

CITY COUNCIL OF THE CITY OF ALLENTOWN

BILL NO. 38 -2021

INTRODUCED BY COUNCIL on April 21, 2021

AN ORDINANCE

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 2, 2021 MUNICIPAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO DELETE A PROVISION IN THE CITY OF ALLENTOWN HOME RULE CHARTER THAT IDENTIFIES ENGLISH AS THE OFFICIAL LANGUAGE OF THE CITY OF ALLENTOWN

Whereas, Article IX, Section 2 of the Pennsylvania Constitution provides that municipalities shall have the right and power to frame and adopt Home Rule Charters; and

Whereas, the voters of the City of Allentown adopted a Home Rule Charter on April 23, 1996, which became effective in January, 1997; and

Whereas, Section 1103 of the City of Allentown Home Rule Charter authorizes City Council to initiate amendments to the Home Rule Charter through the referendum process; and

Whereas, Article I of the Home Rule Charter discusses the “Powers of the City”; and

Whereas, Article I Section 101. B. of the Home Rule Charter provides that “English shall be the official language of the City of Allentown and the language in which City business shall be conducted, unless otherwise required by applicable state and/or federal law or regulation.”;

Whereas, the City Council of the City of Allentown seeks an amendment to the Home Rule Charter to be voted upon by the City of Allentown electorate to eliminate paragraph B of Section 101 of the Allentown Home Rule Charter;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN

SECTION ONE: The Lehigh County Board of Elections is directed to place the following referendum question to the voters of the City of Allentown on the November 2, 2021 municipal election ballot:

“Shall paragraph B of Section 101 of the City of Allentown Home Rule Charter be removed from the Charter.”

SECTION TWO: If the referendum passes, Paragraph B. of Section 101 of the Home Rule Charter shall be deleted, such that section 101 of the HRC will read, in its entirety, as follows:

## **SECTION 101 THE CITY**

A. The City shall be a municipality of the Commonwealth of Pennsylvania known as the City of Allentown. Its boundaries shall remain as they are on the effective date of this Charter unless otherwise changed by law. The City shall be governed pursuant to this Charter.

SECTION THREE: This Ordinance requesting a referendum question be placed on the 2021 municipal election shall take effect ten (10) days after final passage by Council.

SECTION FOUR: Pursuant to the Home Rule Charter, if the proposed Charter change is adopted by the voters of the City of Allentown, this Charter Amendment shall be considered adopted and effective upon certification by the Lehigh County Election Board of the referendum vote.

SECTION FIVE: At that time, all Ordinances inconsistent with the amendment provisions are hereby repealed to the extent of their inconsistency with the amended Home Rule Charter.