

Summary and Explanation of Four Questions on Ballot for Election Day November 2018 to
Amend Home Rule Charter of the Municipality of Bethel Park

On this Election Day, November 6, 2018, the residents of Bethel Park will be asked to vote on four questions to amend the Bethel Park Home Rule Charter. The four questions, and the reasons for the amendments, are summarized here for the benefit of voters. The Bethel Park Home Rule Charter was originally adopted in 1976 and effective in 1978. In 2016, the Bethel Park Home Rule Study Commission consisting of 10 citizens of Bethel Park submitted to Municipal Council its Report on the first comprehensive review of the Home Rule Charter since its original adoption. The full Report of the Study Commission is available on the Bethel Park website, www.bethelpark.net.

Special Question #1

Shall Article 14, General Provisions, of the Bethel Park Home Rule Charter be amended to include a new Section, entitled References to Gender, which provides that all references to the male gender within the Home Rule Charter are deemed to refer to the male and female gender?

Currently, the Home Rule Charter uses male pronouns (e.g., he, his) and this proposed change would clarify that all references are deemed to refer to the male and female gender. Voters in favor of this amendment should vote “YES” on this question.

Special Question #2

Shall Article 12, Section 120(B) Referendum, and Section 1205, Referendum Petitions; Suspension of Effective Date of Ordinance, of the Municipality of Bethel Park Home Rule Charter of the be amended to state that when residents initiate referendum proceedings challenging ordinances increasing or decreasing a tax rate, the increase or decrease will be challenged without suspending the tax rate in effect prior to the ordinance? The prior tax rate shall continue until final disposition of the referendum challenge.

Currently, the Home Rule Charter provides that if a referendum petition is filed, then the entire ordinance that is the subject of the referendum is suspended until the vote on the referendum. In the case of ordinances setting a tax rate that is an increase or decrease from the tax rate already in effect, this provision of the Home Rule Charter has the effect of suspending the entire ordinance even though it is only the increase or the decrease that is the subject of the referendum. This jeopardizes the ability of the Municipality to collect even the unchallenged taxes and to operate. The proposed change would eliminate that risk and make it clear that a referendum challenging an increase or decrease in taxes would suspend only the increased or decreased rate of the ordinance being challenged. Voters in favor of this amendment should vote “YES” on this question.

Special Question #3

Shall Article 12, Section 1204, Procedure After Filing Petitions, of the Municipality of Bethel Park Home Rule Charter be amended by removing provisions allowing a petitioner additional time to amend an initiative or referendum petition deemed insufficient by the Municipal Manager?

Currently, the Home Rule Charter provides that if a referendum or initiative petition is submitted to the Municipality and found to be insufficient (for example, because it does not have the required number of signatures) then the petitioner can go try to collect additional signatures. The proposed change would eliminate the additional time period to collect signatures after a submitted petition is found to be insufficient. The additional time period delays the process and experience has shown that the original time period (60 days) to collect signatures is adequate. This proposed change would eliminate what has been called the “second bite at the apple”. Voters in favor of this amendment should vote “YES” on this question.

Special Question #4

Shall Article 12, Section 1204(B) Council Review of the Municipality of Bethel Park Home Rule Charter be amended to state that a petitioner must provide sufficient security upon filing for a court review of Council’s determination as to the insufficiency of an initiative or referendum petition?

This proposed change corrects a typographical error in the Home Rule Charter. Currently, the Charter states that if a petitioner files an appeal to court from a determination by the Municipality that a petition is not sufficient, the petitioner has to file “insufficient” security for the appeal, when it should say that the petitioner has to file “sufficient” security. Voters in favor of this amendment should vote “YES” on this question.

Jim McLean

Chairman, Bethel Park Home Rule Study Commission