

ARTICLE 129
City Controller

129.01 Election, qualifications, vacancy, duties and bond.

CROSS REFERENCES

Election and term - see 3rd Class Charter Law §403 (53 P. S. §41403)

Vacancy - see 3rd Class Charter Law §406(b) (53 P. S. §41406(b))

Qualifications - see 3rd Class §1701 (53 P.S. §36701)

Fiscal procedure - see ADM. Art. 137

129.01 ELECTION, QUALIFICATIONS, VACANCY, DUTIES AND BOND.

(a) The City Controller shall be elected for a term of four years and until his successor qualifies, at the municipal election of 1963 and every four years thereafter, such term to begin on the first Monday of January following his election. He shall be a competent accountant and, at the time of his election, shall be at least twenty-one years of age and shall have been a resident of the City throughout one year immediately preceding such election. He shall reside in the City throughout his term of service. (Ord. 1-1975 §1. Passed 1-21-75.)

(b) If a vacancy occurs in the office of Controller, Council shall fill such vacancy within thirty days by choosing a qualified person to serve as Controller until the first Monday in January following the next municipal election occurring at least 200 days after the vacancy occurs. At such municipal election a qualified person shall be elected for the remainder of the term of the person originally elected to such office or, if such term would otherwise expire on the first Monday of January following, for a new term of four years. If a vacancy occurs within 200 days of a regular municipal election at which the office of Controller is to be filled for a new term of four years, the person selected by Council shall serve only until the first Monday in January following such election. If a vacancy is not filled by Council within the time above specified, the Court of Common Pleas of York County, upon petition of ten or more qualified electors of the City, shall fill such vacancy by the appointment of a qualified person for the portion or all of the unexpired term as provided herein.

(c) The Controller may appoint such employees of his office in such number and at such compensation as is fixed in accordance with law. In all other respects such employees shall be considered as employees of the City.

(d) The Controller shall be responsible for the establishment and maintenance of a uniform accounting system throughout the City government, which system shall be so designed as to reflect accurately the assets and liabilities, income and expenses of the City and the operation of the City budget at any time during the fiscal year. He shall receive from the other department heads such information regarding City properties and obligations and City income and expenditures as he deems necessary to carry out these duties and shall furnish the other department heads and Council with a report concerning these matters at least monthly and at such other times as he deems necessary.

(e) The City Controller shall review all warrants for the expenditure of City moneys and, if satisfied that such expenditure is within the budget allotment pertaining thereto, shall sign such warrant before payment is made. In so doing, he shall also pre-audit all claims and demands against the City prior to payment and shall sign checks drawn for payment thereof only if satisfied that such payment is in accordance with law.

(f) The City Controller shall make a report to the Mayor and to Council, at the time of the first meeting of Council in March of each year, of the audits which he shall have made of the accounts for the preceding fiscal year of all officers having charge, custody and control of disbursement of public moneys and other funds, showing the balance in their hands respectively; and, at the same time, he shall file a copy of such report with the clerk of the Court of Quarter Sessions. Appeals therefrom may be taken as provided by general law. A summary of the report shall be prepared by the City Controller and posted in the center hall of the main entrance of City Hall. Council or the Mayor may, from time to time, require interim reports from the City Controller.

(g) The City Controller shall have the power to administer oaths or affirmations in relation to any matter touching the authentication of any account, claim or demand of or against the City; and he shall have the power to issue subpoenas to obtain the attendance of any officers of the City or elsewhere whose accounts he is required or authorized to adjust, audit and settle and of any person whom it may be necessary to examine as a witness in connection therewith. Any City officer refusing to appear upon being subpoenaed shall be subject to removal from office by the Mayor for such refusal. Any person, including a City officer, willfully refusing to appear upon being subpoenaed, without sufficient cause therefor, shall, upon conviction therefor, be fined not more than two hundred dollars (\$200.00) and costs of prosecution and, in default of payment thereof, shall be imprisoned for not more than sixty days.

(h) All bonds, notes, contracts and written obligations of the City shall be executed by the Controller together with the Mayor. (Ord. 2-1962 §331.)

(i) The City Controller shall give bond to the City, as required by general law, in a sum fixed by Council at the time a Controller assumes office. Applicants for appointment to fill a vacancy for City Controller shall file such proof upon a deadline established by Council. The required bond shall be placed on file with the City Clerk's Office no later than thirty (30) days prior to the date the duly elected City Controller shall take the oath of office. If this requirement is not fulfilled, then the duly elected City Controller shall not be permitted to take the oath of office and the office of City Controller shall be filled in accordance with this article. (Res. 79-2008. Passed 5-6-08.)