

**CITY OF WILLIAMSPORT, PA**  
**FILE OF CITY COUNCIL**

BILL No. 1761-20

SESSION OF 2020

Approved on first reading

This day 6<sup>th</sup> of Aug 2020

Members of City Council:

ALLISON, MIELE, KATZ, YODER  
MACKEY, PULIZZI, BANKS

Approved on final reading

This day 27<sup>th</sup> of Aug 2020

**AN ORDINANCE**

6395

**AN ORDINANCE AMENDING PART 1 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLIAMSPORT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLIAMSPORT that the city's codified Ordinances, Part 1 – Administrative Code, be amended as follows:

SECTION 1: The following Ordinances of Part 1 of the City's Codified Ordinances are amended, as reflected in the attachments hereto:

- a. Article 121
- b. Article 135
- c. Article 139
- d. Article 140

SECTION 2: the following Ordinances of Part 1 of the City's Codified Ordinances are created, as reflected in the attachments hereto:

- a. Article 141
- b. Article 142
- c. Article 143

SECTION 3: In all other respects, Part 1 of the City's Codified Ordinances remains in force and effect, to the extent not amended hereby.

**SECTION 4: EFFECTIVE DATE**

This ordinance amendment shall become effective twenty days after final enactment.

ATTEST:

\_\_\_\_\_  
Janice Frank, City Clerk

\_\_\_\_\_  
Randall J. Allison, President

\_\_\_\_\_  
Derek J. Slaughter, Mayor

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TITLE FIVE: Administrative Offices and Agencies

Art. 121: Departments Generally.

Art. 123: Mayor.

Art. 125: City Solicitor.

Art. 127: City Clerk.

Art. 129: City Treasurer.

Art. 131: City Controller.

Art. 135: Department of Finance and Administration

Art. 139: Department of Public Safety

Art. 140: Department of Community and Economic Development

Art. 141: Department of Public Works

Art. 142: Department of Transportation / River Valley Transit

**Article 121: Departments Generally**

Replace existing language as follows:

**§ 121.01 Departmental Organization**

(a) The city shall have the following departments under the supervision of the Mayor:

- (1) Department of Finance and Administration
- (2) Department of Public Safety
- (3) Department of Community and Economic Development
- (4) Department of Public Works
- (5) Department of Transportation / River Valley Transit

**§ 121.02 Department Heads; Appointment and Duties**

(a) Each department shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each department. In addition to the duties prescribed in general law, each director of a department shall, under the direction of the Mayor:

- (1) Direct the performance of all duties and responsibilities required of his or her department or its subordinate agencies provided by state law, this Administrative Code, or other city ordinance, and
- (2) Prescribe the internal organization of the department and the duties of subordinate officers and employees within the department;
- (3) Assign functions, power and duties to subordinate officers and employees within the department, and modify such assignments as need appears

(b) The Director of each department shall not assume any additional full or part time positions within City Government, including contracted services with the City of Williamsport, without Council approval.

(c) The City Council may recommend the removal of a Director to the Mayor upon failure to adequately perform their duties.

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**§ 121.03 Ongoing Review of Departments**

(a) Every year the City Council shall review the department structure of city government and update accordingly to ensure it properly aligns with the needs of the city. This review shall be conducted during the annual capital budget review process.

**Article 135: Department of Finance and Administration**

Replace existing language as follows:

**§ 135.01 DUTIES AND RESPONSIBILITIES.**

(a) The Director of Finance and Administration shall perform the fiscal and administrative service function for the city, in connection with the management of the Department of Finance and Human Resources. The areas of responsibility of this Department will include the supervision of established standard personnel policies and practices, assisting the Mayor in the preparation of the budget, administering a purchasing system for all aspects of city government, maintaining and supervising the city tax program, and addressing such other matters as may be assigned.

(b) The specific areas of city government which will operate under the responsibility of the Director of Finance and Administration are as follows:

- (1) Bureau of Budget and Fiscal Affairs;
- (2) Bureau of Finance & Purchasing
- (3) Bureau of Human Resources;
- (4) Bureau of Information Technology;

(b) The Department of Finance and Administration shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each bureau.

**135.02 BUDGET.**

(a) Pursuant to 53 P.S. §§ 41417 and 41418 of the Optional Third Class City Charter Law, Act of 7-15-1957, P.L. 901, the city budget shall consist of the following:

- (1) General Fund Operating Budget; and
- (2) Capital Budget.

(b) On or before May 1 of each year, the Mayor shall submit a proposed six-year capital improvement program to the City Planning Commission for its study and recommendations. On or before June 1 of each year, after receipt of the report of the Planning Commission, the Mayor shall submit the program to Council for its approval, incorporating any of the recommendations of the Planning Commission which the Mayor deems advisable. The program submitted may be modified by the affirmative vote of five members of Council. Passage of the six-year capital improvement program by Council shall be subject to annual revision by Council.

(c) (1) The Director of Finance and Administration shall supervise the administration of each annual budget. Immediately after the budget has been enacted and after consultation with the heads of the departments, the Director of Finance and Administration shall establish a system of appropriations to each department. At the beginning of each allotment period, the amount specified shall become available to each department for obligations due that period.

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(2) Such allotments for any department may be modified, upon request of the head of the department, by the Director or by direction of the Mayor. The Director of Finance and Administration shall file with the City Controller, a copy of each allotment and modification thereof. An encumbrance system of accounts to control all expenditures within the limits of budget appropriations and to control such allotments shall be maintained by the City Controller. If, at any time during the budget year, the Director shall ascertain the probability of a cash deficit, he or she shall reconsider the work programs and allotments of the several offices, departments and agencies. Upon such reconsideration and with the approval of the Mayor, the Director shall revise the allotments so as to forestall, so far as possible, the making of commitments and expenditures in excess of the revenue to be realized during the fiscal year.

(Ord. 4511, approved 2-17-1972; Ord. 5965, approved 9-2-2004)

**§ 135.03 BUDGET FORM AND TRANSFERS.**

(a) *Form of budget submitted to Council.* The Mayor shall submit the proposed budget to Council as required by 53 P.S. § 41418 of the Optional Third Class City Charter Law in such a manner that all items of expenditure are clearly delineated and categorized as to classes and objects of expenditure for each department and bureau including, but not limited to, salaries for each position of employment. The foregoing shall be construed to be a line item budget.

(b) *Effective date.* This section shall apply to the budget of the city commencing for the year 1974 and thereafter.

(c) *Transfers by Director of Finance and Administration.* Except as may specifically be spelled out in any budget ordinance or except as to expenditures from the legislative contingency fund, this section shall not be construed to prevent transfers by the Director of Finance as provided

**§ 135.04 APPROPRIATIONS.**

No moneys shall be paid out of the City Treasury except upon appropriation previously made by Council and upon warrant pursuant thereto, which warrant shall explicitly state the purpose for which the money is to be drawn. No work shall be hired to be done, no materials purchased, no contracts made and no order issued for allotments for the payment of any moneys in any amount which shall cause the sum appropriated to specific purposes to be exceeded. Council may make supplemental appropriations for any lawful purpose from funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose. The Director of Finance and Administration shall have the power to authorize the transfer of any unexpected balance of any appropriation item, or any portion thereof, within a department; but if the amount transferred is more than 5% or \$500, whichever is greater, of the appropriation item, then the Director shall not make such transfer without obtaining the approval of at least four members of Council at a meeting of Council. Expenditures from the contingency fund shall be made only upon the express approval of Council. All administrative transfers shall be reported on a quarterly basis to the Council's Finance Committee.

(Ord. 4511, approved 2-17-1972; Ord. 5965, approved 9-2-2004)

**§ 135.05 CONTRACTS.**

Contracts administration for the city, including, but not limited to, authority as to preparation of specifications, letting of bids, awarding of contracts and payment of bills, heretofore vested in Council under 11 Pa.C.S. §§ 11901 et seq. of the Third Class City Code shall be vested in the Mayor and the Director of Finance. However, all contracts that are required to be let for bid by the provisions of the Third Class City Code shall be awarded by Council in a public meeting to the lowest responsible bidder.

(Ord. 4526, approved 7-27-1972; Ord. 4940, approved 12-14-1978; Ord. 5965, approved 9-2-2004)

**§ 135.06 TEMPORARY INVESTMENT OF CITY FUNDS.**

The Mayor, City Treasurer and City Controller acting as a body for the temporary investment of city funds, shall have the power to provide for such investment in United States Treasury bills and for the disposal of such securities when the moneys

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may be needed, or in savings accounts or share accounts of institutions insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation to the extent that such accounts are so insured. It is further ordained that the Director of Finance shall act as a non-voting member of the above body.

(Ord. 4662, passed over veto 11-14-1974; Ord. 5965, approved 9-2-2004)

#### **§ 135.07 RESERVED.**

*Editor's note:*

*Former § 135.06, Annual audit, was relocated to § 131.03 by Ord. 6013, approved 12-8-2005.*

#### **§ 135.08 PENNSYLVANIA LOCAL GOVERNMENTAL INVESTMENT TRUST.**

(a) The city shall join with other municipalities in accordance with the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S. §§ 2301 et seq., by becoming a settler of the Pennsylvania Local Government Investment Trust (the Trust) and entering into the Declaration of Trust, which is adopted by reference with the same effect as if it had been set out verbatim in this section and a copy of which shall be filed with the minutes of the meeting at which this section was adopted.

(b) The city is authorized to purchase shares in the Trust from time to time with available municipal funds, and to redeem some or all of those shares from time to time as funds are needed for municipal purposes. These actions are to be taken by the officers designated for this purpose, pursuant to general or specific instructions by Council.

(c) The Trustees of the Trust are designated as having official custody of the city's funds which are invested by the purchase of shares in the Trust.

(d) As required by the Intergovernmental Cooperation Act the following matters are specifically found and determined:

(1) The conditions of the agreement are set forth in the declaration referred to in subsection (a) hereof;

(2) The city's participation in the Trust shall be terminable at any time by ordinance;

(3) The declaration of trust and the purchase of its shares are for the purpose of investing the city's funds in obligations which are otherwise legal investments as part of a pooled arrangement with other governmental units, thereby achieving economic and other advantages of pooled investments;

(4) It is not necessary to finance the agreement authorized herein from municipal funds except through the purchase of shares in the Trust;

(5) The Trust shall be managed by a board of trustees as set forth in the declaration of trust and the by-laws provided for therein; and

(6) Shares may be purchased and redeemed from time to time as the city may determine to be necessary or appropriate to meet its cash investment requirements.

(Ord. 5104, approved 5-14-1981; Ord. 5965, approved 9-2-2004)

#### **§ 135.09 TRUST CREATED FOR WORKERS' COMPENSATION AND OCCUPATIONAL DISEASE ACTS.**

*Editor's note:*

*Former 135.08 was repealed by Ord. 6154, approved 12-10-2009.*

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**Article 139: Department of Public Safety**

Replace existing language as follows:

**§ 139.01 DUTIES AND RESPONSIBILITIES.**

(a) The Department of Public Safety shall carry out the police, fire and emergency management services required for the protection of persons and property in the city as provided for by Council. The areas of responsibility of this Department shall be:

- (1) Bureau of Police;
- (2) Bureau of Fire
- (3) Bureau of Codes and Zoning
- (4) Emergency Management (EMA).

(b) The Department of Public Safety shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each department.

**Article 140: Department of Community and Economic Development**

Replace existing language as follows:

**§ 140.01 DUTIES AND RESPONSIBILITIES.**

(a) The Department of Community and Economic Development shall perform these activities required in the operation and maintenance of the following city functions.

(b) The areas of responsibility of the Department shall be:

- (1) Economic Development:
  - (A) Planning;
- (2) Housing Administration;
- (3) Community Development and Grants Administration; and
- (4) Historic Preservation Officer.

(b) The Department of Community and Economic Development shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each bureau.

**Article 141: Department of Public Works**

Include new language as follows:

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#### § 141.01 DUTIES AND RESPONSIBILITIES.

(a) There is hereby established a Department of Public Works which shall be responsible for the administration of the City's public works, parks, playgrounds, public facilities and public buildings not specifically delegated to the jurisdiction of another department as assigned to the following Bureaus

- (1) Engineering
- (2) Streets and Traffic Control
- (3) Parks and Public Facilities
- (4) Flood Control
- (5) Recreation

(b) The Department of Public Works shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each department.

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**Article 142: Department of Transportation / River Valley Transit**

Include new language as follows:

**§ 142.01 DUTIES AND RESPONSIBILITIES.**

(a) There is hereby established a Department of Transportation / River Valley Transit which shall be responsible for the administration of the City's public transportation services not specifically delegated to the jurisdiction of another department as assigned to the following Bureaus

- (1) Transportation Finance
- (2) Transportation Planning
- (3) Transportation Technology
- (4) Fleet Management
- (5) Fleet Operations

(b) The Department of Transportation / River Valley Transit shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each department.

**Article 143: Department of Human Resources**

Include new language as follows:

**§ 142.01 DUTIES AND RESPONSIBILITIES.**

(a) There is hereby established a Department of Human Resources which shall be responsible for the administration of the City's Human Resources services not specifically delegated to the jurisdiction of another department.

(b) The Department of Human Resources shall be headed by a director appointed by the Mayor and approved by majority of all members of Council, solely on the basis of executive and administrative qualifications appropriate to the duties of each department.