

LAWS OF DELAWARE
VOLUME 85
CHAPTER 54
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 183

AN ACT TO AMEND THE CHARTER OF THE CITY OF HARRINGTON RELATING TO TERM LIMITS, BANKING, BUDGET AND AUDIT DEADLINES, SUCCESSION OF AUTHORITY, AND SIGNING CHECKS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend the Charter of the City of Harrington by making deletions as shown by strike through and insertions as shown by underline as follows:

5. Governing Body.

5.2. Qualifications for Office.

~~5.2.3. Limitation on Terms. No person shall serve as Mayor for more than two (2) consecutive terms. No person shall serve as a member of Council for more than three (3) consecutive terms. If no eligible candidate files a petition for the office of a term-limited incumbent within the time prescribed by this Charter, the incumbent may remain in office for another term.~~

7. Organization of City Council.

7.2. Officers. The Mayor and members of the City Council ~~shall be~~ are elected by the qualified voters of the City. ~~All Except for Vice Mayor, all~~ other officers ~~shall be~~ are appointed offices, ~~such appointments to be made by the City Council, as provided in § 11 of this Charter. At the organizational meeting, the City Council members shall elect from among their own~~ its members a Vice Mayor who ~~shall serve in that position~~ serves for a term of ~~one year~~ 1 year, or until the organizational meeting the June following the next succeeding election.

7.2.3. City Treasurer. The City Council shall appoint ~~the Treasurer as the~~ a City Treasurer who ~~shall be~~ is custodian of all City funds and shall authorize deposit into federally-insured banking institutions ~~located in the City as necessary.~~ approved by the City Council, as necessary. The City Treasurer ~~shall~~ may not pay ~~no money~~ money, except upon warrant or check countersigned by the ~~Mayor, or~~ Mayor or, in the Mayor's absence, by the ~~Vice Mayor.~~ Vice Mayor or a member of the City Council designated by the Mayor. The City Treasurer ~~shall be responsible for seeing that~~ maintain a true and detailed account of all ~~monies~~ moneys received by the City ~~is maintained~~ on a current basis. The books and accounts of the City ~~shall~~ must at all

times be open to inspection by the City Council or Mayor. The City Treasurer shall make ~~such~~ reports ~~and at such times as directed by the Council may direct.~~ City Council. The City Treasurer shall ~~be required to give~~ bond in such amount and in such form with such surety as the City Council ~~shall determine and approve~~ determines, the cost of ~~said~~ the bond to be paid by the City.

7.3. Succession of Authority. ~~In the event that~~ If the Mayor is unavailable or incapable of assuming his responsibilities ~~the Mayor's duties~~ in a sudden emergency ~~(as defined in § 7.2.1)~~ emergency, as defined in § 7.2.1 of this Charter, the emergency powers ~~therein~~ vested in the Mayor ~~shall~~ devolve upon the following officers and officials of the ~~City~~ City, in the following ~~order of sequence:~~ order: (1) the Vice Mayor, (2) ~~Each~~ each of the remaining Council members in order of ~~their~~ each Council member's total number of years served on City Council, (3) the City Manager, (4) the Chief of ~~Police,~~ (5) ~~the Clerk of the Council.~~ Police.

13. Annual Budget; Determination of Revenue Needs and Sources.

13.1. Annual Budget. On or before the first day of ~~May~~ June each year, the Budget Committee and the City Manager shall prepare and submit to the City Council a budget, presenting a financial plan for conducting the affairs of the City for the ensuing fiscal year. The budget ~~shall~~ must include the following information:

13.2. Determination of Revenue Needs. On or before the first day of ~~May~~ of June each ~~year and year,~~ after the valuation and assessment ~~shall have~~ has been examined, revised, and completed and after the annual budget has been adopted, the City Council shall determine, in its best judgment and knowledge, the total amount necessary to be raised by the City to meet the fixed and anticipated expenses and obligations of the City, including reasonable and appropriate reserves, for the then current fiscal year as set forth in the City Budget for such ~~year~~ year, plus a reasonable amount to cover unanticipated expenses and emergencies.

17. Financial Matters Generally.

17.3. Cash Disbursements and Report of Same to Council. ~~No~~ A claim against the City ~~shall~~ may not be paid except on a warrant or check approved by the City Manager and approved and countersigned by the ~~Mayor and/or Treasurer.~~ Mayor, or a Council member approved by the Mayor. The City Manager shall examine all payroll, ~~bills~~ bills, and other claims and demands against the City and ~~shall~~ may not issue ~~no~~ a warrant or check for payment, unless ~~he~~ the City Manager finds that the claim is proper and in proper form and correctly computed. The City Manager shall, at ~~one~~ 1 monthly meeting of City Council, present a report showing in detail all bills and

other claims for which warrants or checks were drawn the preceding month, ~~with exception of~~ except for payroll and payroll-related expenses.

17.4. Annual Audit. The City Council shall retain a certified public accountant to be the auditor of accounts of the ~~City of Harrington. Annually~~ City. Annually, by the month of October, ~~it shall be the duty of the auditor to~~ the auditor of accounts shall audit the books and accounts of the City and all its officers whose duty involves the collection, ~~custody~~ custody, and payment of moneys to the City. The auditor of accounts shall, ~~on or before expiration of one hundred twenty (120)~~ within 150 days from the end of the fiscal year, annually make and deliver a detailed report of ~~any and all~~ accounts, records, and books ~~by them~~ examined and audited ~~which report by the auditor of accounts. The report under his~~ the auditor of account's hand and ~~seal shall~~ seal must be available for public inspection. Notice of the filing of the ~~auditor's~~ auditor of account's report ~~shall~~ must be published at least once in a newspaper of general circulation in the City ~~of Harrington~~ within ~~thirty (30)~~ 30 days ~~of its receipt by after the City Council. Council receives the report.~~ The ~~auditor,~~ auditor of accounts, in the performance of ~~his~~ the auditor of account's duties, ~~shall have~~ may access ~~to~~ all records and accounts of the offices of the City.

Approved June 30, 2025