



CITY OF PHILADELPHIA
CITY COUNCIL

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December 19, 2008

The Honorable Michael Nutter
Mayor of Philadelphia
City Hall Room 215
Philadelphia, PA 19107

Dear Mayor Nutter:

I write to you regarding Philadelphia Code § 16-203, which provides that “[n]o City-owned capital facility shall be closed, abandoned, or allowed to go into disuse without specific approval therefor from City Council, by Ordinance.” Under state law, specifically 53 P.S. § 12127(a), it “shall be the duty of the mayor” of Philadelphia “to cause the ordinances of the city and the laws of the State to be executed and enforced.” Code § 16-203, which was validly enacted by City Council in the manner prescribed by the City Charter, is an ordinance the Mayor of Philadelphia is required to execute and enforce.

You have announced your intention to close eleven neighborhood branch libraries – which are City-owned capital facilities within the meaning of the Code – effective January 1, 2009. Before doing so, I respectfully urge you to come before City Council and seek our approval by ordinance, consistent with your sworn duties under state law.

Thank you for your attention to this matter.

Sincerely,

Bill Green
Councilman At-Large

Cc: Clarence Armbrister
Shelly Smith, Esq.
Siobhan Reardon, Free Library of Philadelphia
All members of City Council