

📖 CHAPTER 1

THE MAYOR

📖 § 4-100. Chief Executive Officer.

The Mayor shall be the chief executive officer of the City. He shall be responsible for the conduct of the executive and administrative work of the City and for law enforcement within its boundaries.

ANNOTATION

Sources: Act of June 25, 1919, P.L. 581, Article 11, Sections 1 and 6.

Purposes: The cornerstone of the strong-mayor form of government is the vesting of ultimate responsibility for the conduct of the executive and administrative work and law enforcement in the Mayor.

📖 § 4-101. Finances.

The Mayor shall:

(a) Communicate to the Council at least once a year a statement of the finances and general conditions of the affairs of the City and also such information on financial matters as the Council may from time to time request;

(b) Submit to the Council not later than ninety days before the end of the fiscal year his operating budget message and a proposed annual operating budget ordinance for the ensuing fiscal year. In the operating budget message the Mayor shall furnish to the Council the estimated surplus, or deficit, if any, of the current fiscal year and the estimated actual receipts of the City from all sources for the ensuing fiscal year which shall be available for meeting ordinary expenses and all other information pertinent to an operating budget, shall state the known liabilities of every kind which must be met during the year, and shall recommend appropriations included in the proposed annual operating budget ordinance;

(c) In connection with his submission of the operating budget, recommend to the Council measures which he believes necessary to balance the budget;

(d) At the same time that he submits to the Council the proposed operating budget for the ensuing fiscal year, also submit to the Council the recommended capital program and the recommended capital budget as received from the City Planning Commission to the extent approved by the Mayor;

(e) See to it that the City does not, except in case of unforeseeable emergency, incur a deficit in any fiscal year.

ANNOTATION

Sources: Act of June 25, 1919, P.L. 581, Article II, Section 6, Article XVII, Section 1.

Purposes: 1. The Mayor, as the chief executive officer of the City, has the responsibility of shaping and of controlling fiscal policies, subject to powers conferred upon the Council. In discharging this responsibility, the Mayor must submit annually to the Council a financial report of the City and an operating budget message together with an operating budget ordinance. The content of the operating budget message is intended to give a complete picture of the City's financial position, retrospectively and prospectively. In connection with his operating budget, the Mayor is required to take the initiative as to recommendations for balancing the budget.

2. The Mayor is also required, as part of his fiscal duties, to submit annually a capital program and capital budget. These will be prepared in the first instance by the City Planning Commission, and will be submitted to the Mayor for submission to Council. However, in submitting the capital program and capital budget as recommended by the Commission, the Mayor is free to indicate the extent to which they are approved by him. Thus final recommendations as to capital fiscal policies are also made the Mayor's responsibility.

3. The Mayor has the general duty of preventing, except in cases of unforeseeable emergencies, the incurring of deficits in any fiscal year. Periodic reports to him through the Director of Finance will help him keep abreast of City financial developments. Should he see that a deficit is being incurred, he is empowered to require the various agencies of the government to reduce their expenditures to the extent deemed necessary. See Section [8-102](#).

📖 § 4-102. Recommendations and Information.

The Mayor shall recommend by message in writing to the Council all such measures connected with the affairs of the City, the protection and the improvement of its government and finances, and the promotion of the welfare of its people as he shall deem desirable. He shall cause to be published through the Procurement Department from time to time for the information of the public, bulletins on the work of the City government.

ANNOTATION

Sources: Act of June 25, 1919, P.L. 581, Article II, Section 6; the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, Section 701, as amended.

Purposes: 1. The Mayor is empowered to initiate the consideration of legislation by the Council through the submission to the Council of messages recommending legislative measures in all fields of concern to the City government. This is an essential attribute of a chief executive under a strong-mayor form of government.

2. The Mayor is required to keep the public advised on the operation of the City government so that its citizens will be currently informed of the manner in which the chief executive is discharging his duties.

§ 4-103. Legislative Functions.

The Mayor shall have the power to call special meetings of the Council when required by public necessity, and to approve or disapprove ordinances in whole or in part as provided in the article on the Council.

ANNOTATION

Sources: Act of June 25, 1919, P.L. 581, Article II, Section 6.

Purposes: 1. The Mayor is empowered to require Council to meet in special sessions to act upon legislation required by public necessity so that any adjournment or recess of Council cannot serve as an excuse for a failure of legislative action.

2. The Mayor's veto power over legislation is a traditional attribute of the chief executive.

§ 4-104. Cabinet Meetings.

The Mayor shall call his Cabinet together periodically for the purpose of receiving reports on the condition of the City and making plans for the better administration of its government and for the progress of the City.

ANNOTATION

Sources: Act of June 25, 1919, P.L. 581, Article II, Section 6.

Purposes: The Mayor is empowered to convene his Cabinet for the review and planning of governmental measures and operations. No particular time for cabinet meetings is fixed because meetings at fixed periods might be unnecessary and burdensome.

§ 4-105. Promotion of the City.

It shall be the duty of the Mayor to exercise the powers of his office and to encourage among all the executive officers in the City the use of their official powers, to promote and improve the government of the City, to encourage the commercial and industrial growth of the City and of the Port of Philadelphia, and to promote and develop the prosperity and social well-being of its people.

ANNOTATION

Sources: No specific source.

Purposes: The Mayor is charged specifically with the duty of directing the efforts of the City government towards making the City a better place for its inhabitants. This envisages measures for commercial, industrial, economic and social well-being and development.

📖 § 4-106. Information and Complaints.

The Mayor shall establish an agency in his office for receiving and answering all requests for information about the City or its government. Such agency shall also receive and investigate complaints concerning the operation of the City government.

ANNOTATION

Sources: New York City Charter, 1938, Chapter 34.

Purposes: 1. Information about the City and its government should be readily available to citizens. To accomplish this, the Mayor is required to establish a public information center in his office.

2. The information agency is also to serve as the investigating arm of the executive branch. Its function is limited to investigations of the operation of the City government. However, the scope of such inquiries may encompass such matters as poor municipal services, corruption of City officials, and misapplication of City funds or property.
