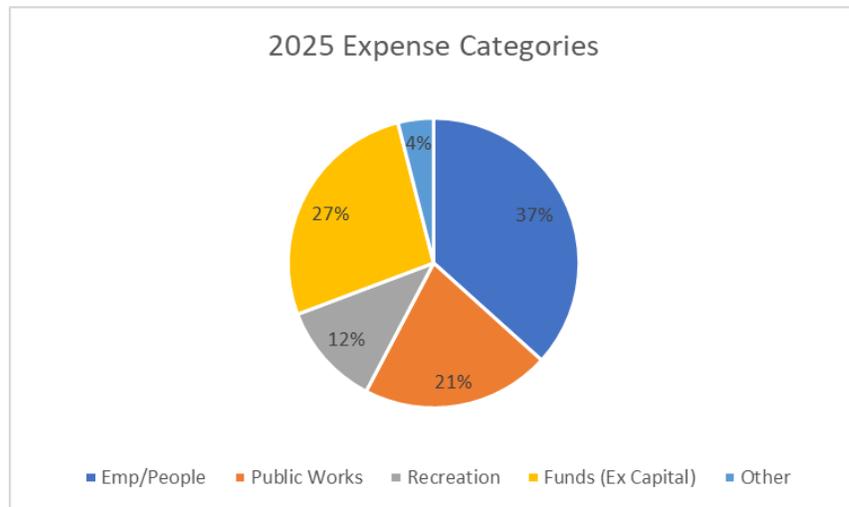
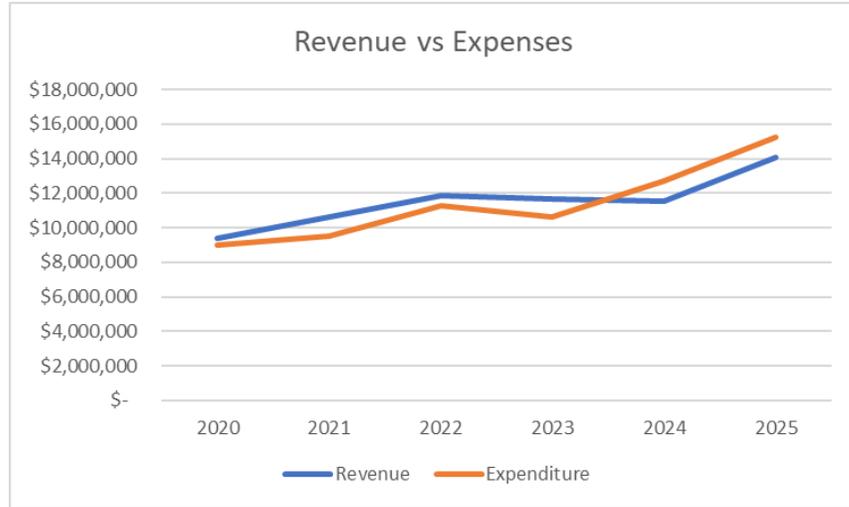


Franklin Park Borough  
Pennsylvania

# Home Rule

Background Information

June 18, 2025





# Following information is sourced from DCED

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  - <https://www.franklinparkborough.us/DocumentCenter/View/2957/DCED---Home-Rule-in-PA-Slide-Presentation?bidId=>
- Franklin Park Borough is providing the information as additional context.
- Slides are available on the Borough's website.



- Home Rule transfers the basic authority to act in municipal affairs from state law, to a local charter, drafted, adopted and amended by the municipal voters.
- Law was enacted in 1972.
  - *1968 Commonwealth adopted Article 9, Section 2 of the PA Constitution guaranteeing the right of all Counties & Municipalities to adopt Home Rule Charters and Exercise Home Rule Powers.*



# What is Home Rule?

- Home Rule Municipalities may exercise powers and perform functions not denied by:
  - US constitution
  - PA Constitution
  - State Laws
    - *Specific restrictions; Act 62*
    - *Laws that are uniform and applicable in every part of the Commonwealth*
  - Home Rule Charter itself
- Transfers authority in municipal affairs from state law (municipal codes) to a local charter adopted and amended by the voters
- Decided upon, approved and amended by the voters



# Who is Home Rule?

- Since 1972 Home Rule Charters have been adopted by:
- 79 Municipalities
  - Local examples: Pine, McCandless, Bradford Woods, Richland, Upper St Clair.
- 7 Counties
  - Allegheny, Delaware, Erie, Lackawanna, Lehigh, Luzerne, Northampton



- **FOUNDATION**

- Shift governance from state municipal code to local citizens.
- Flexibility in defining structure, powers, taxation and other functions of the municipality.
- Opportunity to create a government that best meets the needs of the municipality.

- **ADVANTAGES**

- Identifies accountability
- Increase citizen participation
- Increase responsiveness
- Wider representation
- Enhances fiscal procedures and controls
- Offers relief for aging population



- Arbitration/Labor Relations
- Boundary Change Law
- Election Code
- Ethics Law
- Recall
- Reapportionment
- Sunshine Law
- Open Records Law
- Recycling and Waste Reduction Act
- Vehicle Code
- Firearms/Hunting Regulations
- Private Business Limitations
- Regulation of Utilities
- Eminent Domain
- Zoning: Pennsylvania Municipalities Planning Code
- Local Agency Law
- Tort Claims
- Unit Debt Act
- Taxation Subjects
- Veterans Preference
- Clean Streams
- Sewage Facilities Act
- Storm Water Management Act



## Government Study Commission (GSC) - Question

- Referendum is placed on the ballot by ordinance of the governing body or 5% of electors in the last gubernatorial general election.

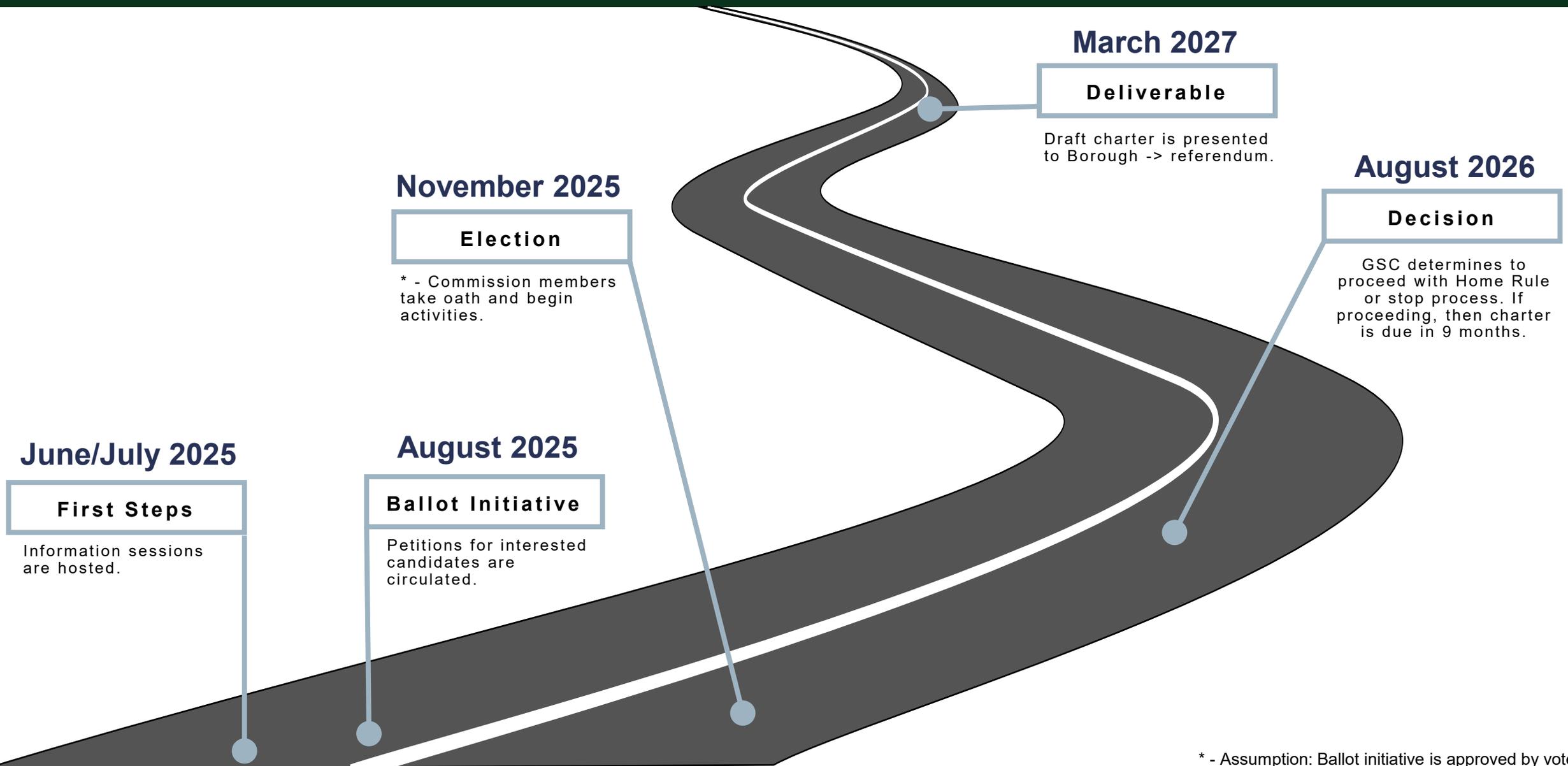
## Commission Nominees

- Elect a GSC to study existing form of government and home rule.
- Select electors on the ballot running for GSC, 7,9 or 11 members.

***NOTE: If home rule fails to pass, "the same question" can not be placed on the ballot as a referendum for five years.***



# Journey Map



\* - Assumption: Ballot initiative is approved by voters.



- Timeline

- Within 10 days of the certification of elections GSC elected member must take oath.
- Within 15 days of the certification of election, GSC must organize and hold its first public meeting.
- Within 9 months of election certification GSC must determine no change or proceed with home rule.
  - No change final report is drafted and GSC role is complete.
  - Home Rule recommended, GSC will have 18 months from election certification to draft a charter for referendum.

- Implementation Details

- The municipality shall be governed under the provisions of the plan from the first Monday in January following the municipal election occurring after the next succeeding primary election, except as provided by in section 2924(c).
- Write the Administrative Code as a companion document to the home rule charter to provide guidance and context to the home rule charter. Adopted/amended by ordinance rather than referendum.
- Codification of ordinances



- Governor's Center for Local Government Services – Home Rule in PA
  - *dced.pa.gov*
  - *1.888.223.6837*
- Other Home Rule Municipalities
- PML Home Rule Advocacy Committee
- League of Woman Voters
- Colleges and Universities
- International City/County Management Association
  - *Carefully consider where your information is coming from, it may be wise to use multiple sources to help ensure that a sound charter is produced*