

## CHARTER

### ARTICLE V. FINANCE AND TAXATION

#### **Sec. 5.01. Fiscal powers.**

The powers of the city concerning budget, taxation, finance and fiscal matters shall be limited only by the provisions of the Constitution and laws of the state and by this Charter.

#### **Sec. 5.02. Excise taxes.**

The council shall have the power to levy a transaction privilege tax, use tax, liquor license tax or any other excise tax and to fix the amount of license taxes to be paid by any person, firm, corporation or association for carrying on any business, profession, game or amusement, calling or occupation, provided, that no such tax, if based on gross income, gross proceeds of sale or receipts shall be levied at a rate in excess of one (1) percent unless such rate is approved by a majority of the qualified electors voting on the question at a special or general election.  
(5-14-74; 5-8-84)

#### **Sec. 5.03. Claims or demands against city.**

The council shall prescribe, by ordinance, the manner in which claims or demands against the city shall be presented, audited and paid and may impose reasonable requirements with regard to notice and prompt presentation as a condition of payment. Provided, however, that the city shall not be liable for damages for injuries to any person or property unless the injured person or the owner of the damaged property or someone on his/her behalf shall, within one hundred eighty (180) days after the injury or damage, provide to the city clerk notice, in writing, of such injuries or damage, stating fully in such notice, when, where, and how the injuries or damage occurred and otherwise providing notice in accordance with state law.  
(8-26-14)

#### **Sec. 5.04. Execution of contracts.**

The council shall establish by ordinance for the execution of contracts and other instruments necessary for the proper and good government of the city. Such ordinance shall identify the officers or officials authorized to execute instruments on behalf of the city and set forth the scope and limits of said official's authority to execute instruments on behalf of the city.  
(5-8-84)

**Editor's note**—Question No. 14, approved at the election held on May 8, 1984 repealed former section 5.04 and renumbered section 5.13 to be section 5.04.

#### **Sec. 5.05. Special funds and reserve accounts.**

The council may establish such special funds and reserve accounts as it deems necessary.

#### **Sec. 5.06. Capital program.**

(a) *Submission to council.* Not later than three (3) months prior to the close of each fiscal year, the manager shall prepare and submit to the council a capital improvements program for the five-year period commencing on the first day of the ensuing fiscal year.