

H. It shall indicate anticipated net surplus or deficit for the ensuing fiscal year of each utility, i.e., water, sewer and enterprise funds, owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget.

The total of proposed expenditures shall not exceed the total of estimated income.

SECTION 805 CITY COUNCIL ACTION ON BUDGET

A. **Public Access to Budget:** The proposed budget shall be available for public inspection at City Hall and at the Allentown Public Library and the Lehigh County Law Library, and copies shall be available for the public at a reasonable fee to be set by the Council. (11/6/01)

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

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

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

C. **Adoption.** Council must adopt an annual budget by no later than December 15th of the fiscal year currently ending. If Council fails to adopt a Budget by December 15th, the Mayor's original proposed balanced Budget shall become the official Budget of the City for the ensuing fiscal year.

SECTION 806 REVISED BUDGET (Deleted per ballot question 11/6/01)

SECTION 807 REVENUE

A. Council shall establish no new tax except for the Emergency and Municipal Service Tax. (14356 §1 2/2/06)

B. Council shall not raise the rates of the deed transfer, earned income, business privilege, the Emergency and Municipal Services Tax beyond \$52, amusement devices, and resident taxes above their respective 1996 levels. (5/16/06)

C. Property Development Incentive Taxation System

1. Beginning in 1997, the City of Allentown will adopt a property taxation system designed to encourage development of new properties and improvements to existing properties. The system will accomplish this by gradually reducing the tax rate applied to all buildings relative to the tax rate applied to all land (whether developed or undeveloped).

2. The following shall be the minimum ratios of the land tax rate to the building rate for the respective years:

1997	1.49
1998	2.06
1999	2.76
2000	3.62
2001 and beyond	4.70

3. Council may establish a ratio of the land tax rate to the building tax rate higher than 4.70 after 2001.

D. Council may reduce any tax rate or fee (provided it maintains the minimum ratios for property taxes as in Section 807(C)(2) by a majority vote. Council may increase property tax rates or fees (provided it maintains the minimum ratios for property taxes as in Section 807(C)(2) by five votes.

E. The citizens of Allentown may increase or decrease property tax rates through the referendum process defined in Sections 1002-1009 (provided that, as long as the Property Development Incentive Taxation System is in effect, the resulting ratio meets or exceeds the minimum ratio set by this Charter or by Council).

F. After the year 2001, the citizens of Allentown may amend or terminate the Property Development Incentive Taxation System by reducing the ratio of the land tax rate to the building tax rate or by reverting to a single tax rate for land and buildings through the referendum process defined in Sections 1002-1009.

SECTION 808 AMENDMENTS AFTER ADOPTION

A. Emergency appropriations may be made by the Council to meet a public emergency posing a sudden, clear and present danger to life or property. Such appropriations may be made by emergency ordinance in accordance with the provisions of Section 220 of this Charter.

B. Supplemental appropriations may be made by the Council by ordinance upon certification by the Mayor that there are available for appropriation revenues in excess of those estimated in the Budget.

C. Transfer of appropriations may be made in accordance with provisions of the Administrative Code.

SECTION 809 LAPSE OF APPROPRIATIONS

Every appropriation, except an appropriation for a Capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered.

SECTION 810 ADMINISTRATION OF THE BUDGET AND CAPITAL PLAN

The Mayor shall be responsible for and shall supervise the administration of the Annual and Capital Budgets.

SECTION 811 CAPITAL PLAN

A. Submission to City Council. The Mayor shall prepare and submit to the City Council a five (5) year capital program no later than the final date for submission of the budget.

B. Contents of Capital Plan. The capital plan shall include:

1. A clear general summary of its contents;
2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
3. Cost estimates and recommended time schedules for each improvements or other capital expenditure;
4. Method of financing, upon which each capital expenditure is to be reliant;
5. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired; and
6. All Capital Projects must be included in the Capital Plan Budget.

The above shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

C. Financing Capital Projects. Financing for Capital Projects shall be obtained by Competitive Bidding.

D. Capital Projects Approved. Proposed Capital Projects in the Capital Plan must be considered on their own individual merits by the Director of Finance, the City Controller, and the Proposer of the project. The procedures to approve the individual Capital Projects are:

1. Preliminary Feasibility Study

The Capital Project preliminary feasibility study shall include:

- a. A clear general summary of its purpose and justification.
- b. The cost estimates and time schedule for the Capital Project including the cost of the Post Project Completion Audit.
- c. The method of financing and sources upon which this Capital Project is reliant.
- d. The annual cost of operating and maintaining the project to be constructed or acquired.

The Council approval of Capital Projects in this preliminary feasibility study will require a simple majority vote in order to move on to a final approval and funding acceptance.

2. Final Proposal and Financing

The Final Capital Project proposal and financing shall include:

- a. A clear general summary of its purpose and justification.
- b. The cost estimates and time schedule for the Capital Project including the cost of the Post Project Completion Audit.
- c. The method of financing and sources upon which this Capital Project is reliant.