



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 040819

Introduced September 23, 2004

Councilmembers Nutter, Kenney and DiCicco

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter relating to the date by which the Mayor must submit to Council his operating budget message, proposed operating budget ordinance, and proposed capital budget and capital program, and the date by which the Planning Commission must prepare and submit to the Mayor its recommended capital budget and capital program, and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and Departments, Boards and Commissions under the Mayor

CHAPTER 1 THE MAYOR

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§4-101. Finances.

The Mayor shall:

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(b) Submit to the Council not later than [ninety] *one hundred fifty* days before the end of the fiscal year his operating budget message and a proposed annual operating budget ordinance for the ensuing fiscal year, *except that in the first year of a four year term, the Mayor (other than a Mayor who has been re-elected) shall have until one hundred twenty days before the end of the fiscal year to make such submission to Council.* In the operating budget message the Mayor shall furnish to the Council the estimated surplus, or deficit, if any, of the current fiscal year and the estimated actual receipts of the City from all sources for the ensuing fiscal year which shall be available for meeting ordinary expenses and all other information pertinent to an operating budget, shall state the known liabilities of every kind which must be met during the year, and shall recommend appropriations included in the proposed annual operating budget ordinance;

(c) In connection with his submission of the operating budget, recommend to the Council measures which he believes necessary to balance the budget;

(d) At the same time that he submits to the Council the proposed operating budget for the ensuing fiscal year, also submit to the Council the recommended capital program and the recommended capital budget as received from the City Planning Commission to the extent approved by the Mayor;

(e) See to it that the City does not, except in case of unforeseeable emergency, incur a deficit in any fiscal year.

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CHAPTER 6 CITY PLANNING COMMISSION

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§4-602. Capital Program and Budget.

At least [one hundred and twenty days before the end of the fiscal year] *thirty days before the Mayor must submit a recommended capital program and recommended capital budget to Council,* the City Planning Commission shall prepare and submit to the

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Mayor a recommended capital program for the six fiscal years next ensuing and a recommended capital budget for the ensuing fiscal year.

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Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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