

Wilmington, Delaware  
June 16, 2022

#0201

Sponsor:

Council  
Member  
Darby

**WHEREAS**, the Wilmington City Charter empowers Wilmington City Council to amend the annual operating budget in order to make certain appropriations; and

**WHEREAS**, the Wilmington City Council proposes to amend the Wilmington City Charter to require Wilmington City Council to make certain supplemental appropriations of excess revenues, grant funds or special funds during the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that pursuant to Title 22, Section 811 of the Delaware Code, this Council proposes to amend Section 2-301 of the Wilmington City Charter by deleting the stricken language and adding the underlined language to read as follows:

**Sec. 2-301. Other appropriations.**

The council may not make any operating appropriations in addition to those included in the annual operating budget ordinance except:

- (a) To meet emergencies which could not be anticipated when the operating budget ordinance was passed;
- (b) To pay the expenses of holding special elections and elections on proposals to amend this Charter;
- (c) To pay the cost of councilmanic investigations and inquiries and the compensation of attorneys retained by the council as authorized by this Charter; or
- (d) If during the fiscal year revenues, grant funds or special funds in excess of those projected or anticipated in the annual operating budget become available, including funds being passed through to non-city entities, the council shall make supplemental appropriations for the remainder of the fiscal year up to the amount of such excess.

Unless paid for out of current revenues or grants, all amounts appropriated under this section must be included as liabilities of the city in the next succeeding annual operating budget ordinance and except to meet emergencies, operating expenses shall neither be appropriated nor paid out of loan funds.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution initiates a proposed amendment to Wilmington City Charter Section 2-301 to require City Council to make certain supplemental appropriations of excess revenues, grant funds or special funds during the fiscal year.

SPONSOR:

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE BILL NO. \_\_\_\_\_

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON REGARDING APPROPRIATIONS OF EXCESS REVENUES, GRANT FUNDS OR SPECIAL FUNDS DURING THE FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend § 2-301 of the Charter of the City of Wilmington by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 2-301. – Other appropriations.

The council may not make any operating appropriations in addition to those included in the annual operating budget ordinance except:

(a) To meet emergencies which could not be anticipated when the operating budget ordinance was passed;

(b) To pay the expenses of holding special elections and elections on proposals to amend this Charter;

(c) To pay the cost of councilmanic investigations and inquiries and the compensation of attorneys retained by the council as authorized by this Charter; ~~;~~ or

(d) If during the fiscal year revenues, grant funds or special funds in excess of those projected or anticipated in the annual operating budget become available, including funds being passed through to non-city entities, the council shall make supplemental appropriations for the remainder of the fiscal year up to the amount of such excess.

Unless paid for out of current revenues or grants, all amounts appropriated under this section must be included as liabilities of the city in the next succeeding annual operating budget ordinance and except to meet emergencies, operating expenses shall neither be appropriated nor paid out of loan funds.

SYNOPSIS

This Act amends Section 2-301 of the City of Wilmington Charter to require Wilmington City Council to make certain supplemental appropriations of excess revenues, grant funds or special funds during the fiscal year.