

# OPTIONAL PLANS OF GOVERNMENT IN PENNSYLVANIA

## General Provisions Common to Optional Plans of Government

Government Study Commission may determine size of governing body; whether election by ward, at-large or combination

No new powers can be written into optional plan selected

Structure and administrative operation of the municipality changes; still governed by class code provisions that are not in conflict with optional plan selected

Cannot go above tax rates established in class code for real estate tax

Any municipality in PA **may select any one of the three optional plans** for executive mayor)-council, and council-manager plan

Election of controller is optional; may be elected or appointed position

Office of treasurer may be elected, appointed or omitted and folded into department of administration via administrative code

If county selects any one of the optional plans DA must be elected by voters

Election of sheriff is optional; may be appointed position

All council ordinances must be approved by chief elected executive (mayor); override of veto requires council vote of majority plus one (plurality)

Under council-manager plan of government, there is no veto

Officials prohibited from engaging in any activity that might constitute conflict of Interest

Specific procedures for audit and financial management controls over spending through council legislative action; for filling vacancies in elected office

Appointments and promotions of administrative officers/employees made on the basis of demonstrated competence and merit

Establishment of a personnel merit system by council administered by appointed manager (under council-manager plan) or director of administration (under executive (mayor)-council plan

Elected executive (mayor), or manager is responsible for preparing personnel policies and submitting to council for approval

# OPTIONAL PLANS OF GOVERNMENT IN PENNSYLVANIA

## EXECUTIVE (MAYOR)-COUNCIL PLAN

Strong executive (mayor) form

Elected chief executive (mayor)

Elected council (legislative body)

Department of Administration

Director of Administration appointed by chief elected executive (mayor) and consented to by council; selection based upon merit

Chief elected executive (mayor) appoints each department head with consent of council; selection based upon merit

Department heads report to Director of Administration who reports to chief elected executive (mayor)

Chief elected executive (mayor) has power to remove department heads including Director of Administration; elected executive (mayor) has requirement to notify council of intent to remove

Department heads have authority to appoint officers/employees within their respective departments based upon merit

Department of Administration-Function:

- Director of Department of Administration is under direct supervision of chief elected executive (mayor) with the following powers and duties:
  - To assist in preparation of annual budget
  - To administer centralized purchasing system
  - To establish/administer centralized personnel system
  - To establish/maintain centralized accounting system
  - To perform other duties as council may prescribe

Chief elected executive (mayor) appoints director of administration, solicitor with consent of council

Chief elected executive (mayor) appoints members of boards, commissions, and committees

## OPTIONAL PLANS OF GOVERNMENT IN PENNSYLVANIA

Strong elected chief executive (mayor) has the following characteristics:

- Veto power
- Control over administration including finance and personnel
- Authority to call council into special session
- Responsibility to enforce all laws, including those enacted by council
- Legislative power is lodged in an elected council that sets general policy and approves certain actions (e.g., annual budget, contracts, tax rates)

# **OPTIONAL PLANS OF GOVERNMENT IN PENNSYLVANIA**

## **COUNCIL-MANAGER PLAN**

Any municipality may select this plan

Elected council has legislative power to set general policy

Executive power over day-to-day operations is given to manager appointed by council

Council elects president/chairperson/mayor to preside over meetings, appoint committees, set agenda

Council is charged with enacting ordinances, approving the annual budget, setting tax rates, adopting administrative code, appointing the manager, adopting personnel policies

Council members are prohibited from involving themselves in day-to-day departmental Activities

Individual members of council cannot issue orders to departmental employees

Council is required to act as a body and deal with administrative departments solely through the manager to whom department heads are responsible

Manager is chief administrative officer of municipality whose powers and duties are enumerated in a council-manager optional plan

Manager is chosen by council for an indefinite period on the basis of administrative qualifications and expertise serving at the pleasure of council and may be removed by majority vote of council at any time

Manager is charged with appointing and removing department heads; executing all laws and functions; preparing agenda for council meetings; preparing and executing the annual budget; attend all council meetings; negotiate and execute contracts; make recommendations to council on policy matters; and perform other duties as directed by council.

**\*\*Note: Council can also be referred to as Board of Supervisors\*\***