

Chapter 56, ESTIMATE, ANNUAL

[HISTORY: Adopted by the City Council of the City of Binghamton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Board of Estimate and Apportionment -- See Ch. 18.

ARTICLE I, Financial Data [Adopted 10-5-1970 (Sub-Part XXXI of the 1970 Code)]

§ 56-1. Additional information required.

In addition to the estimates and financial data heretofore required to be included in the annual estimate submitted to (the) Binghamton City Council annually by the Board of Estimate and Apportionment, the Board of Estimate and Apportionment is hereby authorized, empowered and directed to hereafter include the following financial data in the annual estimate required to be submitted pursuant to § 75 of the Second Class Cities Law, §§ C-61 and C-62 of the Supplemental Charter of the City of Binghamton (Laws of 1917, Chapter 668, as amended), and other provisions of law:

- A. With respect to each appropriation item, a statement, as to the exact amount originally budgeted and appropriated for the current fiscal year, and a statement as to the adjusted amount, if any.
- B. With respect to each appropriation item, a statement as to the exact amount expended as of the first day of September preceding the date of submission of the aforementioned annual estimate.
- C. With respect to each appropriation item, a statement as to the exact amount proposed to be budgeted and appropriated for the succeeding fiscal year.

§ 56-2. Provisions superseded.

This article shall amend and supersede the provisions of § 75 of the Second Class Cities Law and §§ C-61 and C-62 of the Supplemental Charter of the City of Binghamton (Laws of 1917, Chapter 668, as amended) to the extent that the same are inconsistent herewith.

ARTICLE II, Budget Revisions [Adopted 6-15-1992 by L.L. No. 5-1992, approved at referendum 11-3-1992 (Sub-Part LXXVII of the 1970 Code)]

§ 56-3. Statutory amendments.

A. Section 75 of the Second Class Cities Law, entitled "Annual Estimate," be and it hereby is amended to delete the last sentence of the first paragraph thereof which reads: "The Common Council shall not have the power to diminish or reject any item which relates to salaries, the indebtedness or estimated revenues, or the sums directed by the Board of Supervisors of the county within which the City is situated to be levied within the City for state and county purposes or the sums lawfully payable within said fiscal year upon judgments; nor shall the Common Council increase any item, for any purpose contained in said estimate."

B. Section 75 of the Second Class Cities Law, entitled "Annual Estimate," is hereby amended to add two new sentences to the first paragraph thereof, as follows: "The City Council of the City of Binghamton shall have the authority to diminish, reject or increase any item when contained within said estimate with the exception of the indebtedness, the sums directed by the Broome County Legislature to be levied within the City for state and county purposes, or the sums lawfully payable within said fiscal year upon judgments. Should the net effect of any such budget revisions cause an increase in the revenue estimates for the annual budget, no such increase shall be effective unless the Chief Fiscal Officer of the City of Binghamton shall certify to the Board of Estimate and Apportionment and the City Council that the budget estimate, as amended and adopted by the City Council is balanced in accordance with accepted standards for local government finance."

§ 56-4. Effect of article.

This article shall supersede, abolish and repeal any local law or special law applicable to the City of Binghamton contrary to the express intent set forth herein.

§ 56-5. Time period for budget estimate unaffected.

This article is not intended to alter the time periods provided for by law regarding the preparation, submission, consideration and adoption of the budget estimate.

§ 56-6. Remainder of statutory provisions.

All remaining provisions of § 75 of the Second Class Cities Law shall remain as currently codified with all full force and effect.

§ 56-7. When effective.

This article shall take effect upon the approval by the voters at a referendum to be held at the next general election of the City of Binghamton pursuant to the terms of the Municipal Home Rule Law.

ARTICLE III, Adoption by Common Council [Adopted 3-17-1997 by L.L. No. 2-1997 (Sub-Part LXXXVIII of the 1970 Code)]

§ 56-8. Statutory amendments.

A. Section 75 of the Second Class Cities Law, entitled "Annual Estimate," be and it hereby is amended to delete the next to last sentence of the first paragraph thereof which reads: "After such hearing, and, within 30 days after such estimate shall have been submitted to it, the Common Council shall adopt such estimate so submitted or shall diminish or reject any items therein contained, and adopt said estimate as so amended."

B. Section 75 of the Second Class Cities Law entitled, "Annual Estimate," is hereby amended to insert the following sentence before the last sentence: "After such hearing, and, within 45 days after such estimate shall have been submitted to it, the Common Council shall adopt such estimate so submitted or shall diminish or reject any items therein continued, and adopt such estimate as so amended."

§ 56-9. Repeal of conflicting provisions.

This article shall supersede, abolish and repeal any local law or special law applicable to the City of Binghamton contrary to the express intent set forth herein.

§ 56-10. Remaining provisions to be in full force and effect.

All remaining provisions of § 75 of the Second Class Cities Law shall remain as currently codified with all full force and effect.

§ 56-11. When effective.

This article shall take effect immediately upon the approval of the Board of Estimate and Apportionment.