

BY-LAWS OF THE
SECTION ON MUNICIPAL LAW
OF THE
PENNSYLVANIA BAR ASSOCIATION

ARTICLE I

Name and Purpose

- Section 1. This Section shall be known as the Section on Municipal Law of the Pennsylvania Bar Association.
- Section 2. The purpose of the Section shall be to study, through its members and committees, all phases, questions and problems in the fields of Municipal Law, in its broad sense, including law pertaining to School Districts and Authorities; to inform members and the members of the Pennsylvania Bar Association of the various developments therein, and, where indicated, to propose and support changes, amendments, modifications and improvements in the common and statutory law relating to the law governing Municipalities, School Districts and Authorities.

ARTICLE II

Membership and Dues

- Section 1. (a) Any member of the Pennsylvania Bar Association in good standing may become a member of the Section;
- (b) Application for membership shall be made upon the appropriate form supplied by the Pennsylvania Bar Association, and mailed to the Secretary of the Pennsylvania Bar Association.
- Section 2. Dues. The members of the Section shall pay such annual dues as the members of this Section may direct, subject to the approval of the Board of Governors of the Pennsylvania Bar Association.

ARTICLE III

Officers

- Section 1.** The officers of the Section shall be:
- Chair
Vice Chair
Secretary
Treasurer
Section Delegate
- Section 2. The Chair, Vice Chair, Secretary, Treasurer and Section Delegate shall be elected at each annual meeting of the Section to hold office for a term beginning with their election at the annual meeting and ending at the close of the next succeeding annual meeting of the Section, or until their successors shall have been elected and qualified. A member of the Section who has been chair for two successive terms shall not be eligible to serve again as chair until a period of two years has passed following the conclusion of their last term in that office.
- Section 3. During intervals between meetings of the Section, the Section shall be governed by a Council which consists of the Chair, Vice Chair, Secretary and Treasurer, and up to ten members elected at each annual meeting.

- Section 4. In addition to live voting, Council may vote by telephone conference call, electronic mail or mail ballot, and a decision of the majority of the votes cast within two weeks after mailing the ballot shall govern.
- Section 5. In an emergency, the Section shall be governed by an Executive Committee which shall consist of the four officers who may vote by telephone conference call.

ARTICLE IV

Nomination and Election Procedure

- Section 1. Nominations
- (a) At the first session of each annual meeting of the Section, the Chair shall appoint a nominating committee of not less than three members of the Section, who shall not be officers of the Section. This committee shall make and report nominations to the Section for offices of Chair, Vice Chair, Secretary and Treasurer.
- (b) Other nominations for office may be made from the floor of the meeting.
- Section 2. Elections. All elections shall be held at its annual meeting by majority vote of the section members present.

ARTICLE V

Powers and Duties of Officers

- Section 1. Chair. The Chair shall preside at all meetings of the Section. He or she shall formulate and present to each annual meeting of the Pennsylvania Bar Association a written report of the work of the Section for the preceding year. He shall be responsible for the programs of the Section and of its various sub-sections or committees, in connection both with the annual and summer meetings of the Pennsylvania Bar Association, and generally. He or she shall appoint the chair and members of each committee created by the Section, including the delegate to the House of Delegates. He or she shall perform such other acts as usually pertain to office, including the requisitioning of funds of the Section held by the Pennsylvania Bar Association in accordance with its By-Laws.
- Section 2. Vice Chair. Upon the death, resignation, or inability, for any reason, of the chair to act, the Vice Chair shall perform the duties of the Chair for the remainder of the Chair's term; except in the case of a Chair's temporary physical disability, in which case, the Vice Chair shall serve only as long as such disability continues.
- Section 3. Sub-section Chair. Each sub-section shall be under the direct control and leadership of a sub-section Chair who shall be responsible for the work of the sub-section. Promptly after the election, he or she shall submit to the Chair a list of suggested sub-committees, with the chair and members he or she recommends for appointment thereto. He or she shall seasonally prepare and transmit to the Chair a program for the work of the sub-committee during his or her term in office. He or she shall be responsible for the organization of the work of the committees of the sub-section; for the preparation of program for the sub-section at the annual and summer meetings of the Pennsylvania Bar Association; for the conduct of all meetings of the sub-section, and for the coordination of the work of the sub-section and all of its committees with the work of the other sub-sections or their committees. He or she shall present to the Chair of the Section, a timely report of the work of the sub-section during the year, which report, in essence, shall be included in the report of the Chair to the Pennsylvania Bar Association.. He or she shall perform such other duties and acts as maybe assigned to him or her by the Chair, or as may usually pertain to the office.
- Section 4. Secretary and Treasurer
- (a) Secretary. The Secretary shall keep an accurate record of the proceedings at all meetings of the Section, and of the Council of the Section. He or she shall perform such other

duties as may be requested of him or her by the Chair of the Section, and shall, in cooperation with the latter, draft for publication, a summary or digest of the proceedings of the Section during the current year for presentation -at the annual meeting of the Pennsylvania Bar Association.

(b) Treasurer. The Treasurer shall keep appropriate records of all dues collected from Section members by the Pennsylvania Bar Association, and all expenses of the Section; he or she shall requisition funds of the Section from the treasury of the Pennsylvania Bar Association, at the instruction of the Section Chair, and in accordance with the By Laws of the Association; and he or she shall make an annual report of the financial status of the Section to the annual meeting of the Section and to the Pennsylvania Bar Association.

Section 5. Section Delegate. The Section Delegate is authorized to attend meetings of the House of Delegates as a voting member representing the Section. The Section Delegate shall review the House agenda prior to each meeting and alert the Section leaders to any item likely to be of interest to the Section. If the Section decides to take a position on a matter, the Section Delegate shall present the position of the Section on the floor of the House. The Section Delegate may vote on any issue before the House whether or not the Section has taken an official position, but may only speak on behalf of the Section if authorized by the Section. The Section Delegate shall also report on the proceedings of the House to the Section leadership.

ARTICLE VI

Powers and Duties of the Council

Section 1. The Council shall have general supervision and control of the affairs of the Section, subject to the Constitution and By-Laws of the Pennsylvania Bar Association, and these By-Laws. It shall fix the Section dues, authorize all commitments or contracts which shall entail payment of money, and shall authorize expenditure of all Section dues and all moneys appropriated for the separate use of the Section by the Pennsylvania Bar Association. It shall not, however, authorize commitments or contracts which shall entail a payment of more money during any fiscal year than the amount of the accumulated funds of the Section, together with any amount which may have been appropriated for the separate use of the Section for the current fiscal year.

Section 2. The Council during the interim between annual meetings of the Section shall fill all vacancies: in its own membership, in the office of Chair, in the office of Vice Chair, and in the offices of Secretary and of Treasurer, and any other office that may be created. Officers so appointed shall serve until the close of the fiscal year in which they were appointed.

Section 3. The Chair of the Section may, and upon written request of any two members of the Council shall submit to each of the members of the Section, in writing, any proposition upon which the Section may be authorized to act, and the members of the Section may vote upon such proposition or propositions by communicating their signed vote thereon to the Secretary, who shall record upon the minutes the proposition so submitted, and the vote of each member thereon, and he or she shall file these with the permanent files of the Section.

Section 4. A majority of members of the Council shall constitute a quorum.

ARTICLE VII

Meetings

Section 1. The meetings of the of the Section shall be held during the course of and at the place of the meetings of the Pennsylvania Bar Association, and with such program or order of business as may be arranged in the manner above provided.

Section 2. Special meetings of the Section may be called by the Chair upon approval of the

Council of the Section at such time and place as the Council of the Section may determine.

Section 3. Action of the Section shall be by majority vote of the members present and qualified to vote.

ARTICLE VIII

Miscellaneous Provisions

Section 1. Fiscal Year. The fiscal year of the Section shall be the same as that of the Pennsylvania Bar Association.

Section 2. All bills incurred by the Section, or a sub-section thereof, or any committee or officer shall be forwarded to the Treasurer of the Section for payment, and shall be approved by the Chair or such other officer as the Chair may from time to time designate.

Section 3. No salary or compensation shall be paid to any officers, provided, however, that when authorized by the Chair, reimbursement shall be made to officers, and to members of the Section for out-of-pocket expenditures, on matters previously authorized by the Council.

Section 4. Any action of the Section must be approved by the Pennsylvania Bar Association, in accordance with the Association By-Laws, before the same becomes effective as the action of the Pennsylvania Bar Association. Any resolution adopted or action taken by the Section may, on the request of the Section, be reported by the Chairman to the Association.

ARTICLE IX

Amendments

These By-Laws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, provided (1) that such proposed amendments shall first have been approved by the Council of the Section; and (2) that no amendment hereof shall conflict with the By-Laws of the Pennsylvania Bar Association.

****Unanimously approved by the Board of Governors January 30, 2019.***