

ARTICLE IV  
**City Controller**

**SECTION 401. Election and terms.**

The election of the City Controller shall be held in municipal elections in the manner provided by law. The term of office of the City Controller shall be four years commencing the first Monday in January after the election.

**SECTION 402. Eligibility. [Amended 11-7-2023 (7-19-2023 by Ord. No. 15915)]**

The candidate for City Controller shall be a registered voter of the City and shall continue to reside in the City throughout the term of office. The City Controller elected at the first election under this Charter shall receive an annual salary that is equal to 80% of the Mayor's salary.

**SECTION 403. Responsibility.**

The City Controller shall:

- A. Have financial oversight of City finances, independent of the Executive and Legislative branches and shall review all expenditures of the Mayor, City Council and City Boards, Commissions and Agencies;
- B. Review the Annual Budget before approval by City Council, and make nonbinding recommendations to the Mayor and to City Council for consideration, if he or she deems it necessary;
- C. Be present or represented at all Council meetings;
- D. Perform audits, including performance audits, of the City and any City department, office, authority, board or commission. In the performance of such audits, the City Controller, to the fullest extent allowable by law, shall be given access to any and all information and documents reasonably and actually necessary for the completion of such audits. The Controller, in conducting such audits, shall in all respects comply with Section 171.02.B (Confidential Information) of the City Ethics Code and Section 140.17 (Employee Conduct and Work Rules), Part H.12 of the Personnel Code prohibiting the unauthorized disclosure of confidential information in violation of federal, state and local laws. All information and documents made available to the Controller to conduct such audits and any reports resulting therefrom shall be subject to the provisions of the Pennsylvania Right-to-Know Law.<sup>1</sup> **[Amended 5-18-2021 (1-6-2021 by Ord. No. 15668)]**
- E. Report, to the Mayor and to City Council, on the progress of the implementation of any recommendations as found in the Annual Audit and Management Letter;
- F. Assist in all audits conducted by independent auditors;
- G. Assure the accurate and timely completion and submittal of audit reports along with appropriate follow-up recommendations;

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1. Editor's Note: See 65 P.S. § 67.101 et seq.

- H. Furnish to City Council, the Mayor, and others, as appropriate, periodic reports of audits conducted;
- I. Interpret and communicate audit policies and procedures to all City management and staff;
- J. Direct internal financial security and loss investigation activities;
- K. Prepare an annual budget for the office of City Controller and operate the office of City Controller within approved budget limitations; and
- L. Issue any subpoenas in order to fulfill the duties and responsibilities of the office of City Controller.

**SECTION 404. Forfeiture of office.**

The City Controller shall forfeit that office if the City Controller:

- A. Lacks, at any time during term of office, for which any qualification for the office prescribed by this Charter or by law;
- B. Violates any express prohibition of the Charter; or
- C. Is convicted of any crime classified as a misdemeanor of the second or degree higher, under the laws of the Commonwealth of Pennsylvania or the United States, or be convicted of any comparable crime under the laws of any other state in the United States.

In all cases of forfeiture, the City Controller shall be entitled to notice and a hearing in accordance with the administrative procedures to be established by Council.

**SECTION 405. Vacancy.**

- A. If the office of the City Controller becomes vacant for any reason, Council shall appoint an interim City Controller, of the same political party, who shall serve until the next Municipal Election.
- B. A vacancy in the office of the City Controller shall be filled at the next Municipal Election, in the manner provided by law. The person elected shall hold the qualifications for the office of the City Controller and shall serve the remaining portion of the vacated term.

**SECTION 406. Prohibitions.**

- A. The City Controller shall not hold any compensated appointive City office or City employment during the term of office for which the City Controller was elected.
- B. The City Controller shall not serve as an elected official in any other office in the Commonwealth of Pennsylvania or political subdivision thereof.
- C. The City Controller shall not hold any compensated appointed City office or City employment until one year after the expiration of the term for which the City Controller was elected.

- D. The City Controller shall not serve as an employee of a municipal authority which is created solely or jointly by the City with one or more political subdivisions until one year after the expiration of the term for which the City Controller was elected.
- E. A City Controller who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any sale of land with the City or in any contract with the City, shall immediately make known that interest to Council. A City Controller who willfully conceals any such interest shall be guilty of malfeasance in office. Violation of this section with the knowledge expressed or implied of the person or corporation contracting with or making a sale to the City shall render the contract or sale voidable by the City.