

Home Rule

Pennsylvania allows municipalities to determine the structure and authority of the local government. Municipalities that opt for Home Rule have the most control.

“Home Rule” transfers authority over municipal matters from state laws to a local Charter that’s drafted, adopted, and amended by voters in the municipality. A Home Rule Charter is essentially a local constitution: it sets up the government structure and outlines its authority and its limitations.

Under Home Rule, the City of Duquesne can do anything that’s not specifically denied by the state constitution, the General Assembly, or the Charter itself.

By contrast, municipalities run by municipal codes (state laws) can only act where specifically authorized by state law.

Home Rule provides local control.

It gives the City of Duquesne government the ability to craft ordinances and make decisions based on local needs.

All counties and municipalities in Pennsylvania have the right to create and adopt a Home Rule Charter, according to Act 62 of 1972 (Pennsylvania’s Home Rule Charter and Optional Plans Laws).

Home Rule allows a municipality much more freedom to self-govern, which in turn can be empowering for citizens. It also limits interference from state legislation, beneficial on the state-level because it frees up the General Assembly to focus on statewide issues.

It can be a way to address financial difficulties, as Home Rule allows the City of Duquesne to raise taxes.

A disadvantage is that the Charter can be cumbersome—any change to a Home Rule Charter requires a referendum on a ballot (and many changes could mean a really long ballot).

On the other hand, the very fact that a Charter can be changed by a simple vote can lead to instability if, say, the City of Duquesne changed its Charter frequently.

Perhaps the most common objection is that Pa. Home Rule Municipalities aren't bound by state-set tax limits. While this is an advantage to governments that want to increase revenue, this may not be appealing to citizens who don't want to see their taxes go up.

Home Rule could also make it harder to address issues that affect a wider region.

Neighboring municipalities are bound by their own Home Rule Charters and aren't required to cooperate with other local governments.

If the City of Duquesne wants to adopt Home Rule, citizens must first vote to create a government study commission and, on the same ballot, elect the members of the commission. (There are two ways to get the commission on the ballot—the municipality can pass an ordinance or citizens can petition to have it added.)

The commission's job is to assess the current government and make a recommendation. If Home Rule is recommended, the commission writes a Home Rule Charter. The Charter is adopted—and Home Rule is established—by a majority vote in a referendum. Any changes to the Charter must be put up for a vote.