

**ORDINANCE NO. 3971-A**

**AN ORDINANCE AMENDING THE CITY OF MUSKOGEE CODE OF ORDINANCES BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BUDGET, BY AMENDING SECTION 2-551, DEFINITIONS; REDEFINING THE STABILIZATION FUND TO MEAN A STATIC VALUE OF THREE MILLION, FIVE HUNDRED THOUSAND (\$3,500,000); PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.**

**AN EMERGENCY ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, AS FOLLOWS:**

**Section 1.** Section 2-551, Definitions, in the City of Muskogee Code of Ordinances is hereby amended as follows:

Sec. 2-551. - Definitions.

As used in this in this article:

*Account* means an entity for recording specific revenues or expenditures, or for grouping related or similar classes of revenues and expenditures and recording them within a fund or department.

*Appropriated fund balance* means any fund balance appropriated for a fund for the budget year.

*Appropriation* means an authorization to expend or encumber revenues and fund balance of a fund.

*Budget* means a plan of financial operations for a fiscal year, including an estimate of proposed expenditures for given purposes and the proposed means for financing them.

*Budget report* means a tabular listing of revenues by source and expenditures by fund and by department within each fund for the budget year.

*Budget year* means the fiscal year for which a budget is prepared or being prepared.

*Current year* means the year in which the budget is prepared and adopted, or the fiscal year immediately preceding the budget year.

*Department* means a functional unit within a fund which carries on a specific activity, such as the fire department or public works department within the general fund.

*Emergency* means conditions resulting from a sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered caused by a "manmade disaster" meaning a disaster caused by acts of man including, but not limited to, an act of war, terrorism, chemical spill or release, or power shortages that require assistance from outside the City of Muskogee or a "natural disaster" meaning any natural catastrophe, including, but not limited to, a tornado, severe storm, high water, flood waters, wind-driven water, earthquake, landslide, mudslide, snowstorm, or drought which causes damage of sufficient severity and magnitude to warrant hazard mitigation or the use of resources beyond the resources of the city to alleviate the damage, loss, hardship or suffering caused thereby.

*Estimated revenue* means the amount of revenues estimated to be received during the budget year in each fund for which a budget is prepared.

*Expenditure of city funds* means the disbursement of city funds, whether appropriated or non appropriated, excluding the transfer of funds between two or more departments or city agencies.

*Fiscal year* means the annual period for reporting fiscal operations which begins and ends on dates as the Legislature provides or as provided by law.

*Fund* means an independent fiscal and accounting entity with a self-balancing set of accounts to record cash and other financial resources, together with all liabilities, which are segregated for the purpose of carrying on specific activities or attaining certain objectives.

*Fund balance* means the excess of a fund's current financial assets over its current liabilities and encumbrances, as reflected by its books of account.

*Minimum fund balance* means five percent of the stabilization fund.

*Stabilization fund* means the "operating reserve" portion of the fund balance which has been appropriated as reserve in a budget year which is not less than Three Million, Five Hundred Thousand Dollars (\$3,500,000); and

*Website* means the City of Muskogee internet home page found at <http://www.muskogeeonline.org>.

Section 2. REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 3. SEVERABILITY. Should any part section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

Section 5. EMERGENCY. This ordinance being designated to protect the public health, safety and welfare of the inhabitants of the City of Muskogee, Oklahoma, and its passage being

immediately necessary, an emergency is hereby declared to exist and by reason whereof this ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

CITY OF MUSKOGEE

\_\_\_\_\_  
JOHN R. COBURN, MAYOR

ATTEST:

\_\_\_\_\_  
PAMELA S. BATES, CITY CLERK

(seal)

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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ROY TUCKER, CITY ATTORNEY