

# **Clearfield Borough and Lawrence Township**

Home Rule Presentation  
January 26, 2016



# Pennsylvania Economy League



- Pennsylvania's leading independent, nonprofit, public policy research and development organization for almost 80 years
- Provides independent research and analysis on emerging issues to stimulate public and private action, making Pennsylvania a better place to live, work, and do business
- Works with public and private sectors from regionally based offices located statewide
- Goal to create a knowledgeable corporate and civic community that will help ensure the economic competitiveness of the Commonwealth and its regions

# Meaning of Home Rule



## **“MAKE THE RULES AT HOME”**

**Home Rule** transfers the basic authority to act in municipal affairs from **state law**, as set forth by the General Assembly, to a **local charter**, locally drafted and **adopted** by **municipal voters**.

# Major Principles of Home Rule



**Opportunity to shift responsibility from state legislature to local citizens**

**Allows for self-determination**

**Allows for flexibility in defining the structure, powers, and functions of the municipality**

**Opportunity to create a government that best meets the particular needs of the municipality**

# Historic Reasons for Home Rule



**Checks and  
Balances/Improve  
Accountability**

**Separate  
Legislative and  
Executive  
Functions**

**Improve Fiscal  
Procedures and  
Controls**

**Flexibility in  
Representation  
and Taxation**

**Professional  
Administration**

**Residual Powers:  
Write Own  
Administrative  
Code**

**Focus Political  
Leadership**

**Increase Citizen  
Participation:  
Initiative and  
Referendum**

**Improve  
Flexibility and  
Responsiveness**

# Home Rule Limitations



United States Constitution

Pennsylvania Constitution

Uniform State Laws

- **Specific restrictions under Home Rule Act**
- **Laws that are uniform and applicable throughout the Commonwealth**

The Charter Itself



# Home Rule Limitations



## Specific Restrictions

- Arbitration/Labor Relations
- Boundary Change Law
- Election Code
- Ethics Law
- Recall
- Reapportionment
- Sunshine Law
- Open Records Law

## Specific Restrictions

- Recycling and Waste Reduction Act
- Vehicle Code
- Firearms/Hunting Regulations
- Private Business Limitations
- Regulation of Utilities
- Eminent Domain
- Zoning: Pennsylvania Municipalities Planning Code

## Specific Restrictions

- Local Agency Law
- Tort Claims
- Unit Debt Act
- Taxation Subjects
- Veterans Preference
- Clean Streams
- Sewage Facilities Act
- Storm Water Management Act

# Role of Joint Committee



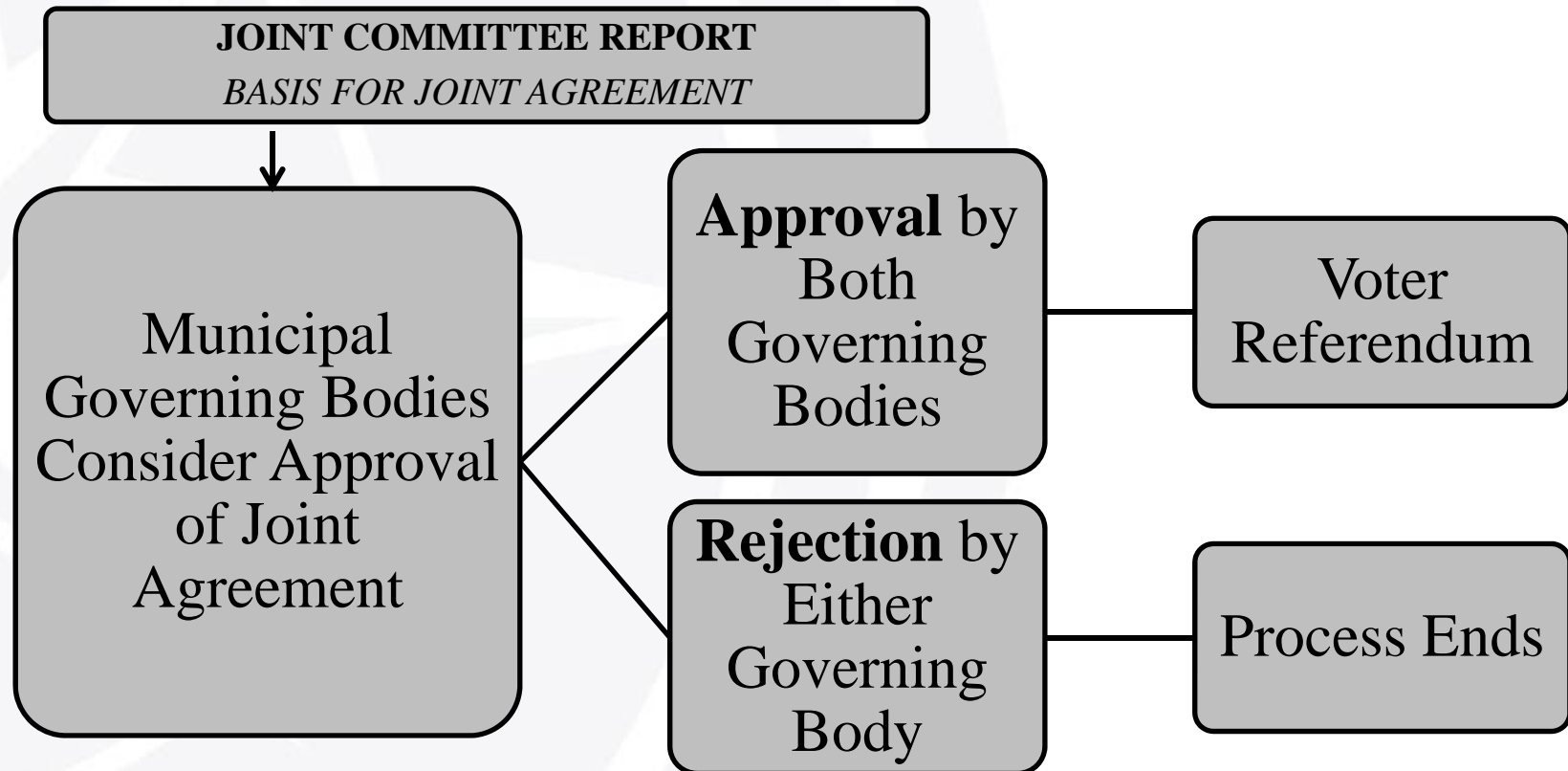
Was Appointed  
by Clearfield  
Borough  
Council and  
Lawrence  
Township

Drafts  
proposed  
Home Rule  
Charter with  
PEL assistance

Presents proposed  
Home Rule  
Charter to both  
municipal  
governmental  
bodies for  
consolidation  
**Joint Agreement**



# Home Rule/Consolidation Approval Process



# Home Rule

## Basic Charter Components



General grant of power to the municipality

Basic organization of government

Critical legislative, fiscal and administrative procedures

Citizen participation

Mandates for administrative practices

General provisions such as transition procedures and effective date

# Home Rule Basic Charter Components



## Structure of Governing Body

- Council/Appointed Manager
- Elected Executive/Council
- Other Structures
- Other Elected Officials

## Components of Governing Body

- Size
- Terms
- Qualifications
- Prohibitions
- Budgetary Procedures

## Representation

- Districts
- At-Large
- Combination