

COMPARISON MATRIX
THIRD CLASS CITY CODE vs HOME RULE CHARTER

THIRD CLASS CITY CODE-COMMISSION FORM	HOME RULE CHARTER - COUNCIL/MANAGER FORM
Chapter 109 – Appointment of city employees by Council (e.g., Manager, fire chief, city clerk, PW, code enforcement – at-will)	Manager appoints department heads; Manager appoints employees below department head level - no Council approval required
Chapter 110 – Structure of governing body - Council includes Mayor and four other members; Mayor is president and member of Council; all have equal vote; may introduce bills and make motions; may be elected “at large” or by district	Structure of governing body Mayor may be part of Council and serve as Council President. The number and structure are determined by the Charter
Chapter 110 – Ordinances – Required for: taxes; budget adoption; exercise police power; regulate land use/zoning; impose property maintenance/building codes, etc.; conduct of persons; & imposition of penalty & interest; signed by Mayor and city clerk; two readings, 3 days intervene between first/second reading; advertisement requirement of at least 7 but no more than 60 days prior to adoption	Ordinances - Same requirements as in Third Class City Code but introduction and advertising requirements may vary depending on Charter; adopted by Council; signed by Council President and Manager or City Clerk; Charter language determines how many readings and the effective date; Charter language determines advertising requirements
Chapter 111 – Department Oversight – Council members act as Directors of City departments Mayor – Department of Public Affairs – Police Accounts and Finance Public Safety (Fire, Codes) Streets and Public Improvements Parks and Public Property	Department Oversight – Manager has oversight of all operating departments; the Manager reports to Council

Chapter 112 – Mayor is responsible for executing/enforcing ordinances; exercises police power to preserve peace; oversees police department; issues emergency proclamations; signs ordinances	Mayor may be member of Council elected separately by voters or by Council to serve as presiding officer with or without ability to vote on matters depending on charter language
Chapter 112A – City Manager/Administrator known as Chief Administrative Officer (CAO); may be appointed by Council; selection based on executive/administrative qualification, experience; special consideration given for training and experience in municipal government operation; position created by ordinance; may have employment agreement that expires not later than two years after effective date of agreement or date of reorganization meeting after municipal election, whichever is earlier; serves at pleasure of Council; exercises specific powers and duties relating to general management in Code (oversight of all operations including finance/budgeting, personnel, appointments or removals)	City Manager/Administrator – Threshold requirements for hiring set forth in the Charter; Manager appointed as an “at will” position institutionalized in charter; Council makes appointment; serves at pleasure of Council; may enter into an employment agreement consistent with provisions in the Third Class City Code; exercises specific powers and duties relating to all operations enumerated in the Charter which may be more expansive than those outlined in the Third Class City Code
Chapter 114 – Elected City Treasurer – elected; role is collection of city and school district property taxes; city and school district share cost of collection – Council sets employee salaries, benefits, billing and collection and overhead costs; additional duty is to collect, record, report and deposit all city funds; must be bondable; must appoint deputy tax collector to act in case of incapacitation	Elected City Treasurer position may be eliminated and transitioned to an appointed position such as finance officer/director to carry out same function and responsibilities; must be bondable; tax collection function may be performed if the Manager delegates to finance officer/director or third party depending on charter language; may be permitted to hire additional personnel to carry out financial management duties.
Chapter 116 – City Solicitor – appointed by Council with compensation set by Council	City Solicitor - appointed by Council based on threshold qualifications with compensation set by Council.

Chapter 117 – Elected City Controller – elected; must be bondable; role is to countersign all documents authorizing payment of money from city treasury confirming that payment is legal expenditure; examines accounts of all city departments; examines accounts of city officials upon death, resignation or removal or expiration of term of office; presents Council with financial statements; appoints deputy controller to act in case of incapacitation	Elected City Controller position may be eliminated and transitioned to and appointed position as part of finance officer/director position to carry out same oversight function and responsibilities; the annual financial reporting role may be handled by a CPA with a requirement for an independent annual audit; must be bondable; may be third party appointment depending on charter language to conduct special studies or investigations
Chapter 118 – Accounts and Finance (Councilmember) – powers and duties of chief fiscal officer (Director); must be bondable; Council may appoint a deputy; countersigns all documents approved by Council authorizing payment from city treasury; Director presents proposed annual budget and proposed property tax millage rate to Council; budget is made available for public inspection and advertisement of proposed budget and tax ordinances; Council may make changes to the budget prior to final enactment; after a municipal election Council may reopen budget, make changes, re-advertise and adopt by February 15	Finance Director – Manager appoints a finance director depending on charter language; must be bondable; Council fixes salary; finance director exercises same function and responsibilities as Director of Accounts and Finance with additional duties concerning accounting, budgeting, accounts payable/receivable, cash management, purchasing, payroll; finance director reports to Manager; the Manager presents budget to Council based on budget prepared by finance director including proposed millage rate; changes may be made by Council, Manager or finance director make proposed budget available for public inspection along with advertisement of proposed budget and millage rate as determined by Charter language; after a municipal election Council may reopen budget, make changes, re-advertise and adopt by February 15.
Chapter 119 – Contracts/Purchasing – Council regulates procedures for award of all contracts in excess of the purchasing threshold as established by the PA Dept. of Labor & Industry; are subject to advertising and competitive bidding; Council awards to lowest responsible bidder; contracts exempt from advertising or bidding are specified in the Third Class City Code; public bid opening; public award/rejection of bids; bid bond, performance bond & payment bond required; compliance required with other special statewide purchasing laws	Contracts/Purchasing - Procedures for award of all contracts and purchasing is through the Fiscal Procedures section of the Charter; may follow purchasing threshold as established by the PA Dept. of Labor & Industry; are subject to advertising and competitive bidding; Council awards to lowest responsible bidder; contracts exempt from advertising and bidding are set forth in the Charter; public advertisement of bids; public bid opening; public award/rejection of bids; bid bond, performance bond & payment bond required; compliance with other special statewide purchasing laws required

Chapter 120 – Police Department –police chief appointed by Mayor from within the ranks and may be demoted without cause by the Mayor; should no qualified officer from within ranks apply, chief of police may be from outside the city; officers are hired in accordance with civil service regulations; Chief reports to Mayor	Police Department – Police Chief appointed by the Manager; may be removed by Manager and is an “at-will” employee not required to come from ranks depending on charter language; officers are hired in accordance with civil service regulations. Chief reports to the Manager.
Chapter 121 – Fire Department – Mayor appoints fire chief with Council consent; Mayor with Council consent may demote back to rank; should no qualified employee from within ranks apply, fire chief may be from outside the city; fire employees are hired in accordance with civil service regulations; Fire Marshall appointed by Mayor with Council consent. Fire Chief reports to Council Member who heads Public Safety.	Fire Department – Fire Chief appointed by Manager; may be removed by Manager and is an “at-will” employee not required to come from ranks depending on charter language; fire employees are hired in accordance with civil service regulations; Fire Marshall is appointed by Manager and may be combined with another position. Fire Chief reports to the Manager.
Chapter 125 – Property Tax Levy and Collection – Property tax millage cap is 30 mills for general purposes; may increase millage above cap up to five additional mills with annual court approval; additional special purpose millage levies specified in Third Class City Code; split property tax millage allowed with different rates on land and structures; may not generate more revenue than single rate	Property Tax Levy and Collection – Property tax millage cap for general purposes not applicable to home rule municipalities; same applies to special purpose millage levies – there are no rate caps unless provided for under the Charter.
Local Tax Enabling Act of 1965 - Act 511 Third Class Cities are required to follow the rate caps established in Act 511 for local earned income tax and deed transfer tax	Local Tax Enabling Act of 1965 - Act 511 Home rule municipalities may exceed rate caps in Act 511 for the local earned income tax and deed transfer tax

Referendum and Initiative not included in the Third Class City Code	Referendum and Initiative provisions are included in the Home Rule Charter, giving electors a direct role in local lawmaking and charter changes. Referendum and initiative procedures allow electors to place certain questions or proposals before the Council and, if not enacted, before the voters. Specific petition thresholds, subject-matter limits, timing and procedural requirements are controlled by election law and the Charter
No requirement for an Administrative Code .	Requirement for an Administrative Code .