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Introduced by Council Member Diamond & Co-Sponsored by Council Members Salem and Ferraro:

## ORDINANCE 2020-67-E

ΑN ORDINANCE AMENDING SECTION 106.331 (INDEBTEDNESS IN EXCESS OF OR CONTRARY TO APPROPRIATIONS PROHIBITED), SUBPART С (INDEBTEDNESS, LIABILITY OR EXPENDITURE ΙN EXCESS OF OR CONTRARY TO APPROPRIATIONS), PART 3 (APPROPRIATIONS), CHAPTER 106 (BUDGET AND ACCOUNTING CODE), ORDINANCE CODE, TO CLARIFY THAT Α CONTRACT MUST CONTAIN A MAXIMUM INDEBTEDNESS PROVISION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amending Section 106.331 (Indebtedness in excess of or contrary to appropriations prohibited), Chapter 106 (Budget and Accounting Code), Ordinance Code. Section 106.331 (Indebtedness in excess of or contrary to appropriations prohibited), Subpart C (Indebtedness, Liability or Expenditure in Excess of or Contrary to Appropriations), Part 3 (Appropriations), Chapter 106 (Budget and Accounting Code), Ordinance Code, is hereby amended to read as follows:

CHAPTER 106. BUDGET AND ACCOUNTING CODE.

\* \* \*

## PART 3. APPROPRIATIONS.

\* \* \*

SUBPART C. INDEBTEDNESS, LIABILITY OR EXPENDITURE IN EXCESS OF OR

## CONTRARY TO APPROPRIATIONS

\* \* \*

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

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

- (a) For any purpose for which no appropriation has been made by the Council.
- (b) In excess of the amount appropriated for each department within each subfund by the Council for the purpose for which the money was or is to be expended, liability incurred or contract made and remaining at the time unencumbered, unexpended and unimpounded.
- (c) Contrary to the terms and purpose of the appropriation from which the money was or is to be expended, liability satisfied or contract paid.
- (d) When, at the time such expenditure, liability or contract is authorized, there are no funds in the City Treasury or independent authority treasury that are available to discharge or pay the same, even if there is an appropriation which authorizes the expenditure, liability or contract.

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

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

Form Approved:

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## /s/ Paige H. Johnston

Office of General Counsel

Legislation prepared by: Paige H. Johnston

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