

ORDINANCE NO. 2012-22

AN ORDINANCE OF THE RADNOR TOWNSHIP BOARD OF COMMISSIONERS, DELAWARE COUNTY, PENNSYLVANIA, PROPOSING AMENDMENTS TO THE RADNOR TOWNSHIP HOME RULE CHARTER IN ACCORDANCE WITH THE PENNSYLVANIA HOME RULE CHARTER AND OPTIONAL PLANS LAW, AMENDING ARTICLE VII, FINANCES, PERTAINING TO THE SUBMISSION OF A COMPREHENSIVE BUDGET, BUDGET FORM AND ADOPTION PROCEDURES FOR THE COMPREHENSIVE BUDGET; AND REQUESTING THE BOARD OF ELECTIONS TO PLACE THE PROPOSED REFERENDUM QUESTIONS ON THE MAY 21, 2013 PRIMARY BALLOT.

WHEREAS, the Radnor Township Home Rule Charter was approved by the voters in November, 1976 and became effective January 1, 1977; and

WHEREAS, the Board of Commissioners of Radnor Township has determined that the Charter should be reviewed and updated in order to increase the efficiency of Radnor Township government; and

WHEREAS, the Radnor Township Board of Commissioners appointed ten members to the Radnor Township Charter Review Committee on April 11, 2011; and

WHEREAS, the Report of the Charter Review Committee was issued to the Board of Commissioners on May 31, 2012 recommending revisions to the existing Radnor Township Home Rule Charter.

NOW, THEREFORE, be it *ORDAINED* and *ENACTED* by the Board of Commissioners of Radnor Township that the following amendments to the Radnor Township Home Rule Charter are proposed in accordance with the Home Rule and Optional Plans Law and the Pennsylvania State Election Code.

Section 1. Article VII, Finances.

The Radnor Township Board of Commissioners hereby initiates a referendum to amend §7.03, §7.05, §7.06 and §7.07, and furthermore deleting the existing §7.06 Capital Program, to read as follows:

§ 7.03. Submission of [proposed] comprehensive budget.

At one or more regular or special meetings of the Board, held as provided for below, the Manager and department heads shall submit and present to the Board a proposed comprehensive budget for the ensuing fiscal year, which shall be comprised of a proposed operating budget and a proposed 3 year capital program. The comprehensive budget and supporting documentation

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will be posted on the Township's website at least 5 days in advance of the budget meeting as described in § 7.06.C. of this Article.

§ 7.05. Budget form and content.

The proposed, recommended, and adopted comprehensive budgets, which as provided in §7.03 are each comprised of an operating budget and a three-year capital program, shall provide a complete financial plan of all Township funds and activities for the ensuing fiscal year. The proposed, recommended, and adopted comprehensive budgets shall follow Generally Accepted Accounting Principles (GAAP) and shall be in the form prescribed by this Charter, the Administrative Code, and by law. They shall begin with a clear general summary of their contents; shall show in detail all estimated income, indicating any proposed tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the preceding fiscal year.

[§ 7.06. Capital program.

The Manager shall prepare and submit to the Board a minimum of a three-year capital program at least ninety (90) days prior to the end of the fiscal year. The capital program shall include as a minimum the subject matter enumerated in the items which follow:

- A. A clear summary of its contents.
- B. A list of all capital improvements which are proposed to be undertaken during the three (3) fiscal years next ensuing, with appropriation supporting information as to the necessity for such improvements.
- C. Cost estimates, method of financing and recommended time schedules for each such improvement.
- D. The estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired. The above information may be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.]

§ 7.06. Adoption procedure for comprehensive budget.

A. Time line. The time line for comprehensive budget approval is as follows:

1. No later than 105 days before the end of the fiscal year: Submission of the Manager's proposed comprehensive budget.
2. No later than 60 days before the end of the fiscal year: Board Approval of the recommended comprehensive budget.
3. No later than 20 days before the end of the fiscal year: Board Adoption of the final

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comprehensive budget.

- B. Approval of the recommended comprehensive budget. At least 60 days before the end of the fiscal year, the Board shall complete its review of the Manager's proposed comprehensive budget, make such adjustments as the Board deems necessary, and in a publicly noticed Board meeting, approve by resolution a recommended comprehensive budget, copies of which shall be made available promptly thereafter to the public.
- C. Public Notice and Public Hearing. No later than 5 days following the approval of the recommended comprehensive budget by the Board, the Board shall provide public notice of the date, time, and place at which the Board shall hold a public hearing on the recommended comprehensive budget. This notice shall include a summary of the recommended comprehensive budget. The public hearing shall take place at any regular or special meeting of the Board at least 7 days after advertisement and at least 20 days prior to the end of the fiscal year.
- D. Levy of Taxes. At the time of enacting the final budget, the Board shall, by ordinance, levy sufficient taxes allowed by law which, with other revenues and available receipts and balances, shall provide for a balanced budget.

§ 7.07. Quarterly budget review.

Within 15 days after the end of each fiscal quarter the Township Manager shall present to Board at a public meeting a report on the unfunded liabilities, incurred operating and capital expenditures, revenues and cash position, along with a comparison to the comprehensive budget adopted for the same period. The Township Manager shall also present a budgetary forecast for the remaining fiscal year.

Section 2. Ballot Question.

- A. The Radnor Township Board of Commissioners proposes that the Question to be submitted to the voters at the election shall be substantially in the following form:

***“Shall the Radnor Township Home Rule Charter be amended to: 1) revise the procedure for a proposed, recommended and adopted comprehensive budget, consisting of a proposed operating budget and proposed three-year capital program following generally accepted accounting principles; 2) establish a new timeline for adoption of the comprehensive budget, including public notice and public hearing requirements; and 3) provide for a quarterly budget review by the Township Manager.*”**

YES OR NO

- B. Plain English Version: The ballot question, as authorized by Township Ordinance No. 2012-22, asks the voters of Radnor Township to establish a new comprehensive budget submission, form and adoption procedure requiring that the Township Manager prepare a

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proposed comprehensive budget 105 days before the end of the fiscal year, and the Board of Commissioners to adopt the final comprehensive budget no later than 20 days before the end of the fiscal year. The proposed amendments provide for public notice and a public hearing on the comprehensive budget, and further establish a quarterly budget review procedure for the Township Manager.

Section 3. Calling for Election.

In accordance with the Pennsylvania State Election Code, a certified copy of this Ordinance and the election question shall be forwarded to the Board of Elections on or prior to the thirteenth Tuesday before the May 21, 2013 primary election so that the question may be placed on the ballot for the primary election.

Section 4. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 5. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

Section 6. Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and **ORDAINED** this 7th day of January, 2013.

RADNOR TOWNSHIP


By:



Name: Elaine P. Schaefer

Title: President

ATTEST:


Robert A. Zienkowski, Secretary