

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1052 Session of
2007

INTRODUCED BY C. WILLIAMS, FONTANA, COSTA, LAVALLE, ORIE AND
GREENLEAF, AUGUST 27, 2007

REFERRED TO LOCAL GOVERNMENT, AUGUST 27, 2007

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled
2 "An act relating to cities of the third class; and amending,
3 revising, and consolidating the law relating thereto,"
4 further providing for terms of appointed officers and for
5 fiscal audits.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 904 of act of June 23, 1931 (P.L.932,
9 No.317), known as The Third Class City Code, reenacted and
10 amended June 28, 1951 (P.L.662, No.164), is amended to read:

11 Section 904. Offices to be Held until Qualification of
12 Successors.--(a) Any officer of any city, who has been elected
13 or appointed and has qualified, shall hold said office until his
14 successor is elected or appointed and duly qualifies.

15 (b) A city which employs a manager, finance director or
16 similar officer must employ the manager, finance director or
17 similar officer pursuant to a written contract. Subject to the
18 limitations set forth in section 902, an employment contract
19 under this section must be for a period that is not less than

1 two years.

2 Section 2. Section 1705 of the act, amended March 2, 1970
3 (P.L.71, No.31), is amended to read:

4 Section 1705. Annual Report to Council; Filing Copy in Court
5 and Appeal Therefrom.--The city controller shall make report to
6 council, at its first meeting in March in each year, of the
7 audits which he shall have made of the accounts of the officers
8 having charge, custody, control or disbursement of such public
9 moneys and other funds, showing the balance in their hands
10 respectively, and, within ninety days of the close of the fiscal
11 year, the city controller shall file a copy of the said annual
12 report to council with the clerk of the court or the
13 prothonotary, as may be provided by local rules of court. It
14 shall be lawful for the city or any taxpayer thereof on its
15 behalf or any officer whose account is settled or audited to
16 appeal from the settlement or audit to the court of common pleas
17 of the county within forty-five days after the said annual
18 report to council has been filed. If the appellant is a taxpayer
19 or any officer charged as aforesaid, he shall file a bond, with
20 one or more sufficient sureties, conditioned to pay all costs
21 thereafter accruing in case a decision shall not be obtained
22 more favorable to the party on whose behalf the appeal shall be
23 taken than that contained in the said report. The city
24 controller shall also prepare an intelligible summary of said
25 reports, showing the fiscal condition of the affairs of the
26 city, and post one copy of said summary in a conspicuous place
27 in the city hall. A city which has an Internet website shall
28 post all fiscal audits on the Internet website. Council may
29 require advisory interim reports from the city controller.

30 Section 3. This act shall take effect in 60 days.