

1 Introduced by Council Member Diamond and Co-Sponsored by Council  
2 Member Salem and Ferraro:

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5 **ORDINANCE 2020-67**

6 AN ORDINANCE AMENDING SECTION 106.331  
7 (INDEBTEDNESS IN EXCESS OF OR CONTRARY TO  
8 APPROPRIATIONS PROHIBITED), SUBPART C  
9 (INDEBTEDNESS, LIABILITY OR EXPENDITURE IN  
10 EXCESS OF OR CONTRARY TO APPROPRIATIONS), PART  
11 3 (APPROPRIATIONS), CHAPTER 106 (BUDGET AND  
12 ACCOUNTING CODE), *ORDINANCE CODE*, TO CLARIFY  
13 THAT A CONTRACT MUST CONTAIN A MAXIMUM  
14 INDEBTEDNESS PROVISION; PROVIDING AN EFFECTIVE  
15 DATE.

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17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Amending Section 106.331 (Indebtedness in**  
19 **excess of or contrary to appropriations prohibited0, Chapter 106**  
20 **(Budget and Accounting Code), *Ordinance Code*.** Section 106.315  
21 (Indebtedness in excess of or contrary to appropriations  
22 prohibited), Subpart C (Indebtedness, Liability or Expenditure in  
23 Excess of or Contrary to Appropriations), Part 3 (Appropriations),  
24 Chapter 106 (Budget and Accounting Code), *Ordinance Code*, is hereby  
25 amended to read as follows:

26 **CHAPTER 106. BUDGET AND ACCOUNTING CODE.**

27 \* \* \*

28 **PART 3. APPROPRIATIONS.**

29 \* \* \*

30 **SUBPART C. INDEBTEDNESS, LIABILITY OR EXPENDITURE IN EXCESS OF OR**  
31 **CONTRARY TO APPROPRIATIONS**

1 \* \* \*

2 **Sec. 106.331. Indebtedness in excess of or contrary to**  
3 **appropriations prohibited.**

4 No officer or employee of the City or of any independent  
5 agency receiving appropriations from the Council shall, on behalf  
6 of the City or independent agency, have any authority to expend or  
7 authorize the expenditure of any money, incur or authorize the  
8 incurring of any liability or enter into or authorize the making of  
9 any contract which by its terms involves the expenditure of money:

10 (a) For any purpose for which no appropriation has been made  
11 by the Council.

12 (b) In excess of the amount appropriated for each department  
13 within each subfund by the Council for the purpose for  
14 which the money was or is to be expended, liability  
15 incurred or contract made and remaining at the time  
16 unencumbered, unexpended and unimpounded.

17 (c) Contrary to the terms and purpose of the appropriation  
18 from which the money was or is to be expended, liability  
19 satisfied or contract paid.

20 (d) When, at the time such expenditure, liability or contract  
21 is authorized, there are no funds in the City Treasury or  
22 independent authority treasury that are available to  
23 discharge or pay the same, even if there is an  
24 appropriation which authorizes the expenditure, liability  
25 or contract.

26 In regards to a contract which would authorize or incur any  
27 liability or which involves the expenditure of money, the contract  
28 shall include a provision clearly specifying the maximum monetary  
29 indebtedness annually (and total maximum indebtedness if the  
30 contract has a term beyond one year) of the City or the independent  
31 agency thereunder.

1           **Section 2.           Effective Date.**   This ordinance shall become  
2 effective upon signature by the Mayor or upon becoming effective  
3 without the Mayor's signature.

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5 Form Approved:

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7           /s/ Paige H. Johnston          

8 Office of General Counsel

9 Legislation prepared by: Paige H. Johnston

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