



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 040702

Introduced June 21, 2004

Councilmembers Clarke and Miller

**Referred to the
Committee on Law and Government**

AN ORDINANCE

Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter requiring the Police Commissioner to support and to request enactment of legislation that will permit Philadelphia and other local governments to adopt certain constitutionally lawful legislation regarding firearms, as approved by Resolution of the City Council; fixing the date of a special election for such purpose; prescribing the form of ballot questions to be voted on; 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 election to be held November 2, 2004, an amendment to the Philadelphia Home Rule Charter requiring the Police Commissioner to support, by all appropriate measures, the enactment of Commonwealth legislation that will permit Philadelphia and other local governments to adopt certain constitutionally lawful legislation regarding the sale of firearms within the City. The proposed amendment is contained in Resolution No. 040721, on file 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:

Shall the Philadelphia Home Rule Charter be amended to require the Police Commissioner to support the enactment of Commonwealth legislation to permit Philadelphia and other local governments to adopt legislation generally prohibiting the sale of

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more than one firearm per month to any individual purchaser?

SECTION 3. The Clerk of Council is hereby directed 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. 040721, 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 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, once a week during the three (3) weeks preceding the election on November 2, 2004; and further, at such other time and in such other manner as she 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, together with the notice provided for in 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.