

ORDINANCE NO. 14354

FILE OF CITY COUNCIL

BILL NO. 82 – 2005

INTRODUCED BY TOM BURKE AND LOUIS HERSHMAN

AUGUST 17, 2005

AN ORDINANCE

Authorizing the Lehigh County Board of Elections to place the following question on the May 16, 2006 ballot for the Allentown electorate that would amend the Home Rule Charter, Section 805, City Council Action on Budget.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Section 805, City Council Action on Budget, be amended to read as follows:

SECTION 805 CITY COUNCIL ACTION ON BUDGET

A. *Public Access to Budget:* The proposed budget shall be available for public inspection at City Hall and at the Allentown Public Library and the Lehigh County Law Library, and copies shall be available for the public at a reasonable fee to be set by the Council.

B. *Amendment Before Adoption.* After the public hearing, the City Council may adopt the budget with or without amendments. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income and thereby allowing for line item changes by the City Council.

If the amended Budget increases, decreases or readjusts funding requirements by more than five (5%) percent, or adds or deletes a program, the Budget shall be returned to the Mayor immediately for comment and resubmission to the Council within three (3) normal City work days.

Council shall provide for another public hearing to be held within five (5) days after the Mayor has resubmitted the Budget.

C. *Adoption.* Council must adopt an annual budget by no later than December 15th of the fiscal year currently ending. ~~If Council fails to adopt a Budget by December~~

15th, the Mayor's original proposed balanced Budget shall become the official Budget of the City for the ensuing fiscal year.

1. The Mayor's Original Proposed Balanced Budget contains No Tax or Fee Increases: If Council fails to adopt a budget by December 15th, the Mayor's original proposed balanced budget shall become the official budget of the City for the ensuing fiscal year.

2. The Mayor's Original Proposed Balanced Budget Contains a Tax or Fee Increase: If Council fails to adopt a budget by December 15th, the tax rate or fee for the ensuing fiscal year shall not be increased, but shall remain the same as the current fiscal year, and cuts shall be made from the Mayor's proposed expenditures on a prorated basis across each and every line item in the relevant Fund, except for debt service or other expenditures mandated by law. The resulting budget shall become the official budget of the City for the ensuing fiscal year. The Administration may propose transfers to adjust funding according to the procedures found in the Charter and Administrative Code.

3. The Mayor's Original Proposed Balanced Budget Contains a Tax or Fee Decrease: If Council fails to adopt a budget by December 15th, the tax rate or fee for the ensuing fiscal year shall not be decreased but shall remain the same as the current fiscal year, and the surplus revenue shall be placed in the relevant Fund's balance. The resulting budget shall become the official budget of the City for the ensuing fiscal year.

SECTION TWO: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

SECTION THREE: That this Ordinance takes effect ten (10) days after final passage.

Amendment to add "except for debt service or other expenditures mandated by law" in Paragraph 2

	Yea	Nay
David K. Bausch	X	
Tom Burke	X	
Julio A. Guridy	X	
Louis J. Hershman	X	
Gail Hoover	X	
Martin Velazquez, III	X	
David M. Howells, Sr. President	X	
TOTAL	7	0

	Yea	Nay
David K. Bausch		X
Tom Burke	X	
Julio A. Guridy	X	
Louis J. Hershman	X	
Gail Hoover	X	
Martin Velazquez, III	X	
David M. Howells, Sr. President	X	
TOTAL	6	1

**I hereby certify that the foregoing
Ordinance was passed by City Council
on December 21, 2005.**

CITY CLERK