

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-03

**AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA AMENDING CHAPTER 7 – ADMINISTRATIVE CODE, AT SECTION
5 – MEETINGS, REPEALING ALL INCONSISTENT ORDINANCES, RESOLUTIONS
OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Upper Darby Township (“Township”) is a Home Rule municipality organized and operating in accordance with the Charter of Upper Darby Township (“Charter”) as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. §2901 et seq. (“Home Rule Law”); and

WHEREAS, Section C-201 of the Charter grants that the Township shall have and may exercise any power and function not denied by the Constitution of Pennsylvania, the General Assembly of the Commonwealth of Pennsylvania, or the Charter; and

WHEREAS, the Upper Darby Township Code of Ordinances (“Code”) contains an Administrative Code, set forth in Chapter 7 of the Code; and

WHEREAS, the Administrative Code contains provisions related to the conduct of public meetings of the Council of Upper Darby Township (“Council”) at Section 5; and

WHEREAS, the Administrative Code currently provides that Council shall hold two public meetings per month, with the first meeting to be held in a workshop format whereby final action on an ordinance or resolution is discouraged and reserved for emergency circumstances only; and

WHEREAS, the Council deems it desirous to amend the provisions of Chapter 7 – “Administrative Code” at Section 5 – “Meetings,” to amend the procedures related to the public meetings of Council to allow for Council to take official action at both public meetings held each month.

NOW, THEREFORE, Upper Darby Township hereby ordains as follows:

SECTION 1. AMENDMENT TO CHAPTER 7, SECTION 5

Chapter 7 – “Administrative Code,” is amended at Section 5 – “Meetings,” as follows (text to be deleted shown as ~~strikethrough~~, text to be added shown as underline):

- A. Public notice: Provisions governing public notice of meetings shall be as provided by law.
- B. Regular meetings: Provisions regarding the regular meetings of Council shall be as provided in The Home Rule Charter.
- C. Rules of Procedure: All meetings of the Council shall be governed by Robert's Rules of Order and such other rules as Council may, from time to time, establish.
- D. Council shall have two publicly advertised voting meetings per month that are compliant with the Home Rule Charter, the Administrative Code of Upper Darby Township, all duly enacted Ordinances of Upper Darby Township, and Laws of the Commonwealth of Pennsylvania and the United States.
- ~~E. The first voting meeting shall be a workshop format in which Council Committees shall meet as a whole and discuss proposed ordinance(s) and resolution(s) and matters within the jurisdiction of their Committee. If a majority of the Committee members are satisfied with the proposed ordinance(s) and resolution(s) they may ask a quorum of Council assembled at the workshop meeting to vote to advertise the proposed ordinance and/or move forward the resolution for final action at a future Council meeting. The first voting meeting is intended to be a workshop format whereby final action on an ordinance or resolution is discouraged and reserved for emergency circumstances only.~~
- ~~F. The second voting meeting shall be a public meeting whereby a quorum of Council may take action on the advertised ordinance(s) or the recommended resolution(s).~~
- ~~G.~~ E. Upper Darby Township Council and residents will maintain professional respect for each other. Council encourages free speech; however, civility is required which would prohibit threats, profanity, scandalous, impertinent, and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting.

SECTION 2. SEVERABILITY

The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such constitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this Ordinance. It is hereby declared to be the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION 3. INTERPRETATION

The words, phrases and provisions of this Ordinance are not to be interpreted in a way that results in an absurd construction of the meaning, or in a way that causes one provision to contradict another.

SECTION 4. REPEAL OF PRIOR ORDINANCES

All Ordinances or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall become effective immediately upon the signature of the Mayor or, in the event the Mayor neither approves nor vetoes this Ordinance, fifteen days after the last day on which the Mayor can approve or veto this Ordinance, as set forth in the Upper Darby Township Home Rule Charter, Section C-702.

ORDAINED and **ENACTED** this _____ day of February, 2026.

SEAL:

ATTEST: _____
MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY: _____
MARION MINICK
PRESIDENT OF COUNCIL

APPROVED this _____ day of February, 2026.

ATTEST: _____
CRANDALL O. JONES
CHIEF ADMINISTRATIVE OFFICER

BY: _____
EDWARD BROWN
MAYOR