

Government Study Commission
October 8, 2013
Meeting Minutes

Committee members in attendance: Bert Lennon, Philip Shevlin, David Sheridan, Robert Winston, Stephen Hughes, Blake Wilson, William Berwick, Alternate, John Sacrison. Absent from the meeting were James Flower.

Ken Womack called the meeting to order.

Minutes from the September 24, 2013 Government Study Commission meeting were approved.

Old Business

a. Review of reports

William Berwick presented a report on Bethel Park's Home Rule Charter. See attached report.

Ken Womack presented a report on the State College Home Rule Charter. See attached report.

b. Review report of issues

Ken Womack stated the Commission should prepare reasons to pursue or not pursue a home rule charter, to use or not use an optional form of government. These reasons would be presented at the public meeting on October 15, 2013.

The Commission was in agreement to pursue the following issues:

- The mayoral election process and roles for the mayor, to include supervision of the police chief
- General election procedures
- Size of council, ward or at large election of council members and term limits
- citizen right to petition for initiative/referendum
- An alternate to using the elected tax collector
- Alternate procurement/advertising procedures for borough contracts/services
- A code of ethics
- The financial impact of home rule

c. Discuss presentation for public hearing, October 15th.

John Sacrison will contact the newspaper for provide meeting information.

Ken Womack will prepare a letter to the editor of the paper.

Distribute flyers advertising the meeting and look into advertising in the TV media.

Confirm schedule for make decision on how to proceed

The commission will develop a document that states their decision as to how they will proceed. The commission will vote on the document on October 29th.

New business

Bob Winston presented a proposed budget that will be presented to borough staff and council. The Bob Winston made a motion and Stephen Hughes seconded to approve the budget and submitted to council. See attached budget.

Meeting was adjourned at 9:00 PM.

Respectfully Submitted,

Joyce Stone,
Borough Secretary

Attachments:

Report on Bethel Park's Home Rule Charter
Home Rule Charter for State College.
Budget to present to council

PART V. BOROUGHS

Chap.	Sec.
41.	BOROUGH OF STATE COLLEGE HOME RULE CHARTER41.1-101

CHAPTER 41. BOROUGH OF STATE COLLEGE HOME RULE CHARTER

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Source

The provisions of this Chapter 41 adopted November 6, 1973, effective January 5, 1976, unless otherwise noted.

ARTICLE I. APPLICABILITY AND LEGAL STATUS

Sec.

- 41.1-101. Applicability.
- 41.1-102. Effective Date.
- 41.1-103. Severability.

§ 41.1-101. Applicability.

This charter shall apply to the Borough of State College, Centre County, Pennsylvania, which shall include all territory within the boundaries of the said Borough at the time when this charter shall take effect, and all territory that may lawfully be added to the said Borough at any time thereafter. The said Borough of State College shall herein be referred to as “Municipality.”

§ 41.1-102. Effective Date.

This charter shall become effective on the first Monday of January, 1976, and the municipal government shall operate under the terms and provisions hereof from and after the said effective date.

§ 41.1-103. Severability.

If any provision of this charter shall be held by any court of competent jurisdiction to be invalid, such invalidity shall not affect any other provision of this charter, its being the intent of the electors of this Municipality that the remaining provisions of this charter be given full force and effect as completely as if such invalid provision had not been included herein. If the application of this charter or any provision thereof to any person or circumstance shall be held to be invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE II. POWERS OF THE MUNICIPALITY

Sec.

41.2-201. Grant of Power. 41.2-202. Construction.

41.2-203. Powers Vested in Municipal Council.
41.2-204. InterGovernmental Relations.

§ 41.2-201. Grant of Power.

The municipality shall have, and may exercise any power and may perform any function not specifically denied it by the Constitution of Pennsylvania, by this charter, or by the General Assembly of Pennsylvania.

§ 41.2-202. Construction.

At no time and in no respect shall the Municipality have less power and authority than it would have had, had it not adopted this charter, except to the extent that this charter in itself may limit any specific power or authority now or hereafter granted by the Constitution or laws of Pennsylvania. The powers of the Municipality shall be construed liberally in favor of the Municipality, and the specific mention of particular powers in this charter shall not be construed as limiting in any way the general powers stated in this Article. All possible powers of the Municipality are to be considered as if specifically and individually set forth in this Article, whether such powers are presently available to the Municipality or may hereafter become available.

§ 41.2-203. Powers Vested in Municipal Council.

All powers of the Municipality, including any such power which may hereafter be conferred upon the Municipality by the Constitution of the United States or by the Constitution of Pennsylvania or by amendment of this charter or by any Act of the General Assembly, unless otherwise specifically set forth in this charter, shall be vested in the Municipal Council, hereinafter referred to in this charter as Council, subject to the authority of the Mayor, as set out in § 41.7-702 of this charter.

§ 41.2-204. Inter-Governmental Relations.

The Municipality may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the United States of America or any agency thereof, and/or the Commonwealth of Pennsylvania and any political sub-division or agency thereof.

ARTICLE III. NONDISCRIMINATION

Sec.

41.3-301. Nondiscrimination.

§ 41.3-301. Nondiscrimination.

The Municipality shall not deny to any person the enjoyment of any civil right, or discriminate against any person in the exercise of any civil right because of race, color, religious belief, ancestry, sex or national origin.

Cross References

This section cited in 314 Pa. Code § 41.5-502 (relating to duties).

ARTICLE IV. ELECTED OFFICERS

Sec.

41.4-401. Enumeration and Qualifications of Elected Officers.

41.4-402. Election of Officers.

41.4-403. Vacancies in Office.

41.4-404. Removal of Elected Officers.

41.4-405. Compensation of Elected Officers.

41.4-406. Oath of Office.

§ 41.4-401. Enumeration and Qualifications of Elected Officers.

The elected officers of the Municipality shall be (a) the Mayor; and (b) the Council, which shall consist of seven (7) members. All elected officers shall,

at the time of their election and during their tenure as such officers, be qualified and registered voters of the Municipality.

§ 41.4-402. Election of Officers.

All elected officers shall be elected at large, by the qualified voters of the Municipality for four (4) year terms of office, commencing on the first (1st) day of January of the year following the municipal election at which they shall be elected. The Mayor shall be elected in the year 1977 and at four (4) year intervals thereafter. Four (4) of the members of Council shall be elected in the year 1975, and at four (4) year intervals thereafter, and three (3) of the members of Council shall be elected in the year 1977 and at four (4) year intervals thereafter.

§ 41.4-403. Vacancies in Office.

Vacancies in any elected office shall be filled by vote of Council within forty- five (45) days after the occurrence of such vacancy. Every person so appointed shall possess the same qualifications as herein set out for persons elected to such office.

Every person appointed to fill any such vacancy shall be entitled to hold such office for the balance of the unexpired term, so long as he shall continue to possess the qualifications pertinent to the office, except when the vacancy shall occur within eighteen (18) months after the commencement of the elective term, in which case the person appointed to fill such vacancy shall serve only until the first (1st) day of January of the first (1st) even-numbered year following his appointment. The balance of such unexpired term shall be filled by a person elected by the qualified voters of the Municipality at the municipal election in the year preceeding such first (1st) day of January.

In any case, where Council shall refuse, fail or neglect, or be unable, for any reason whatever, to fill any such vacancy within the forty-five (45) day period aforesaid, the Court of Common Pleas shall then, upon petition of Council or of any five (5) citizens of the Municipality, fill the vacancy by the appointment of a qualified voter of the Municipality, who shall hold such office for the same period as if he had been appointed by Council.

§ 41.4-404. Removal of Elected Officers.

A Councilman or Mayor shall be subject to removal from office by vote of Council if he (1) violates any express provision of this charter; (2) is convicted of a crime more serious than a summary offense as defined in Pennsylvania law; or (3) fails to attend three (3) consecutive regular meetings of Council without having been excused by the Council.

§ 41.4-405. Compensation of Elected Officers.

Elected officers may receive compensation as shall be fixed by Council from time to time, but such compensation or any change therein shall not become applicable to any incumbent officer until the commencement of a new term of office.

§ 41.4-406. Oath of Office.

Every elected officer, prior to assuming office, shall take and sign an oath or affirmation to support the Constitutions of the United States of America and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity. The oath or affirmation may be taken and signed before any judge or district justice of the Commonwealth of Pennsylvania. No person shall be permitted to assume each office until the oath, in written form, has been filed with the Municipal Secretary.

ARTICLE V. COUNCIL—POWERS, DUTIES, LIMITATIONS AND LEGISLATION

Sec.

41.5-501. Powers.

41.5-502. Duties.

41.5-503. Limitations.

§ 41.5-501. Powers.

1. All legislative power of the Municipality shall be vested in Council.
2. Council shall have the power to enact, amend or repeal all ordinances and resolutions not inconsistent with this charter or with the laws of the Commonwealth.
3. Council shall have the power to create or abolish all authorities, boards, commissions, committees, departments, offices, or agencies.
4. Council shall have the power to appoint and remove all members of authorities, boards, commissions and committees and all members of its legislative and legal staff.
5. Council shall have the power to receive and accept all gifts or donations of real and personal property or interest therein in the name of the Municipality.
6. Council, as a body, or through a committee thereof, shall have the power to make inquiries and investigations into the affairs of the Municipality and its government and into the conduct of any municipal department, office or agency, or any of the committees thereof.
7. Council shall have the power to hold public hearings on any matter. Notice of every such hearing shall be given in the manner determined by Council, and all interested persons shall have an opportunity to be heard.

§ 41.5-502. Duties.

1. Council shall appoint a Municipal Manager.
2. Council shall adopt an Administrative Code, establishing and defining the responsibilities of the municipal departments and agencies, as well as such procedures as it shall deem to be of basic importance in the operation of the municipal government. Council shall have the continuing authority thereafter, by amendment of the administrative code, to make changes in departmental and administrative organizations and procedures, and to abolish any department, board, commission or other agency not required by law or by this charter to be established and maintained.
3. Council shall appoint the Municipal Solicitor, who shall be an Attorney at

Law or a firm of Attorneys, and the Municipal Secretary. The Secretary shall be directly under the supervision and control of Council.

4. Council shall adopt a Personnel System which shall provide for the appointment, promotion and removal of all appointed officers and employees of the Municipality. Such system shall provide, among other things, that all appointments and promotions of appointed municipal officers and employees shall be made on the basis of merit and fitness demonstrated by examination or other evidence of competence. The nondiscrimination provisions of § 41.3-301 of this charter shall apply in any appointment or promotion, and political affiliation or beliefs shall not be a factor.

5. Council shall adopt procedures which shall provide for the purchasing of products, goods and services, the making of contracts, and the sale or lease of personal or real property of the Municipality. Such procedures shall provide for negotiated contracts, competitive bidding, detailed bidding procedures, assurance of controls on aggregate spending, and safeguards against special interests.

6. Whenever a petition shall be presented to Council, signed by registered electors of the Municipality comprising at least two percentum (2%) of the electors voting at the most recent municipal election, requesting that Council consider and take action on the subject matter of the petition, it shall be the duty of Council to place the subject matter thereof on its agenda for a regular or special meeting taking place within two (2) months after receipt of the petition. At such meeting, Council shall consider and take action on such subject matter. Provided: The same subject shall not be presented to Council by petition pursuant to this Section oftener than one (1) time in any two (2) year period. Provided further: This Section is not intended to prevent any individual or group of individuals from petitioning Council in any other legal manner.

Cross References

This section cited in 314 Pa. Code § 41.5-504 (relating to legislation).

§ 41.5-503. Limitations.

Council shall, in the conduct of its powers, be subject to the following limitations:

1. Individual Councilmen shall not exercise any power of Council unless such authority shall be specifically delegated by Council or by this charter.
2. Except where authorized by law, no Councilman shall hold any other municipal office or municipal employment during his term of office.
3. Neither Council nor any of its members shall in any manner dictate activities or the appointment or removal of any municipal officer or employee who is appointed by the Manager; but Council or any of its members may express its views and discuss with the Manager anything pertaining to the activities or appointment or removal of any of his subordinates.
4. Any Councilman who shall have a special financial interest in a matter before Council shall abstain from voting on the question.

§ 41.5-504. Legislation.

1. The following actions of Council shall be taken by ordinance:
 - A. Adoption of the administrative code, referred to in § 41.5-502 of this charter.
 - B. Adoption of the personnel rules and regulations referred to in § 41.5-502 of this charter.
 - C. Adoption of procedures for purchasing of products, goods or services, for the making of contracts and for the sale or lease of personal or real property of the Municipality, as referred to in § 41.5-502 of this charter.
 - D. Adoption of tax levies and authorization for service charges, fees and assessments.
 - E. All other actions which are legislative in nature, which affect or regulate the conduct of the public, which create or establish any long-term, permanent physical change, right or privilege, or which amend or repeal any previously enacted ordinance.
2. Ordinances shall become effective following the carrying out of the publication and recording requirements; however, a later date may apply when required by law or when specified in the ordinance.
3. All other actions shall be taken by resolution or motion.

ARTICLE VI. OPERATIONS AND PROCEEDINGS OF COUNCIL

Sec.

41.6-601. Organization.

41.6-602. Regular, Adjourned and Special Meetings. 41.6-603. Conduct of Meetings.

41.6-604. Minutes of Meetings.

41.6-605. Inquiries and Investigations.

41.6-606. Enactment of Ordinances.

41.6-607. Publication of Notice of Enactment of Ordinances.

41.6-608. Recording of Ordinances.

41.6-609. Availability of Ordinances. 41.6-

610. Codification of Ordinances. 41.6-611. Ordinance Violations.

§ 41.6-601. Organization.

Council shall hold its organizational meeting on the first (1st) Monday of January of each even-numbered year. At the organization meeting, it shall elect one

(1) of its members as Vice President of Council, who shall hold such office at the pleasure of Council. The Council shall transact any other business that it may deem necessary or appropriate at the organization meeting. Provided: In any year when the first (1st) Monday of January shall be a legal holiday, the organization meeting of Council shall be held on the following day.

§ 41.6-602. Regular, Adjourned and Special Meetings.

Council shall hold regular meetings at least once a month, on such day and at such time as Council shall from time to time determine and schedule.

Council may adjourn to a stated time for general business or for special business.

A majority of the members of Council in office, not including the Mayor in his capacity as presiding officer, shall constitute a quorum. If no quorum is present at a regular or adjourned meeting, a majority of the members of Council who are present may agree upon another date and hour for a meeting, and members so present may continue so to agree until a meeting can be held with a quorum in attendance.

Special meetings may be called by the Mayor on his own initiative or shall be called by him upon written request of at least two (2) of the members of Council. Members shall have at least twenty-four (24) hours' notice of special meetings. The notice shall state the nature of the business to be considered. Presence at a meeting constitutes waiver of notice.

§ 41.6-603. Conduct of Meetings.

Meetings of Council shall be open to the public and shall be conducted according to rules of procedure that shall be adopted from time to time by Council. Such rules shall be designed to assure full and equal participation in the deliberations of Council by all of its members.

§ 41.6-604. Minutes of Meetings.

Council shall cause minutes of all its meetings to be made and preserved. The minutes shall be open to public inspection in the municipal offices, during regular business hours.

§ 41.6-605. Inquiries and Investigations.

In the conduct of inquiries and investigations, Council shall have authority to compel the attendance of witnesses and the production of books, papers or other evidence at any meeting of Council or of any committee thereof, and for that purpose may issue subpoenas, signed by the Mayor or the Chairman of the Committee, as the case may be, and may cause the same to be served in any part of the Commonwealth of Pennsylvania. The Mayor or Committee Chairman, as the case may be, shall have the power to administer oaths to witnesses.

§ 41.6-606. Enactment of Ordinances.

Action on Ordinance shall be at a lawful meeting of Council and shall be by majority vote of the members present. If such Ordinance receives such affirmative majority vote, it shall then be signed by the Vice President of Council, or in his absence any other Councilman and attested by the Municipal Secretary who shall affix the Municipal Seal and insert the date of the Council vote. Such Ordinance shall then be presented to the Mayor for his approval. If the Mayor approves such Ordinance, he shall sign it; if the Mayor shall not approve the Ordinance, he shall have the power to veto it within fourteen (14) days of its date.

If the Mayor vetoes such Ordinance, he shall, at the same time, give his reasons in writing for such veto. Council may, by an affirmative vote of five (5) members of Council, override the veto of the Mayor at the next meeting of

the Council following the veto whether such meeting is a regular, special, or adjourned meeting.

The enactment of an Ordinance shall be the date when the Mayor shall approve it or the date of passage by Council over the veto of the Mayor or in the case of any Ordinance neither approved nor vetoed by the Mayor, then on the date which is fifteen (15) days after the original approval by Council.

Ordinances shall be numbered consecutively and shall contain a clear statement that the document is an Ordinance.

Cross References

This section cited in 314 Pa. Code § 41.7-702 (relating to mayor's veto power).

§ 41.6-607. Publication of Notice of Enactment of Ordinances.

Notices of ordinances adopted by Council shall be published in one (1) or more newspapers of general circulation in the Municipality within seven (7) days of enactment. Such publication shall state where the full text of the ordinance may be examined and copies obtained. Provided: In case of any ordinance which imposes or establishes penalties, (except for ordinances adopting codes complete in themselves, as referred to in § 41.6-608 of this charter), the full text of the ordinance shall be published and the publication in the newspaper shall state where copies of the ordinance may be obtained. Provided further: In addition to the publication herein required after enactment of an ordinance, prior public notice of the intent to take action on a proposed ordinance may be made in any case at the discretion of Council.

§ 41.6-608. Recording of Ordinances.

Within seven (7) days after the enactment of an ordinance, the Municipal Secretary shall cause to be recorded in the Municipal Ordinance Book, a verbatim copy of such ordinance, which shall contain a notation of the date of enactment and the date of publication and the name of the newspaper in which publication was made. Provided: It shall not be necessary to record in the Ordinance Book the full text of any ordinance where there is a specific provision in the laws of Pennsylvania permitting adoption and recording by reference, or in the case of any ordinance adopting, with or without amendment or modification, any building code, plumbing code or other code complete in itself, for the regulation of any trade, occupation or line of activity or undertaking, but in the latter cases it shall be necessary only to record the ordinance adopting the same reference and indicating the municipal office where the complete code or ordinance shall be available. Provided further: Whenever an ordinance shall be specifically amended or repealed, the Municipal Secretary shall cause a notation to that effect to be made in the Ordinance Book at the location where the recording of such ordinance shall commence. Provided further: Whenever any ordinance shall pre- scribe a condition to its becoming effective, in the nature of an acceptance by a party thereto, the meeting of such condition or the failure to meet the same shall likewise be noted at the appropriate place in the Ordinance Book.

Cross References

This section cited in 314 Pa. Code § 41.6-607 (relating to publication of notice of enactment of ordinances).

§ 41.6-609. Availability of Ordinances.

The ordinance book shall be open and available for public inspection and perusal in the Municipal Building during office hours, and the Municipality shall make available, at cost of reproduction, copies of any ordinances, upon request.

§ 41.6-610. Codification of Ordinances.

The Municipality shall cause the valid ordinances and the permanent ordinances to be codified and indexed, and the codification shall be kept current by updating on a biennial or more frequent basis.

§ 41.6-611. Ordinance Violations.

Violation of an ordinance shall constitute a summary offense, and prosecution for every such offense shall be according to the practice in the case of summary convictions, except where the laws of Pennsylvania shall specifically provide otherwise. Any ordinance may prescribe a penalty for the violation thereof, which may not exceed the maximum penalty that may be imposed by any non-charter borough in the Commonwealth for violation of an ordinance. All fines, penalties and costs collected shall be paid into the municipal treasury for use of the Municipality. Provided: Any ordinance may provide that for continuing violations, each day that a violation exists may be regarded as a separate violation.

ARTICLE VII. THE MAYOR

Sec.

41.7-701. Mayor is Presiding Officer of Council.

41.7-702. Mayor's Veto Power.

41.7-703. Mayor Ceremonial Head of Municipal Government: Represents Municipality. 41.7-704. Emergency Powers.

§ 41.7-701. Mayor is Presiding Officer at Council.

The Mayor shall be the presiding officer of Council.

§ 41.7-702. Mayor's Veto Power.

The Mayor shall not have the right to vote upon any matter before the Council, but the Mayor shall approve or veto any Ordinance of Council as set forth in

§ 41.6-606 of this Charter.

Cross References

This section cited in 314 Pa. Code § 41.2-203 (relating to powers vested in municipal council).

§ 41.7-703. Mayor Ceremonial Head of Municipal Government: Represents Municipality.

The Mayor shall be the ceremonial head and official representative of the municipality and the Mayor may designate any other elected or appointed official of the Municipality to act in his stead.

§ 41.7-704. Emergency Powers.

Any emergency powers that Council may establish by ordinance to suppress mobs, riots, and tumultuous assemblies, or to take over control in the case of emergency resulting from any natural or other disaster, shall devolve upon the Mayor, unless Council, at the time of a specific emergency or disaster, shall determine that such emergency powers shall be exercised otherwise, for the duration of such emergency or disaster.

ARTICLE VIII. THE MANAGER

Sec.

41.8-801. Appointment, Qualifications and Tenure. 41.8-802. Removal of Manager.

41.8-803. Powers and Duties of the Manager.

§ 41.8-801. Appointment, Qualifications and Tenure.

Council shall appoint the Municipal Manager for an indefinite term. Council shall have the authority to enter into contracts with Managers, which may stipulate terms of employment and severance pay, subject to the limitations of § 41.8- 802 of this charter. The Manager shall be chosen on the basis of his executive and administrative qualifications. During his tenure as Municipal Manager, he shall not hold any elective governmental office.

§ 41.8-802. Removal of Manager.

Council, by an affirmative vote of a majority of its members, may remove the Manager at any time, with or without cause.

Cross References

This section cited in 314 Pa. Code § 41.8-801 (relating to removal of manager).

§ 41.8-803. Powers and Duties of the Manager.

The Manager shall be the chief executive and administrative officer of the Municipality. He shall be responsible to Council for the administration of all municipal affairs placed in his charge. He shall have the following specific powers and duties:

1. With the consent of Council, the Manager shall appoint all department heads; such appointees shall serve at the pleasure of the Manager. The Manager shall appoint and may remove all administrative personnel, subject to the limitations of the personnel system.
2. The Manager shall direct and supervise all administrative activities of the Municipality, except as otherwise provided by this charter.
3. The Manager shall prepare the agenda for all meetings of Council, and shall attend all meetings of Council, at which meetings he shall have the right to participate in discussions, but he shall not have the right or privilege to vote on any matter.
4. The Manager shall make such recommendations to Council concerning municipal policy as he shall deem desirable, or when he shall be instructed by Council to do so. He shall keep Council fully informed as to the conduct of municipal affairs.
5. The Manager shall prepare and submit to Council such reports dealing with financial, administrative and/or other matters as Council may request of him.
6. The Manager shall be responsible for the enforcement of all laws, ordinances and regulations of the Municipality.
7. The Manager shall perform such other duties as are required by Council.

ARTICLE IX. FINANCE

Sec.

41.9-901. Fiscal Year.

41.9-902. Tax Levy.

41.9-903. Tax Duplicate.

41.9-904. Submission of Budget and Budget Message. 41.9-905. Budget Message.

41.9-906. Budget Document.

41.9-907. Capital Program. 41.9-908. Notice and Hearing.

41.9-909. Council Action on the Budget. 41.9-910. Public Records.

41.9-911. Amendments During the Fiscal Year. 41.9-912. Lapse of Appropriations.

41.9-913. Independent Audit.

§ 41.9-901. Fiscal Year.

The fiscal year of the Municipality shall commence on the first (1st) day of

January and terminate on the last day of December. The fiscal year may be changed by ordinance, or shall be automatically changed when mandated by statute.

When a change is made, Council shall determine the procedures and fiscal arrangements for the transition.

§ 41.9-902. Tax Levy.

At the time the budget is adopted by Council, the required tax levies proposed in the budget are considered to be adopted or readopted unless separate ordinance action is mandated by statute.

Council shall have the power to levy any taxes which are permitted by the Pennsylvania Constitution and authorized for municipal application by action of the General Assembly.

§ 41.9-903. Tax Duplicate.

Council shall, within thirty (30) days after adoption of the budget or within thirty (30) days after receipt of the assessment roll from the County, whichever is later, furnish the duplicate of property taxes assessed to the collector of taxes of the Municipality. Council may request the County Assessment Office or other appropriate agency to make revisions, additions and adjustments to the tax duplicate and such list of additions, revisions and adjustments shall be furnished by Council to the collector of taxes.

§ 41.9-904. Submission of Budget and Budget Message.

On or before the thirtieth (30th) day prior to the end of the fiscal year, the Manager shall submit to the Council a budget for the ensuing fiscal year and an accompanying message. The submission date and other subsequent dates affecting the budget may be changed by Council, when desirable, to conform with a regional policy affecting the budget or when mandated by State law.

§ 41.9-905. Budget Message.

The budget message submitted by the Manager shall explain the budget both in fiscal terms and in terms of programs, policies, activities and plans. It shall outline the proposed financial policies of the Municipality for the ensuing year; describe the important features of the budget; indicate any major changes in financial policies, expenditures and revenues from the current year, together with the reasons for such changes; summarize the Municipality's debt position and include such other material Council may request or as the Manager deem desirable.

§ 41.9-906. Budget Document.

The budget document shall provide a complete financial plan of all municipal funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the Manager deems desirable or as Council may require. The budget document shall provide that the budget submitted for each fund is balanced and that the total of proposed expenditures shall not exceed the total of the estimated revenue.

§ 41.9-907. Capital Program.

The Manager shall prepare and include as a separate section in the annual budget submitted to Council a capital program of capital expenditures of a non-recurring and long-range nature, as the Manager shall deem desirable or as Council may require.

§ 41.9-908. Notice and Hearing.

Council shall publish in one (1) or more newspapers of general circulation in the Municipality the general summary of the budget and a notice stating:

1. The times and places where copies of the message and budget are available for inspection by the public.
2. The time and place, not less than ten (10) days after such publication, for a public hearing on the budget.

§ 41.9-909. Council Action on the Budget.

A. *Amendment Before Adoption.* Following the public hearing, Council may adopt the budget with or without amendment. In amending the budget, Council may add or increase programs or amounts, except for expenditures required by law, or for debt service; or may reduce or delete programs or amounts provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated revenue.

B. *Adoption.* Council shall adopt the budget by resolution on or before the last day of the fiscal year currently ending.

C. *Appropriations.* Adoption of the budget shall constitute the appropriation of the amounts specified therein as expenditures from the funds indicated, and shall constitute a levy of the taxes therein proposed.

§ 41.9-910. Public Records.

Copies of the budget, as adopted, and of the capital program plan shall be public record and shall be made available to the public at suitable places in the Municipality as determined by Council.

§ 41.9-911. Amendments During the Fiscal Year.

A. *Supplemental Appropriations.* If, during the fiscal year there is evidence of a need for a supplemental appropriation and there is available unencumbered revenues in excess of those estimated in the budget, Council may, by resolution, make such supplemental appropriations for the year in an amount not to exceed such excess.

B. *Emergency Appropriations.* To meet a public emergency affecting life, health, property or the public peace, Council may, during the year, by ordinance, make emergency appropriations.

To the extent that there are not available unencumbered or unappropriated revenues to meet such emergency appropriations, Council may, by ordinance, authorize the issuance of emergency notes, which may be renewed from time to time, but such notes and renewals of any fiscal year shall be repaid not later than the last day of the fiscal year next succeeding that in which the emergency

appropriation was made.

C. *Reduction in Appropriations.* If, at any time during the fiscal year, it appears probable that the revenues available will be insufficient to meet the amounts appropriated, Council shall take such action as it deems necessary to prevent or minimize any deficit, and for that purpose it may, by resolution, reduce or eliminate one (1) or more appropriations.

D. *Transfer of Appropriations.* At any time during the fiscal year the Manager may transfer part or all of any unencumbered balance appropriated for programs within a department, office, agency or other organizational level; and Council may, at any time during the fiscal year, by resolution, transfer part or all of any unencumbered balance appropriated to a department, office, agency or other organizational level to another.

E. *Limitations, Effective Date.* No appropriation for debt service may be reduced or transferred and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

§ 41.9-912. Lapse of Appropriations.

Every appropriation shall lapse at the end of the fiscal year to the extent that it has not been expended or encumbered and thereby shall be reflected in the cash balance estimated to be available at the commencement of the ensuing fiscal year.

§ 41.9-913. Independent Audit.

Council shall provide for an independent annual audit of all municipal funds by a professional accountant or qualified outside auditor who has no personal interest, direct or indirect, in the fiscal affairs of the municipal government or any of its elected or appointed officials. Council may provide for more frequent audits, as well as special audits, as it deems necessary. The auditor's report, together with the auditor's recommendations of the annual audit, and a complete financial statement of the fiscal affairs of the Municipality shall be presented to Council no later than the last day of the fourth (4th) month following the fiscal year being audited.

A summary of the financial statement and auditor's recommendations of the general audit shall be published in at least one (1) newspaper of general circulation in the Municipality following receipt of the auditor's report by Council.

The same auditing firm or auditor shall not be used for more than three (3) consecutive years.

ARTICLE X. TRANSITION AND CONTINUATION

Sec.

41.10-1001. Rights, Property, Franchises, Liabilities and Obligations of the Municipal- ity.

41.10-1002. Elected Officers.

41.10-1003. Members of Authorities, Boards, and Commissions. 41.10-1004. Appointive Administrative Officers and Employees. 41.10-1005. Employee Rights and Privileges.

41.10-1006. Prior Legislative Acts.

§ 41.10-1001. Rights, Property, Franchises, Liabilities and Obligations of the Municipality.

The Municipality shall continue to own, possess, exercise and/or control, as the case may be, all rights, property and franchises of every kind or nature, owned, possessed, exercised and/or controlled by it when this charter shall take effect, under the same conditions that applied at such time, and shall be subject to all debts, obligations and liabilities to which it was subject at the time when this charter shall take effect, under the same conditions that applied at such time.

§ 41.10-1002. Elected Officers.

Officers of the Municipality elected by vote of the electors or appointed to fill a vacancy in such elected office, shall hold such office until their respective terms shall expire, but their powers and duties shall be those prescribed in this charter or those to be exercised pursuant to this charter. Vacancies thereafter occurring in any such office, if such office shall be provided for in this charter, shall be filled in the manner and for the time provided for by this charter. Vacancies thereafter occurring in any office that is not provided for as an elective office by this charter shall not be filled.

§ 41.10-1003. Members of Authorities, Boards, and Commissions.

Members of authorities, boards and commissions in office at the time when this charter takes effect shall remain in office for as long as their respective terms of appointment shall continue, unless and until an authority, board or commission shall be abolished, combined with another agency, or reconstituted, in which case, the members thereof shall vacate their respective offices upon notice from Council to do so.

§ 41.10-1004. Appointive Administrative Officers and Employees.

Except as specifically provided by this charter, if at the time this charter takes effect, a municipal administrative officer or employee holds any office or position which is or can be abolished by or under this charter, he shall continue in such office or position until the taking of effect of abolition of such office or position.

§ 41.10-1005. Employee Rights and Privileges.

Nothing in this charter shall affect or impair any right or privilege possessed by or vested in any person who shall be a municipal employee at the time of adoption of this charter, and the adoption of this charter shall in no way diminish or remove any of such rights and privileges.

§ 41.10-1006. Prior Legislative Acts.

All ordinances, resolutions, rules and regulations of the Municipality of legislative nature, or portions thereof, in force when this charter takes effect, and

not in conflict herewith, shall remain and continue in force until they either expire by their own terms, or are amended or specifically repealed, either in whole or part pursuant to this charter.

Council shall have the power to amend, repeal or replace such enactments, pursuant to this charter, or, when they deal with a matter outside the purview of this charter, pursuant to the applicable enabling legislation.

All ordinances and resolutions or amendments thereof in continued effect as of the effective date of this charter shall be construed as if enacted under this charter, but as of the date of their original enactment or amendment, as the case may be.

HOME RULE CHARTER &REPORT

November 18, 1975

BETHEL PARK
GOVERNMENT STUDY COMMISSION

Ballot Date: November 2, 1976
Effective Date: January 2, 1978
Amended by Ballot: November, 1980
Amended by Ballot: November, 1982
Amended by Ballot: May, 1993 Amended
by Ballot: November, 1998

CHARTER OF THE
MUNICIPALITY OF BETHEL
PARK ALLEGHENY COUNTY,
PENNSYLVANIA

BETHEL PARK GOVERNMENT STUDY COMMISSION

James H. McLean, Chairman
Reno Virgili, Vice Chairman
Michael P. Schaefer, Secretary
Roberta A. Trautman, Treasurer
Ronald G. Bugos (May, 1974 to September, 1975)
Rita T. Fardella
Donald L. Harrison
Emma A. Jack
Miriam K. Manion (September, 1975 to November, 1975)
Fred A. McLaughlin

ACKNOWLEDGEMENTS

The members of the Commission extend their gratitude to all the witnesses who testified before the Commission and to all the public-spirited citizens who attended our public meetings. We wish also to thank all other persons who in some way contributed to our efforts.

BALLOT QUESTION

Pursuant to Sections 214 and 215 of Act 62, Home Rule Charter and Optional Plans Law, the Bethel Park Government Study Commission hereby submits the following question to be placed on the ballot:

"SHALL THE HOME RULE CHARTER CONTAINED IN THE REPORT, DATED NOVEMBER 18, 1975, OF THE GOVERNMENT STUDY COMMISSION, PREPARED IN ACCORDANCE WITH THE HOME RULE CHARTER AND OPTIONAL PLANS LAW, BE ADOPTED BY THE BOROUGH OF BETHEL PARK?"	YES
	NO

ToThe Citizens of Bethel Park:

Having entered the decade of the 70's, local government Home Rule is on the rise and is recognized as one of the most important tools available for identifying and solving the myriad of problems confronting municipalities, including our own Bethel Park.

The 1968 amendment to the Pennsylvania Constitution gave such municipalities the right to study their local government and to adopt Home Rule. Four years later, the Pennsylvania General Assembly implemented this part of the Pennsylvania Constitution by passing Act 62, known as "The Home Rule Charter and Optional Plans Law".

You, the voters of Bethel Park, had the unique opportunity on two separate occasions, to vote on the referendum question on whether to create a Study Commission for Bethel Park. Both times, you overwhelmingly approved the formation of a Government Study Commission and elected nine members to serve on each Commission. The first Commission was limited to optional plans only. However, that Commission rejected these plans and recommended a Study Commission with power to draft and submit a Home Rule Charter.

In accordance with that recommendation and pursuant to Act 62, the present Commission was selected by you on May 21, 1974 to study the form of government; compare it with other available forms; determine whether or not, in its judgment, the government of Bethel Park can be strengthened, made more clearly responsible and accountable to the people and determine whether its operation could become more economical and efficient.

This study culminated in the Home Rule Charter we now present to you for your study and review. While there are significant changes, for example, the collection of taxes will be performed by an appointed official, the basic structure of your government has not been altered. It is the opinion of the Study Commission that the Home Rule Charter provides a new dimension of jurisdiction and responsibility in local government affairs. This Commission unanimously recommends the adoption of this Home Rule Charter at the November 2, 1976 election so that Bethel Park can have all the benefits of local self- government.

James H. McLean
Chairman

Reno Virgili
Vice-Chairman

Michael P Schaefer
Secretary

Robert A. Trautman
Treasurer

Rita T. Fardella
Member

Donald L. Harrison
Member

Emma A Jack
Member

Miriam K. Manion
Member

Fred A. McLaughlin
Member

STATEMENT OF EXPENSES

The following funds, included in the 1974 and 1975 General Fund budgets of the Borough of Bethel Park, have been expended by the Bethel Park Government Study Commission in the conduct of its affairs from May 21, 1974 through November 18, 1975, the date of the filing of its final report:

Stenographic Services		
Betty H. Scheirer	\$2,483.69	
Betty Hayes	<u>325.85</u>	
		\$2,809.54
Consultants		
Creative Counseling	\$ 500.00	
Christine Altenberger	<u>35.00</u>	
		535.00
Stationery		
Bethel Park Printing		15.35
Postage		
Borough of Bethel Park		53.16
Publicity and Advertising		
Publix Publications		90.66
Publications		
TNT Printing		199.40
Legal Services		
Donald J. Lee, Esquire		300.00
Xerox Copying		
Borough of Bethel Park		353.55
Typewriter		
Hays Typewriting Company	\$ 435.92	
Maintenance - Hays Typewriter	51.67	
Maintenance on Diskriter -		
Borough of Bethel Park	<u>20.00</u>	
		507.59
Payroll Taxes		
F.I.C.A. - Borough of Bethel Park		<u>164.36</u>
TOTAL		\$5,028.61

In addition to the above expenditures, the Borough provided without charge the use of meeting rooms and mailing facilities. The individual Commission members provided without charge supplies and telephone usage from their personal funds and made available certain secretarial and clerical services from their business and professional offices. No attempt was made to value such unreimbursed expenses.

Anticipated expenditures after November 18, 1975

The Commission anticipates that expenditures of approximately \$2,500.00 will be made after November 18, 1975 for the costs incurred and to be incurred in regard to the following.

Legal and consultation fees in reviewing the Home Rule Charter and Final Report estimated at \$200.00, costs of printing the recommended Home Rule Charter and Final Report (5,000 copies) at \$2,130.00 and other miscellaneous expenditures.

James H. McLean
Chairman

Reno Virgili
Vice-Chairman

Michael P. Schaefer
Secretary

Roberta A. Trautman
Treasurer

Rita T. Fardella
Member

Donald L. Harrison
Member

Emma A. Jack
Member

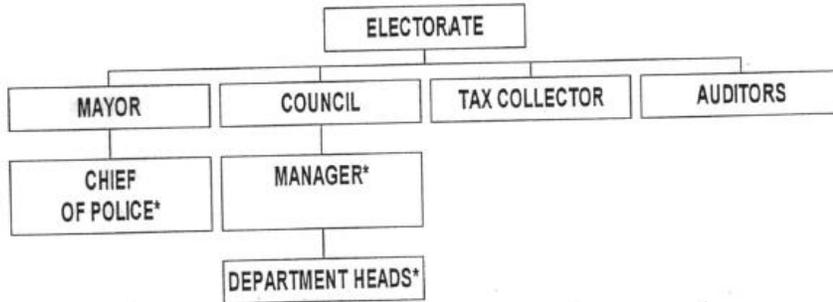
Miriam K. Manion
Member

Fred A. McLaughlin
Member

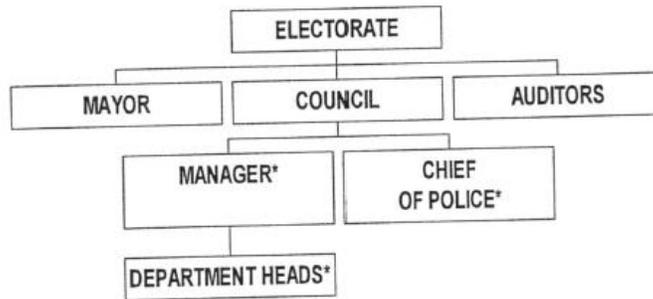
Sworn to and Subscribed
before me this 18th day
of November, 1975.

Betty H. Scheirer
Notary Public

PRESENT FORM OF GOVERNMENT



PROPOSED FORM OF GOVERNMENT



*Appointed by Council

HOME RULE CHARTER OF BETHEL PARK, PENNSYLVANIA

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HOME RULE CHARTER OF BETHEL PARK.

PENNSYLVANIA

ARTICLE 1

NAME. BOUNDARIES AND POWERS OF THE MUNICIPALITY

Section 101. Name

Bethel Park shall hereafter be a HOME RULE CHARTER MUNICIPALITY under the name of "Bethel Park". As used in this Charter, the word "Municipality" shall mean the Municipality of Bethel Park in Allegheny County, Pennsylvania.

Section 102. Boundaries

The Municipality shall be divided into nine (9) wards, the boundaries of which shall be co-terminus with the boundaries existing in the Municipality of Bethel Park at the time this Charter is adopted and as lawfully changed thereafter.

Section 103. Powers

The Municipality has, and may exercise, any power and may perform any function not denied by the Constitution of the United States, the Constitution of Pennsylvania, the Pennsylvania General Assembly or by this Charter at any time.

ARTICLE 2

MAYOR

The Mayor shall be recognized as the spokesman of the Municipality. He shall be in attendance at all Council meetings, shall have a voice in all matters before Council and shall have authority and perform such duties as are assigned under this Charter.

Section 201. Term of Office

The Mayor shall be elected at large by the electors of the Municipality for a term of four (4) years at the municipal election to be held in the year 1977 and every four (4) years thereafter. He shall continue in office for the extent of his elected term unless his term is terminated for any reason including but not limited to death, resignation, legal removal or termination of residency in the Municipality (For filling of vacancy, see Article 14, Section 1403).

Section 202.

Eligibility

All candidates for the office of Mayor shall be registered electors of the Municipality. They shall be bonafide residents of the Municipality at the time they file for nomination and shall continuously remain bonafide residents of the Municipality during the election year and throughout their term of office, if elected. The Mayor shall not be a member of Council nor shall the Mayor hold any other public, elected or appointed, office within the Municipality during his term.

Section 203 Oath of Office

The Mayor, prior to assuming office, shall take and sign an oath of office as prescribed by Pennsylvania law. Such oath may be taken and signed before any Judge or Magistrate of the Common-wealth. No person shall be permitted to assume such office until the oath, in written form, is filed with the Municipal Manager.

Section 204 Salary

The Mayor shall receive the same compensation as received by the Mayor of the Municipality on the day before the effective date of this Charter, or such other sum as set by Council by ordinance. Such compensation shall not be increased or decreased during the term of which the Mayor was elected or appointed. No such increase or decrease shall be effected by ordinance for the forthcoming term after the first day to file for the primary election for said office.

The Mayor shall receive no other compensation, direct or indirect, for the performance of duties and shall receive no pensions or other forms of fringe benefits. The Mayor shall, however, be entitled to actual, necessary, documented expenses incurred within the budget limitations in the performance of the duties of the office and presented to and approved by Council in public session. The budget shall include a reasonable appropriation for the Mayor's expenses which may be exceeded only with prior approval by Council at a regular meeting.

Section 205 Signing of Ordinances

Before any ordinance shall become effective, it must first be submitted to the Mayor for his approval. The Mayor shall sign the ordinance if he approves it, whereupon it shall become law as of its effective date.

Section 206 Veto

The Mayor shall have the power to veto any ordinance adopted by Council. If the Mayor vetoes an ordinance, he shall return it to Council with the reasons for such disapproval submitted in a formal letter at the first regular meeting thereof held not less than ten (10) days after the Mayor receives the ordinance. If Council at the regular meeting at which the veto letter is submitted shall adopt the ordinance by a veto of two-thirds (2/3) of all its members, it shall become law as of its effective date. If the Mayor does not return the ordinance within the time required, it shall become law as of the effective date without the Mayor's approval.

Section 207 Tie Breaking

The Mayor shall not vote on matters presented to Council except where, by reason of a tie vote, Council cannot effect an official action on a matter before it.

It such cases, the Mayor may cast a deciding vote or may request that the matter be tabled until a special meeting of Council is held not less than five (5) nor more than ten (10) days subsequent to the tie vote. If at this special meeting, Council is unable to effect an official action on the matter and a tie vote still exists, the Mayor shall cast the tie breaking vote. If the Mayor is not in attendance at the special meeting and Council is unable to effect an official action on the matter, the matter shall be considered defeated.

If the Mayor is not in attendance at a regular meeting which has a tie vote, the matter shall be tabled to a special meeting to be held not less than five (5) and not more than ten (10) days subsequent to the tie vote and the Mayor shall be given five (5) days' written notice of such meeting. If at this special meeting, Council is unable to effect an official action on the matter and a tie vote still exists, the Mayor shall cast the tie breaking vote. If the Mayor is not in attendance at the special meeting and Council is unable to effect an official action on the matter, the matter shall be considered defeated.

Section 208 General Powers and Duties

In addition to powers and duties otherwise provided for herein, the Mayor shall exercise the powers and perform the duties as follows:

- A. Be recognized as the spokesman of the Municipality for all ceremonial purposes;
- B. Execute or authenticate such instruments as required by this Charter, Council or other State or Federal law;
- C. Study the operations of the municipal government and report to Council on the state of the Municipality with recommendations for measures deemed to improve municipal affairs. This report shall be given at least annually at the regular meeting in June;
- D. Be recognized, by the Governor, as the head of government for purposes of martial law. Any powers that Council may establish by ordinance to resolve emergencies shall be enforced by the Mayor;
- E. Have the authority to appoint and dissolve voluntary committees of interested citizens to assist and advise the Mayor on issues and matters pertaining to the affairs of the Municipality;
- F. Exercise such additional powers and perform such additional duties as shall be mutually

agreed upon by the Mayor and Council, and which are not inconsistent with the provisions of this Charter;

G. Have the authority to negotiate intergovernmental co-operative agreements which shall be subject to final ratification of Council. The Mayor shall give prior notification to Council on any intent to negotiate such agreements and shall provide Council with periodic reports of the negotiations.

ARTICLE 3

COUNCIL

301 General Powers and Duties

All powers of the Municipality shall be vested in Council, except as otherwise provided by this Charter.

302 Composition

There shall be a municipal Council of nine (9) members. Each ward shall be represented by one (1) Council member to be elected by the registered electors of the ward the member is to represent.

Section 303 Term of Office

The term of Council members shall be for four (4) years commencing at 8:00 P.M. on the first Monday of January following the year in which elected. They shall continue in office for the extent of their elected terms unless their term is terminated for any reason including but not limited to death, resignation, legal removal or termination of residency in their respective wards. (For filling of vacancy, see Article 14, Section 1403).

Section 304 Eligibility

All candidates for the office of Council member shall be registered electors of the Municipality. They shall be bonafide residents of their ward at the time they file for nomination and shall continuously remain bonafide residents of their respective wards during the election year and throughout their term of office, if elected. No member of Council shall hold any other public, elected or appointed, office within the Municipality during their term.

No incumbent member of Council shall be made ineligible to hold office by reason of redistricting during the term of office, but shall continue to represent the district from which originally elected for the remainder of the elected term.

Section 305 Oath of Office

Members of Council, prior to assuming office, shall take and sign an oath of office as prescribed by Pennsylvania law. Such oath may be taken and signed before the Mayor, any Judge or Magistrate of the Commonwealth. No person shall be permitted to assume such office until the oath, in written form, is filed with the Municipal Manager.

Section 306 Salary

Each member of Council shall receive the same compensation as received by Council members of the Municipality on the day before the effective date of this Charter, or such other sum as set by Council by ordinance. Such compensation shall not be increased or decreased during the term for which any member of Council was elected or appointed. No such increase or decrease shall be effected by ordinance for the forthcoming term after the first day to file for the primary election for said office.

Members of Council shall receive no other compensation, direct or indirect, for the performance of their duties and shall receive no pensions or other forms of fringe benefits. When, however, Council shall in a public meeting direct certain activities to be performed, members of Council shall be entitled to actual, necessary, documented expenses incurred in the performance of these functions and activities.

Section 307 Regular Meetings

Council shall meet in regular session at least monthly at such time and place as shall be fixed by Council for the following year at the regular meeting in December.

Section 308 Special Meetings

Council may have special meetings; however, the time, place and specific agenda items for such special meetings shall be published at least twenty-four (24) hours prior to the meeting in a general distribution publication circulating in the Municipality. Official action can be taken only on agenda items. All Council members must be notified at least twenty-four (24) hours prior to the special meeting. A special meeting may be called by Council President, but shall be called upon written request of three (3) Council members.

Section 309 Emergency Meetings

Council may have emergency meetings as required. An emergency meeting may be called by the Mayor or Council President. A reasonable effort must be made to notify all Council members of the time and place of the emergency meeting. Any action taken at an emergency meeting shall be ratified at the next regular meeting of Council.

Section 310 Quorum

Five (5) members of Council shall constitute a quorum at all Council meetings. All official action shall require at least four (4) affirmative votes.

Section 311 Minutes

Council shall make and preserve minutes of its meetings which shall be public records.

ARTICLE 4

AUDITORS

Section 401 Annual Audit

The Municipal Council shall provide for an independent annual audit of all municipal revenues, expenditures and accounts, including capital accounts, by a certified public accountant or a firm of certified public accountants.

The Municipal Council may provide for more frequent audits, as well as special audits, as it deems necessary.

Section 402 Audit Results

The results of the annual audit financial statement of the fiscal affairs of the Municipality shall be presented to the Municipal Council and the Municipal Manager. A summary thereof, said summary to include the results of all special audits conducted during the fiscal year, shall be published in a newspaper circulating generally in the Municipality on or before April 15th following the fiscal year audited. Audit results must comply with the Pennsylvania Department of Community Affairs regulations for filing as well as all other legislative restrictions. Council may, by ordinance, provide for the immediate publication of the summary of special or additional audits as it deems necessary.

Section 403 Appointment

The Council may, without requiring competitive bids, designate a certified public accounting or firm of certified public accountants annually or for a period not to exceed three (3) years, provided that the designation for any particular fiscal year shall be made no later than July 30th of the fiscal year to be audited.

Section 404 Duties

The auditors shall audit, settle and adjust the accounts of all appointed Municipal officers and other officers and persons receiving and disbursing or authorizing disbursement of the monies of the Municipality during the preceding fiscal year.

Auditors shall complete their audit settlement and adjustment and file copies thereof with Council, the Municipal Manager and with other agencies as required by law.

Auditors shall audit and report to Council on the accounts of all officers referred to in the first paragraph of this section following the death, resignation or removal of such officer. Such audit shall be completed within sixty (60) days of the vacancy.

Section 405 Appeals

It shall be lawful for the Municipality or any taxpayer thereof, on its behalf, or any officer whose account is settled or audited, to appeal from the settlement or audit, as shown on the auditor's report, to the Court of Common Pleas of Allegheny County in the time and manner provided for by the laws of the Commonwealth. Whenever an appeal has been taken, any taxpayer of the Municipality may intervene in the appeal to prosecute the same on behalf of the Municipality or defend it against the appeal of the person charged with any sum.

ARTICLE 5

MUNICIPAL MANAGER

The Municipal Manager shall be the chief administrative officer of the Municipality and shall be responsible to Council for the administration of all municipal affairs placed in the Municipal Manager's charge by reason of this Charter, ordinance or resolution of Council.

Section 501 Qualifications

Qualifications for the position of Municipal Manager shall be judged on the basis of his demonstrated knowledge and/or skills in the following fields: municipal law, auditing and accounting, personnel work, union-management negotiations, public works, general administration and federal grants and funding programs.

The Municipal Manager need not be a resident of the Municipality at the time of appointment, but must become a resident of the Municipality within one year of appointment.

Section 502 Appointment and Removal

The Municipal Manager shall be appointed by and report to Council. His appointment shall be for an indefinite period of time. He may be removed with or without cause from office by a majority vote of the entire Council according to the following procedure: A resolution shall be adopted by Council which shall set the date for the Municipal Manager's removal from office;

B. A written copy of Council's resolutions and the reasons for its adoption shall be given to the Municipal Manager at least thirty (30) days before the effective date of removal;

C. Council may, during said thirty (30) day period, suspend the Municipal Manager.

D. Council shall continue to pay the Municipal Manager his salary until the effective date of the final resolution of removal.

The action of Council in removing and/or suspending the Municipal Manager shall not be subject to review by any Court or agency.

Section 503 Acting Municipal Manager

The Municipal Manager may designate, in writing, an employee of the Municipality to exercise the duties of Municipal Manager during the Municipal Manager's temporary absence.

During such absence, Council may revoke such designation at any time and appoint another employee of the Municipality to serve until the Municipal Manager shall return. No member of Council or other elected official shall be eligible to serve as Acting Municipal Manager.

Section 504 Temporary Vacancy

Upon a vacancy in the office of Municipal Manager, Council shall appoint an Acting Municipal Manager to exercise the powers and perform the duties of the office. A vacancy may be declared by Council in the event the Municipal Manager fails to name an Acting Municipal Manager.

Section 505 Prohibitions

A. The Municipal Manager shall not participate in the conduct of any political or election campaign other than to exercise the Municipal Manager's own right of suffrage;

B. The Municipal Manager shall not hold any other employment for compensation, except as specifically authorized by Council.

Section 506 Powers and Duties

The Municipal Manager's powers and duties include, but are not limited to:

A. Recommending to Council the appointment, suspension or removal of any municipal employee, except as otherwise provided by this Charter or by law;

B. Causing appropriate records to be made, preserved and certified as required by this Charter, by law or action of Council;

C. Attesting to the execution of all instruments, recording all ordinances and retaining custody of the municipal corporate seal;

D. Directing and supervising all administrative units, offices and agencies, except as otherwise provided by this Charter or by law;

E. Being responsible for carrying out all policies established by Council and for the proper administration of all affairs of the Municipality.

ARTICLE 6

PUBLIC SAFETY

The Police Department shall be administered by a Chief of Police. He shall be appointed by Council and shall be directly responsible to Council. The Police Department shall have all powers and duties granted to it by Council under the applicable ordinances and the applicable provisions of law. The Chief of Police shall not be governed by the provisions of civil service.

Section 601 Police Department

Subject to this Charter and to the civil service provisions of the Municipality established before and after the effective date of this Charter, Council shall:

A. Appoint, establish the rank and compensation of the police and prescribe all necessary rules and regulations for the organization and operation of the Police Department.

B. Appoint and fix the compensation of the Chief of Police.

Section 602 Chief of Police

A. Qualifications

The Chief of Police shall possess demonstrated knowledge and/or skills in the administration of public safety. The Chief of Police need not be a resident of the Municipality at the time of appointment, but must become a resident of the Municipality within one (1) year of appointment.

B. Appointment and Removal

The Chief of Police shall be appointed for an indefinite period of time. He may be removed with or without cause from the office by a majority vote of the entire Council according to the following procedure:

1. A resolution shall be adopted by Council which shall set the date for removal from office of the Chief of Police;
2. A written copy of Council's resolutions and the reasons for its adoption shall be given to the Chief of Police at least thirty (30) days before the effective date of removal;
3. Council may, during said thirty (30) day period, suspend the Chief of Police;
4. Council shall continue to pay the Chief of Police his salary until the effective date of the final resolution of removal.

C. Prohibitions

1. The Chief of Police shall not participate in the conduct of any political or election campaign other than to exercise his own right of suffrage;
2. The Chief of Police shall not hold any other employment for compensation, except as specifically authorized by Council.

Section 603 Fire Official

Council shall designate a Fire Official whose duties will be to enforce the provisions of the Fire Code which shall be adopted by Council. The Municipality shall provide the training, if necessary.

ARTICLE 7 FINANCIAL OFFICER

There shall be a Financial Officer appointed by Council who shall report to the Municipal Manager. The Financial Officer shall devote full time to the office. He shall hold no elective or appointive public office nor hold any other municipal office or municipal employment in which he receives salary, compensation or emolument.

Section 701 Qualifications

The Financial Officer shall possess knowledge and/or skills in financial affairs. The Financial Officer need not be a resident of the Municipality at the time of appointment, but must become a resident of the Municipality within one (1) year of appointment.

Section 702 Appointment and Removal

The Financial Officer shall be appointed for an indefinite period of time and may be removed from office with or without cause by Council.

Section 703 Duties and Responsibilities The

Financial Officer shall:

A. Collect, or cause to be collected, all property taxes, wage tax and other general taxes which Council may levy. Receive all municipal monies from these tax sources, deposit accumulated amounts at least weekly in the General Fund of the Municipality and keep separate accounts of each category of tax source received. These accounts shall at all times be open to inspection of the members of Council and the Municipal Auditors;

B. Co-sign with an officer of Council all checks, drafts or other instruments which disburse municipal funds;

C. Require each department, office, agency, board or commission to certify that the materials, supplies or equipment have been duly received and accepted as specified and that services have been rendered;

D. Insure that no obligation is incurred against any appropriation except in accordance with the designated budget appropriations without proper authorization by Council;

E. Insure that all payments and obligations incurred by the Municipality are in accordance with the provisions of this Charter, law or municipal contract;

F. Temporarily invest available municipal funds to insure maximum return on monies;

G. Deposit the funds of the Municipality in various accounts as designated by the Municipal Manager. All such accounts shall be in the name of the Municipality;

H. Prepare an annual statement of the accounts and submit the same, together with all related records, to the Municipal Auditors for audit;

I. Perform such other related financial duties as shall be required or delegated to him by Council.

ARTICLE 8

PLANNING AND DEVELOPMENT

There shall be a Planner appointed by Council who shall report to the Municipal Manager.

Section 801 Planner

A. Qualifications.

The Planner shall possess knowledge and/or skills in municipal planning and development. The Planner need not be a resident, but must become a resident of the Municipality within one (1) year of appointment.

B. Appointment and Removal

The Planner shall be appointed for an indefinite period of time and may be removed from office with or without Cause by Council.

D. Duties and Responsibilities

The Planner shall study and make recommendations on the physical development of the Municipality; the adoption, revision or implementation of the comprehensive plan and the preparation and revision of the capital budget. He shall provide staff assistance and advice to the Municipal Planning Commission in carrying out its responsibilities.

Section 802 Comprehensive Plan

Council shall adopt and may modify a comprehensive plan setting forth in graphic and textual form policies to govern the future physical development of the Municipality. The comprehensive plan shall serve as a guide to all future Planning Commissions and Council action concerning land use and development regulations and expenditures for capital improvements. This plan shall be reviewed and updated at intervals of no longer than five (5) years.

Council shall refer a proposed comprehensive plan or modification of the existing plan, as prepared by the Planner, to the Municipal Planning Commission for its recommendations. Following receipt of the recommendations of the Planning Commission, the comprehensive plan shall be made available for inspection by the public and a public hearing or hearings held by Council. Council shall thereafter adopt, modify or reject the recommended plan.

Section 803 Implementation of the Comprehensive Plan

A. Land Use and Development Regulations

Council shall by ordinance adopt land use and development regulations, including but not limited to, an official map and zoning and subdivision regulations.

B. Council Action

Before acting on any proposed ordinance concerning land use and development regulations or expenditures for capital improvements, where such ordinance refers to a matter covered by the comprehensive plan, Council shall refer the matter to the Planning Commission which shall, within a time specified by Council and prior to the public hearing on the proposed ordinance, report its recommendations thereon.

Upon adopting such ordinance, Council shall report on the relationship between the ordinance and the comprehensive plan. In the event the ordinance does not accord with the comprehensive plan, the plan shall be deemed to have been amended by the adoption of the ordinance.

ARTICLE 9

MUNICIPAL SOLICITOR

Section 901 Legal Counsel

Council shall appoint a Municipal Solicitor for an indefinite period of time and shall fix the salary. The Municipal Solicitor shall be an attorney at law admitted to practice in the courts of this Commonwealth.

Council may, by resolution, appoint an Assistant Municipal Solicitor who shall, in the absence of the Municipal Solicitor, perform the duties and exercise powers of the Municipal Solicitor.

Section 902 Removal

Council may remove the Municipal Solicitor at any time, with or without cause.

ARTICLE 10 BUDGET AND FINANCE

Section 1001 Fiscal Year

The fiscal year of the Municipality shall begin January 1st and end
December 31st, unless changed by Council ordinance.

Section 1002 Submission of Budget

On or before September 1st, the Municipal Manager shall submit to Council a proposed budget for the ensuing year with an accompanying message.

Section 1003 Capital Program

At least two (2) months prior to the date for submission of the proposed budget, the Municipal Manager shall submit to Council a five (5) year capital program. The capital program shall include:

- A. A concise, general summary of the program content;
- B. A summary of pending and proposed projects for the five (5) year period and the estimated cost of each item and the means for financing the program.
- C. An estimated cost of operating and maintaining any facilities to be constructed or acquired.

Section 1004 Action on Budget A.

Publication

Council shall publish the preliminary capital program by September 1st. A general summary of the preliminary budget and capital program shall be published immediately upon their adoption of one (1) or more newspapers of general circulation in the Municipality; including a notice that the preliminary budget or capital program is available for public view.

B. Advertisement

Advertisement of the preliminary budget or capital program shall include times and places where copies of the preliminary budget and capital program are available for viewing by the public and when hearings shall be held.

Section 1005 Adoption

After adequate public hearing, Council shall adopt the final balanced budget by ordinance prior to the beginning of the fiscal year for which the budget has been prepared.

ARTICLE 11 ORDINANCES AND RESOLUTIONS

Section 1101 Preparation

All proposed ordinances shall be prepared or approved by the Municipal Solicitor. No ordinance shall be prepared for presentation to Council unless ordered by a majority vote of Council, or requested by the Municipal Manager or initiated by the Municipal Solicitor. An exception is the provision outlined in Article 12 providing for Initiative and Referendum.

Section 1102 Introduction

All ordinances shall, before presentation to Council, be approved as to form and legality by the Municipal Solicitor.

Section 1103 Advertisement

Notice summarizing the subject matter of all proposed ordinances shall be published at least once in a newspaper circulating generally within the Municipality and posted in a conspicuous area of the Municipal Building. Both the publication and the posting shall be accomplished at least five (5) days but not more than twenty-five (25) days prior to the meeting at which the ordinance will be introduced.

After adoption, all ordinances shall be published once in a newspaper circulating generally within the Municipality. The full text of the ordinance need not be published. The title and a general summary of the substance of the ordinance shall be sufficient. Such publication shall occur within thirty days of the enactment of the ordinance. Additionally, posting of the general summary in a conspicuous area of the Municipal Building is required.

Section 1104 Action by Mayor

See Article 2, Section 205, Signing of ordinances and Section 206, Veto.

Section 1105 Recording of Ordinances and Resolutions

The full text of all ordinances and resolutions of the Municipality shall be entered in permanent, separate record books reserved for ordinances and for resolutions. No ordinance shall be effective until it is published in the newspaper as provided in this Charter and recorded in the proper book; no resolution shall be effective until it is recorded in the proper book.

The ordinance book and resolution book shall be in the custody and control of the Municipal Manager and all entries made therein shall be at his direction. These books shall be open and available for public inspection during normal business hours.

Section 1106 Ordinances Requiring Prior Public Hearing

No final action shall be taken on the following types of ordinances and amendments thereto without public hearing and at least ten (10) days prior public notice published in a newspaper circulating generally in the Municipality:

- A. Zoning ordinances and amendments thereto;
- B. Adoption of the zoning map and amendments thereto;
- C. Subdivision regulations;
- D. Land development and land use regulations;
- E. New taxes or increases in the rate of existing taxes.

Section 1107 Effective Date

The effective date of an ordinance shall be no sooner than thirty (30) days after its adoption of ten (10) days after its publication, whichever is later, unless a later date is specified in the ordinance or required by the laws of the Commonwealth of Pennsylvania.

Section 1108 Complaints

Complaints as to the legality of any ordinance shall be made to the Court of Common Pleas of Allegheny County by an aggrieved party within thirty (30) days after the adoption thereof.

(As amended by Ballot November 1980 Paragraph 2 under A deleted and Paragraph 2 under B deleted)

ARTICLE 12

INITIATIVE AND REFERENDUM

Section 1201 General Authority

A. Initiative

The qualified electors of the Municipality shall have the power to propose ordinances to Council by an initiative petition. If Council fails to adopt the proposed ordinance without any change in substance, the ordinance shall be placed on the ballot at a regular election, as provided in Article 12, Section 1206B.

B. Referendum

The qualified electors of the Municipality shall have the power to require Council to reconsider any adopted ordinance. If Council fails to repeal an ordinance so reconsidered, the ordinance shall be placed on the ballot at a regular election, as provided in Article 12, Section 1206 B.

Section 1202 Commencement of Proceedings; Petitioners' Committee; Affidavit Any five (5) qualified electors of the Municipality may begin initiative or referendum proceedings by filing with the Municipal Manager an affidavit stating that they will constitute the petitioners' committee, stating their names and addresses and the address to which all notices to the committee are to be sent. The affidavit shall also include the full text of the proposed ordinance or cite the ordinance sought to be reconsidered. The petitioners' committee shall be responsible for circulating the petition and filing it in proper form within sixty (60) days after filing of the committee's affidavit.

Section 1203 Petitions

A. Number of Signatures

Initiative and referendum petitions must be signed by qualified electors of the Municipality equal in number to twenty percent (20%) of those voting within the Municipality for the office of Governor in the last gubernatorial general election.

B. Form and Content

All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature must be executed in ink or indelible pencil and must be followed by the date of the signature and the address of the person signing. The full text of the ordinance proposed or sought to be reconsidered must be contained within or attached to each paper of the petition throughout its circulation. In addition, the proposed ballot question required to implement the vote provided for in Article 12, Section 1206 B shall be contained within or attached to each page of the petition throughout the circulation of the petition. The ballot question shall be framed so that a no vote on the question is a vote to repeal the ordinance. (As amended by ballot November 1998 - fourth and fifth sentences added.)

C. Affidavit of the Circulator

Each paper of the petition shall have attached to it when it is filed a notarized affidavit of the circulator which states that he personally circulated the paper; the number of signatures it contains; that all signatures were affixed in his presence; that he believes them to be the genuine signatures of the persons whose names they purport to be; that each signer is a qualified elector of the Municipality and that each signer had an opportunity to read the full text attached before signing the petition.

D. Time for Filing Referendum Affidavit

Referendum affidavit must be filed within thirty (30) days after adoption by Council of the ordinance sought to be reconsidered.

Section 1204 Procedure After Filing Petitions A.

Sufficiency of Petitions

Within twenty (20) days after the petition is filed, the Municipal Manager shall certify its sufficiency, specifying in exactly which ways, if any, it is deficient and shall immediately send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the Municipal Manager within two (2) days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of the certificate.

A supplementary petition shall comply with all requirements of the original petition. Within five (5) days after it is filed, the Municipal Manager shall certify the sufficiency of the amended petition and promptly send a copy of this certificate to the petitioners' committee by

registered mail as in the case of the original petition.

B. Council Review

If a petition has been certified insufficient and the petitioners' committee does not file a notice of intention to amend the petition; or if an amended petition has been certified insufficient, the petitioners' committee may, within two (2) days after receiving a copy of the certificate, file a request that the certificate be reviewed by Council. Council shall review the certificate at its next meeting after the filing of the request and approve or disapprove it. A final determination as to the insufficiency of a petition shall be subject to court review upon petitioners' filing insufficient security to prosecute same and for the payment of costs.

Section 1205 Referendum Petitions; Suspension of Effective Date of Ordinance When a referendum petition is filed with the Municipal Manager, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall end when:

- A. There is a final determination of the insufficiency of the petition; or
- B. The petitioners' committee withdraws the petition; or
- C. Council repeals the ordinance; or
- D. After a vote of the Municipality to repeal the ordinance has failed and upon certification of the election results.

Section 1206 Action on Petitions

A. Action by Council

When an initiative or referendum petition has finally been determined sufficient, Council shall consider promptly the proposed initiative ordinance in the same manner as other ordinances or reconsider the ordinance cited in the referendum petition by voting its repeal. If Council fails to adopt the proposed initiative ordinance without change in substance within sixty (60) days or fails to repeal the ordinance cited in the referendum petition within

thirty (30) days after the date the petition was finally determined sufficient, it shall submit the proposed or cited ordinance to the electors of the Municipality. In the case of a petition, the proposed ballot question contained within or attached to the petition, pursuant to Article 12, Section 1203 B, shall be the ballot question submitted to the Allegheny County Department of Elections. (As amended by ballot November 1998 - third sentence added).

B. Submission to Electors

The vote of the electors on a proposed or cited ordinance shall be held at the earliest available election but not sooner than thirty (30) days from the date of the final Council action, in accordance with the provisions of the election laws of the Commonwealth of Pennsylvania. The proposed or cited ordinance shall be available to the public for viewing at the municipal offices at least ten (10) days before the scheduled election.

c. Withdrawal of Petition

An initiative or referendum petition may be withdrawn at any time prior to the fifteenth (15th) day preceding the day scheduled for a vote in the Municipality on the petition.

No petition shall be withdrawn except by written request signed by four (4) members of the petitioners' committee.

Upon filing of a withdrawal request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Section 1207 Results of Election

A. Initiative

If a majority of the qualified electors voting on the question vote in favor of the proposed initiative ordinance, the ordinance shall be considered adopted upon certification of the election results by the Election Bureau and shall be treated in all respects in the same manner as ordinances of the same kind adopted by Council. If conflicting ordinances are approved at the same election, the one receiving the greater number of affirmative votes shall prevail.

B. Referendum

If a majority of the qualified electors voting on the question vote no, the ordinance shall be considered repealed upon certification of the election results by the Election Bureau. (As amended by ballot November 1998 - B. Referendum rewritten) (As amended by Ballot November 1980 - Section 1208 added).

Section 1208 Referendum Amendments

A. Charter amendments created by referendum shall be amended or deleted only by subsequent referendum.

ARTICLE 13

CONTRACTS

Section 1301 Requirements

All contracts of the Municipality involving sums in excess of One Hundred (\$100.00) Dollars shall be in writing.

Section 1302 Competitive Bidding

Except as otherwise provided in this Charter, no contract or supplies, material, labor, franchise or other valuable considerations, to be furnished to the Municipality, shall be authorized

on behalf of the Municipality except with the best responsible bidder after competitive bidding.

Section 1303 Bidding Procedure

The Municipality shall, by ordinance, establish a system of competitive bidding including definitions, publication requirements, deposit and bond requirements, conditions, terms, rules, regulations, waivers and exceptions as it shall deem advisable.

All contracts or purchases in excess of Five Thousand (\$5,000.00) Dollars, except those hereinafter mentioned, shall not be made except with and from the best responsible bidder. In awarding bids, Council may take into consideration such other factors as the availability, cost and quality of service.

The dollar limit may be changed by Council. Any action by Council which changes the bidding procedure or dollar limit requires six (6) affirmative votes of Council.

Section 1304 Exceptions to Competitive Bidding

Competitive bidding shall not be required under this Charter for:

- A. Labor or services rendered by a municipal officer or employee in payment of services;
- B. Contracts relating to the acquisition, sale or use of real property;
- C. Contracts for professional or unique services;
- D. Contracts for emergency repair of public works involving danger to the health and safety of the public or of municipal employees;
- E. Contracts with other governmental entities, authorities, agencies or political subdivisions.

Section 1305 Real Property Appraisals

Real property cannot be acquired until two (2) appraisals by certified real estate appraisers have been received and approved by Council.

Section 1306 Maximum Term of Certain Contracts

The term of contracts for the purchase of supplies shall not exceed two (2) years.

Section 1307 Personal Interest

In all cases where a municipal official, either elected or appointed, who knows or who by the exercise of reasonable diligence could know of interest to any appreciable degree, either directly or indirectly, in any purchase made, or contract entered into or expenditure of money made by the Municipality, or relating to the business of the Municipality, involving the expenditure by the Municipality of more than One Thousand (\$1,000.00) Dollars in any calendar year shall so inform Council. But in the case of the Mayor or a member of Council, if he knows that he is within the limitation just defined, he shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no matter participate therein. But this limitation shall not apply to cases where such official or appointee of the Municipality is an employee of the person, firm or corporation to which the money is to be paid, in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby, either financially or otherwise.

Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of damage shown to be thereby sustained by the Municipality and to forfeiture of office.

ARTICLE 14 GENERAL

PROVISIONS

Section 1401 Effective Date

This Charter shall become effective on the first Monday of January, 1978.

Section 1402 Eminent Domain

The Municipality shall have no authority to grant to others by franchise, contract or otherwise, its power and right of eminent domain.

Section 1403 Vacancies. Forfeiture of Office and Filling of Vacancies

The Office of Mayor, member of Council or Auditor shall become vacant upon death, resignation, non-residency, removal from office in any manner authorized by this Charter or by law, or forfeiture of office, or for failure to assume such office for any reason after election thereto within forty-five (45) days after the commencement of the term thereof. A member of Council, Mayor or Auditor shall forfeit office if he:

A. Lacks at any time the qualifications or eligibility for office as prescribed by this Charter;

B. Is convicted of a felony or a crime involving moral turpitude.

Within forty-five (45) days of a vacancy in any elected office, Council shall fill such vacancy by appointment until the office is filled at the earliest possible election. If Council shall refuse, fail or neglect or be unable, for any reason whatsoever, to fill such vacancy within forty-five (45) days after the vacancy occurs, then the Court of Common Pleas of Allegheny County shall, upon petition of any Council member or any five (5) electors of the ward wherein the vacancy exists in the case of a vacancy on Council, or upon petition of any five (5) electors of the Municipality in the case of a vacancy in the office of Mayor or Auditors, fill the vacancy in such office by appointment until the office is filled at the earliest possible election. (As amended by Ballot May 1993 - Second paragraph rewritten).

Section 1404 Conflict of Interest

If the Mayor or any member of Council has a personal or financial interest, directly or indirectly, in any matter under consideration by Council, he shall publicly state his interest in such matter and remove himself from official action. Any official who shall knowingly violate the provisions of this section shall be subject to forfeiture of office.

Section 1405 Public Officials' Bond

Before entering upon the duties of their respective offices or positions, the Municipal Manager and the Financial Officer, as well as any other officer, agent or employee of the Municipality as Council may determine, shall execute and file with the Municipality a public official's bond in such amount as executed by a corporate surety authorized to do business in the Commonwealth of Pennsylvania conditioned for the honest and faithful performance of his respective duties. The agency placing such bond shall be determined by Council and the premium therefor shall be paid by the Municipality.

Section 1406 Administrative Code

Council shall within two (2) years after the effective date of this Charter adopt an ordinance to be known as the Administrative Code.

The code shall define the responsibilities of municipal officers and department heads, offices and agencies as Council deems necessary for the proper and efficient conduct of municipal affairs, in conformity with this Charter and existing applicable laws.

Section 1407 Continuance of Existing Ordinances

All ordinances, resolutions, rules and regulations, or portions thereof, in force when this Charter takes effect and not in conflict herewith, are hereby continued in force and effect until amended, repealed, superseded or expired by their own terms and shall be construed as if enacted under this Charter, but as of the dates of their original enactment.

Section 1408 Severability

If this Charter cannot take effect in its entirety because of the judgment of any court or competent jurisdiction holding invalid any part or parts thereof, the remaining provisions of this Charter shall be given full force and effect as completely as if the part or parts held invalid had not been included herein.

Government Study Commission Budgets

2013

Legal Advice	\$4,000
Outside Consultants	\$3,750
Advertising	\$1,000
Miscellaneous	\$1,250
Total	\$10,000

2014

Legal Advice	\$2,000
Outside Consultants	\$1,500
Advertising	\$1,000
Educational Outreach	\$4,250
Miscellaneous	\$1,250
Total	\$10,000

These budgets assume that the Borough will provide in-house services like administrative support, limited printing, etc.