

QUESTIONS FOR CONSIDERATION
HAZLETON CITY GOVERNMENT STUDY COMMISSION
ELECTED OFFICIALS:
GOVERNING BODY
 (January 2026)

Governing Body Questions for Commission as a Whole

	CURRENT	DECISION
1. What should be the name of Home Rule municipality?	City of Hazleton	
2. What should the legislative body be called?	City Council	
3. How many members of the legislative body?	5	
4. How many years should the term of office be for a legislative member?	4	
5. Should the terms be staggered?	Staggered	
6. Should the legislative body be required to conduct a minimum number of regular meetings per month?	At least once each month and at other times by ordinance. Length must continue as long as the transaction of the public business demands.	
7. Should some or all of the regular meetings be required to be held in the evening?		
8. Shall the legislative body be permitted to hold special meetings? If so, who may call special meetings?	The mayor or the president of council, or request of a majority of the members of the council.	
9. May the legislative body be permitted to hold workshop meetings?		

	CURRENT	DECISION
10. What should constitute a quorum? Does a quorum require a majority to be physically present? Can a quorum include members participating electronically?	A majority of the whole number of members of the council in person.	
11. Shall members receive a salary for their service?	Fixed by ordinance	
a. If so, should the salary be a flat annual fee or based on other criteria?		
b. Should the salary be only for meetings they attend either physically or by a telecommunication device?		
c. Should they receive reimbursement for expenses on municipal business?		
12. What should be the mechanism for changing the legislative body’s salary compensation?	Fixed by ordinance adopted at least two days prior to the last day for withdrawal of nominating petitions	
13. Should the members of the legislative body be permitted to receive various fringe benefits under City plans, including health insurance and pension?		
a. If so, should they be required to pay some or all of the cost?		
14. Should the powers and duties of the legislative body be those that are permitted to any legislative body of a municipality that adopts a home rule charter subject to any restrictions imposed by the PA constitution, statutes or by the home rule charter itself?		
15. Any other terms and conditions that should be included?		

	CURRENT	DECISION
16. Should the legislators be elected at-large, by district, or in combination? If combination, how many of each type should there be?	At-large	
A. How many districts should there be?		
B. Should districts be represented by single or multiple members?		
C. After each 10-year US Census should redistricting be carried out by the legislative body or by an appointed “Committee on Redistricting”?	Council determines each ward is composed of compact & contiguous territory as nearly equal in population as practicable as reported in the most recent Federal decennial census.	
D. Should the legislative body be permitted to overrule any such Committee and pass its own plan—if it is able to agree on an alternative approach?	Council has final authority outside of court action opposing.	

Home Rule and Optional Plans Law:

Subchapter B Executive (Mayor) - Council Plan B

Section 3031. Designation and applicability of plan

The form of government provided in this subchapter shall be known as the “Executive (Mayor) - Council Plan B” and shall, together with Subchapter F of Chapter 29 (relating to general provisions and limitations for optional plan municipalities), Subchapter A of Chapter 30 (relating to executive (mayor) council plan A) and Subchapter A of Chapter 31 (relating to officers and employees), with the exception of section 3013(b) (relating to mayor, departments and department heads), govern any municipality the voters of which have adopted it pursuant to this subpart.

Section 3032. Departments

The municipality shall have a department of administration and shall have such other departments as council may establish by ordinance. The administrative functions, powers and duties of the municipality, other than those vested in the office of the clerk, treasurer and controller, if provided for, shall be allocated and assigned among and within the departments except that the functions specified in section 3014 (relating to department of administration) shall be assigned to the department of administration.

Section 3033. Mandatory department of administration

Under Executive (Mayor) - Council Plan B a department of administration shall be established.

MAYOR-COUNCIL PLAN A AS MODIFIED BY OPTIONAL PLAN B Home Rule and Optional Plans Law

Chapter 30

Types of Optional Plans of Government

Subchapter A

Executive (Mayor) - Council Plan A

Section 3001. Designation and applicability of plan

The form of government provided in this subchapter shall be known as the “Executive (Mayor) - Council Plan A” and shall, together with the laws applicable to that class of municipality and Subchapter F of Chapter 29 (relating to general provisions and limitations for optional plan municipalities) and Chapter 31 (relating to general provisions common to optional plans), govern any municipality the electors of which have adopted it under this subpart.

Section 3002. Officers and employees

Each municipality under this subchapter shall be governed by an elected council, an elected executive who may be called mayor, as determined by the government study commission, an elected district attorney in the case of counties and, when recommended by the commission and adopted by the voters, an elected treasurer, an elected controller and by such other officers and employees as may be duly appointed pursuant to this subchapter or other applicable law.

Section 3003. Election and term of office of officials

The executive (mayor), the treasurer, if elected, the district attorney in the case of counties and the controller, if elected, shall be elected by the electors at a regular municipal election and shall serve for a term of four years beginning on the first Monday of January next following his election.

Section 3004. Election and term of office of council members

The council shall consist of five members unless, under the authority granted under section 2924 (relating to specificity of recommendations), the municipality shall be governed by a council of three, seven, or nine members. Members of the council shall be elected at large by the electors unless, under the authority granted pursuant to section 2924, members shall be elected on a district basis in which each district is as equal in population as is feasible, or on a combination at-large and district basis as determined by the government study commission, or as specified in an initiative petition or ordinance of the governing body under the provisions of section 2942 (relating to initiations of amendment by electors or council), 2943 (relating to petition for referendum or ordinance proposing amendment) and 2944 (relating to time and manner of submission of question) at a regular municipal election and shall serve for a term of four years, except as otherwise provided in this subchapter, beginning on the first Monday of January next following their elections.

Section 3005. First election of council members

At the first municipal election following the adoption of this plan, council members shall be elected and shall serve for the terms as provided in section 3162 (relating to status and term of office of officials).

Section 3006. Legislative power vested in council

The legislative power of the municipality as provided by laws applicable to that class of municipality shall be exercised by the municipal council, except as may otherwise be provided for under this subpart.

Section 3007. Organization of council

On the first Monday of January following the regular municipal election, the members of council shall assemble at the usual place of meeting, organize and elect a president from among its members, who shall preside at its meetings and perform such other duties as council may prescribe, and a vice president, who shall preside in the absence of the president. If the first Monday is a legal holiday, the meeting shall be held on the next day.

Section 3008. Powers of council concerning officers and agencies

The council, in addition to other powers and duties as may be conferred upon it by general law, may require any municipal officer to prepare and submit sworn statements regarding the performance of the officer's official duties and may otherwise investigate the conduct of any department, office or agency of the municipal government.

Section 3009. Appointment and duties of municipal clerk or secretary

A municipal clerk or secretary shall be appointed in the manner set forth in the administrative ordinance as provided pursuant to section 3146 (relating to passage of administrative ordinance). The municipal clerk or secretary shall serve as clerk of the council, keep its minutes and records of its proceedings, maintain and compile its ordinances and resolutions as this subpart requires and perform such functions as may be required by law or by local ordinance. The municipal clerk shall, prior to the appointment, have been qualified by training or experience to perform the duties of the office.

Section 3010. Executive power vested in executive

The executive power of the municipality shall be exercised by the executive (mayor).

Section 3011. Powers and duties of executive

The executive (mayor) shall enforce the plan and ordinances of the municipality and all general laws applicable to them. The executive shall, annually, report to the council and the public on the work of the previous year and on the condition and requirements of the municipal government and shall, from time to time, make these recommendations for action by the council as he deems in the public interest. He shall supervise the departments of the municipal government and shall require each department to make annual and other reports of its work as he deems desirable.

Section 3012. Approval or veto of ordinances

(a) **General rule.** – Ordinances adopted by the council shall be submitted to the executive (mayor) who shall, within ten days after receiving any ordinance, either approve the ordinance by affixing his signature thereto, or veto the ordinance by delivering it to the municipal clerk together with a statement setting forth his objections. The clerk shall immediately notify the council of the veto. No ordinance or any item or part thereof shall take effect without the executive's (mayor's) approval, unless the executive (mayor) fails to return an ordinance to the clerk within ten days after it has been presented to him, or unless council upon reconsideration of the veto on or after the third day following its return by the executive (mayor) shall override the executive's (mayor's) veto by a vote of a majority plus one of the members.

(b) **Attendance at meetings of council.** – The executive (mayor) may attend meetings of council and may take part in discussions of council but shall have no vote except in the case of a tie on the question of filling a vacancy in the council, in which case he may cast the deciding vote.

Section 3013. Mayor, departments and department heads

(a) **Inability of executive to perform duties.** – The executive (mayor) shall designate any department head to act as executive (mayor) whenever the executive (mayor) shall be prevented, by absence from the municipality, disability or other cause, from attending to the duties of his office. During such time the person so designated by the executive (mayor) shall possess all the rights, powers and duties of the executive (mayor). Whenever the executive (mayor) has been unable to attend to the duties of his office for a period of 60 consecutive days for any of the reasons stated in this subsection, a member of council shall be appointed by the council as acting executive (mayor), who shall succeed to all the rights, powers and duties of the executive (mayor) or the then acting executive (mayor), until he shall return or his disability ceases.

(b) Establishment and exercise of functions of department. – The municipality may have a department of administration and shall have such other departments as council may establish by ordinance. All of the administrative functions, powers and duties of the municipality, other than those vested in the office of the clerk, treasurer, if elected, and controller, shall be assigned among and within the departments.

(c) Appointment and term of department heads and solicitor. – Each department shall be headed by a director who shall be appointed by the executive (mayor) with the advice and consent of the council. Each municipality shall also have a solicitor who shall be appointed by the executive (mayor) with the advice and consent of council. Each department head and the solicitor shall serve during the term of office of the executive (mayor) appointing him, and until the appointment and qualification of his successor. No member of municipal council shall head a department.

(d) Removal of department head. – The executive (mayor) may remove any department head after notice and an opportunity to be heard. Prior to removing a department head, the executive (mayor) shall first file written notice of his intention with the council. The removal shall become effective 20 days after the filing of the notice.

(e) Department officers and employees. – Department heads shall appoint subordinate officers and employees within their departments under procedures established in section 3122 (relating to appointment of subordinate officers and employees).

Section 3014. Department of administration

(a) Department heads. – Where a department of administration is established, it shall be headed by a director. The director shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office. At the time of appointment, the director need not be a resident of the municipality or this commonwealth. He shall have, exercise and discharge the functions, powers and duties of the department.

(b) Department functions. – The department, under the direction and supervision of the executive (mayor), shall have the following powers and duties:

- (1) To assist in the preparation of the budget.
- (2) To administer a centralized purchasing system.
- (3) To establish and administer a centralized personnel system.
- (4) To establish and maintain a centralized accounting system which shall be so designed as to accurately reflect the assets, liabilities, receipts and expenditures of the municipality.
- (5) To perform any other duties as council may prescribe through the administrative ordinance or as the executive (mayor) may direct.

Section 3015. Budget

The municipal budget shall be prepared by the executive (mayor) with the assistance of the director of the department of administration or other officer designated by the executive (mayor).

Section 3016. Form and adoption of budget

The budget shall be in the form required by council and shall have appended to it a detailed analysis of the various items of expenditure and revenue. The budget as submitted and adopted shall be balanced. Council may reduce any item or items in the executive's (mayor's) budget by a vote of a majority of the council, but an increase in any item or items therein shall become effective only upon an affirmative vote of a majority plus one of the members of council.

Council shall, upon the introduction of the proposed budget, fix a date for adoption, which shall except as otherwise provided be not later than December 31 immediately following.

Section 3017. Amended budget

During January next following any municipal election, the executive (mayor) may submit an amended budget to council. Council shall consider it in the same manner as provided in section 3016 (relating to form and adoption of budget), but final consideration of the amended budget shall be completed by February 15 of the same year.

Section 3018. Council amendments to budget

Council may amend the budget during January next following any municipal election. Final adoption of the amended budget shall be completed by February 15 of the same year.