

and operation of his department. All department heads shall comply with such administrative policies and procedures as may be established by the commission for the manager.
(Ord. No. 227, § 23, 10-28-80/12-2-80)

ARTICLE IV. FINANCE*

Sec. 4.01. Fiscal year.

The fiscal year of the town shall begin on the first day of October and end on the last day of September of the following year, or as provided by state law.
(Ord. No. 227, §§ 26, 27, 10-28-80/12-2-80)

State law reference—Fiscal year mandated, F.S. §§ 166.241, 218.33.

Sec. 4.02. Submission of budget and budget message.

No later than sixty (60) days prior to October first of each year, the manager shall submit to the commission a budget for the ensuing fiscal year and an accompanying message.

State law reference—Budget adoption procedure, F.S. ch. 205.

Sec. 4.03. Budget message.

The manager's message shall explain the budget both in fiscal terms and in terms of the work program. It shall outline the proposed financial policies of the town for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, summarize the town's debt position, any accumulated funds, and include such other materials as the manager deems desirable.

If the ad valorem rateables are not available from the county tax assessor and limits imposed by the state legislature are subject to change, then the best estimates of these factors should be used.

(Ord. No. 227, §§ 26, 28, 10-28-80/12-2-80)

Sec. 4.04. Budget [requirements generally].

The budget shall provide a complete financial plan of all town funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the manager deems desirable or the commission may require. In organizing the budget, the manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; and shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year and shall be so arranged as to show comparative figures where possible for actual and

***State law reference**—Municipal finance, F.S. § 166.101 et seq.

estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures.
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure.
- (c) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the town 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 and any accumulated funds.

(Ord. No. 227, § 26, 10-28-80/12-2-80)

Sec. 4.05. Capital program.

(a) *Submission to commission.* The manager shall prepare and submit to the commission at the time of the budget presentation a capital program for not less than three (3) years. The commission may adopt by resolution the capital program as submitted by the manager with or without amendments.

(b) *Contents.* The capital program shall include:

- (1) A clear general summary of its contents.
- (2) A list of all capital improvements which are proposed to be undertaken during the next budget year and the ensuing fiscal years programmed, with appropriate supporting information as to the necessity for such improvements.
- (3) Cost estimates, method of financing and recommended time schedules for each such improvement.
- (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired, and the proposed means to finance such costs.

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

(Ord. No. 227, § 26, 10-28-80/12-2-80)

Sec. 4.06. Commission action on budget.

(a) *Notice and hearing.* The commission shall publish in one or more newspapers of general circulation in the town a notice of the proposed annual budget stating:

- (1) The time and place of a public hearing on the budget to be held not less than two (2) weeks after such publication.

- (2) The times and places where copies of the message and budget are available for inspection by the public.

(b) *Amendment before adoption.* After the public hearing, the commission, by resolution, may adopt the budget with or without amendment. 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 estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income and any accumulated funds.

(c) *Adoption.* The commission shall adopt the budget by resolution on or before the twenty-fifth day of the last month of the fiscal year currently ending. If it fails to adopt the budget by this date, the amounts appropriate for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the commission adopts a budget for the ensuing fiscal year. Adoption of the budget shall constitute appropriations for the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

(Ord. No. 227, § 26, 10-28-80/12-2-80)

State law reference—Budget adoption procedure, mandated, F.S. § 200.061.

Sec. 4.07. Public records.

Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at the town hall.

(Ord. No. 227, § 26, 10-28-80/12-2-80)

State law reference—Public records act, F.S. ch. 119.

Sec. 4.08. Amendments after adoption [of budget].

(a) *Supplemental appropriations.* If during the fiscal year the manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the commission by resolution may make supplemental appropriations for the year up to the amount of such excess.

(b) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the commission may make appropriations. Such appropriations may be made by resolution, amending the budget. To the extent that there are no available unappropriated revenues to meet such appropriations, the commission may, by emergency ordinance in accordance with the provisions of this Charter, authorize the issuance of emergency notes, which may be renewed when necessary notwithstanding the automatic repeal provision of section 2.11(a)(3) but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) *Reduction of appropriations.* If at any time during the fiscal year it appears probable to the manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the commission without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The commission shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by resolution reduce one or more appropriations.

(d) *Transfer of appropriations.* After the first six (6) months of the fiscal year, the manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency. Upon written request by the manager, the commission may by resolution transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

(e) *Limitations, effective date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

(Ord. No. 227, §§ 26, 29, 30, 10-28-80/12-2-80)

Sec. 4.09. 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. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if five (5) years pass without any disbursement from or encumbrance of the appropriation.

(Ord. No. 227, §§ 26, 31, 10-28-80/12-2-80)

Sec. 4.10. Administration of budget.

Payments and obligations prohibited. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the manager or his designee first certifies that there is a sufficient unencumbered balance in such allotment and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any person who knowingly authorized or made such payment or incurred such obligation, and he shall also be liable to the town for any amount so paid. However, except where prohibited by law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making