

INDEPENDENT AUDIT

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

RESOLUTION ESTABLISHING THE LANGUAGE OF PROPOSED AMENDMENTS TO THE EAST PROVIDENCE CITY CHARTER AS WILL BE VOTED ON AT THE SUBSEQUENT CHARTER REFERENDUM

WHEREAS, the Home Rule Charter for the City of East Providence was originally adopted by the Town of East Providence in September 1954; and

WHEREAS, Article XIII, Sec. 8 of the Rhode Island Constitution allows for the legislative body of any city or town to propose amendments to the Charter, which amendments shall be submitted for approval to the qualified electors of the City at a general or special election; and

WHEREAS, the City Council desires to amend the City Charter as follows with regard to independent audit:

Sec. 2-9. Powers.

The legislative powers of the City shall be vested in the Council. Without limitation of the foregoing, the Council shall have power to:

- (1) Determine its own rules and order of business and keep a journal of its proceedings which shall be open to public inspection in the office of the City Clerk;
- (2) Establish administrative departments and distribute the work of divisions;
- (3) Adopt the budget of the City;
- (4) Authorize the issuance of bonds by a bond ordinance;
- ~~(5) Provide for an independent audit;~~
- (6) Inquire into the conduct of any office, department or agency of the City and make investigation as to municipal affairs and, for such purposes, the Council may subpoena witnesses and require the production of records if a simple majority of at least three (3) Council Members passes a resolution which shall state, with sufficient particularity, the legitimate public purpose for the issuance of any such subpoena and the scope of said subpoena;
- (7) Adopt ordinances for the government of the City which have to do with records, franchises, finance, personnel, civil service or merit system, pensions and retirement systems, public works, public safety, public welfare, public health, City planning, zoning, parks and playgrounds, and safe and sanitary housing, public utilities and other municipal functions not in conflict with the constitution and laws of the state;
- (8) Grant, suspend or revoke licenses, or, by ordinance, delegate to the Mayor the power to grant, suspend or revoke licenses or classes of licenses, except licenses permitting the sale of alcoholic beverages. The City Council or the Mayor may require an inspection, investigation and report by any

INDEPENDENT AUDIT

department on any license or application for a license. If any applicant, licensee or citizen of the City is aggrieved by the decision of the Mayor in granting, refusing to grant, suspending or revoking any license or application for a license, he or she may appeal from such decision to the City Council.

*will result in renumbering, if accepted

~~Sec. 2-15. Independent audit. [Repealed]~~

- ~~(1) The Council shall cause to be made an annual independent audit of the books, accounts and other evidences of financial transactions of the City to be conducted either by state auditors or a certified public accountant having no personal interest therein. If such audit is made by a private firm of certified public accountants, such firm shall be changed at least every five (5) years. A copy of the audit report shall be filed with the City Clerk and shall be a public record.~~
- ~~(2) If the Council shall fail to provide for an independent audit not later than the close of any fiscal year, the proper officers of the state concerned with the municipal audits hereby are authorized to conduct such audit, and the City Clerk shall notify the state in writing that such audit is authorized to be conducted under the provisions of this Charter.~~

Sec. 5-16. Independent audit.

- (1) The Mayor shall cause to be made an annual independent audit of the books, accounts and other evidences of financial transactions of the City to be conducted either by state auditors or a certified public accountant having no personal interest therein. If such audit is made by a private firm of certified public accountants, such firm shall be changed at least every five (5) years. A copy of the audit report shall be filed with the City Clerk and shall be a public record.
- Nothing herein shall prevent the Council from causing to be made an annual independent audit of the books, accounts and other evidences of financial transactions of the City to be conducted either by state auditors or a certified public accountant having no personal interest therein.
- (2) If the City shall fail to provide for an independent audit not later than the close of any fiscal year, the City Clerk shall notify the proper officers of the state concerned with the municipal audits and such officers are hereby authorized to conduct such audit.

NOW, THEREFORE, BE IT RESOLVED that these proposed Charter amendments be summarized on the ballot in the next special election.

BE IT FURTHER RESOLVED that the ballot question expressly state that these amendments shall become effective upon passage without further action insofar as the Rhode Island Constitution's Home Rule Charter provisions allow.

Adopted by the City Council:

Attest:

City Clerk of East Providence, Rhode Island