

INTER-OFFICE MEMORANDUM

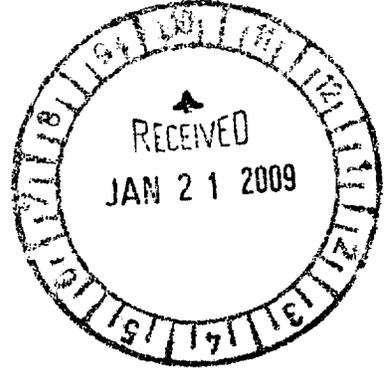
#09-1

SUBJECT: Proposed New City Ordinance – “Bond Issue Items – Subject Matter Restrictions”

TO: Cynthia H. Biedenkopf
City Clerk

FROM: Joseph F. Leeson, Jr., Esq.
Member, City Council

DATE: January 16, 2009



Attached is a proposed new City Ordinance, which would prohibit municipal borrowing for the purchase of automobiles.

Please place this on Council’s agenda as a communication, and for subsequent forwarding to the City Council Finance Committee for review.


JOSEPH F. LEESON, JR.

JFL, JR/dja

Attachment

cc: Honorable John B. Callahan
Members of Council
Dennis W. Reichard

CITY OF BETHLEHEM
10 East Church Street
Bethlehem, Pennsylvania 18018

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ORDINANCE NO. 2009-____
(Duly Enacted on _____, 2009)

AN ORDINANCE OF THE CITY OF BETHLEHEM CONCERNING
“BOND ISSUE ITEMS – SUBJECT MATTER RESTRICTIONS”

Under the authority of the statutes of the Commonwealth of Pennsylvania and the Ordinances of the City of Bethlehem, City Council of the City of Bethlehem hereby enacts and ordains as follows:

1. Section 129.01 of the City’s Ordinances entitled “Bond Issue Items – Cost Restrictions” (governing the time period 11/3/04 to 12/31/05) which reads as follows:

From the date of enactment of this Ordinance until December 31, 2005, no municipal bond shall be issued and sold by the City for the purpose of purchasing items of realty, or personalty, which items have a purchase price or cost of less than \$50,000.00. This restriction shall not apply to expenditures pertaining to economic development related activities or functions, nor shall it pertain to City government expenditures for local contributions tied to non-City funding resources, including state and/or federal loans and/or grants.

be and the same is hereby repealed because it is superseded by Section 129.02 (governing the time period on and after 12/31/05).

2. The City hereby enacts and ordains the following new Ordinance Section 129.01 entitled “Bond Issue Items – Subject Matter Restrictions”:

No municipal bonds or notes shall be issued and sold by the City for the purpose of purchasing motor vehicles. The term “motor vehicles” is defined to include four-door automobiles, two-door automobiles, police cars, motorcycles, sport utility vehicles, pick-up trucks and vans, but excludes trucks and any other motor vehicles of a type not herein described.

3. Repealer. All ordinances and resolutions and parts of ordinances and resolutions inconsistent herewith be, and the same are hereby repealed.

4. Severability. The provisions of this Ordinance are severable and if any provisions hereof are declared illegal or invalid on constitutional or statutory grounds by any court of competent jurisdiction, then those provisions not specifically declared illegal or invalid shall remain in full force and effect.

5. Effective Date. The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor pursuant to the requirements of the Optional Third Class City Charter Law, 53 P.S. §41608(b).

Sponsored by: _____
JOSEPH F. LEESON, JR.

PASSED finally in Council on the _____ day of _____, 2009.

ROBERT J. DONCHEZ
President of Council

ATTEST:

CYNTHIA H. BIEDENKOPF
City Clerk

This Ordinance approved this _____ day of _____, 2009.

JOHN B. CALLAHAN
Mayor