

CHAPTER 10 Ordinances

SECTION:

- 1-10-1: Presentment of Ordinances
- 1-10-2: Manner of Passage
- 1-10-3: Passage
- 1-10-4: Veto by Mayor; Passage over Mayor's Veto
- 1-10-5: Veto Certificate
- 1-10-6: Becoming Law without Mayor's Signature
- 1-10-7: Certificate
- 1-10-8: Passage Date
- 1-10-9: Publication and Effective Date
- 1-10-10: Recording of Ordinances
- 1-10-11: Book of Ordinances

1-10-1: **PRESENTMENT OF ORDINANCES.** Ordinances may be considered only at a regular meeting or a special meeting of the Council called for that purpose. All ordinances shall be presented in writing and the passage, execution and publication thereof shall conform to the provisions of this chapter.

1-10-2: **MANNER OF PASSAGE.** Every ordinance shall be read at three different Council meetings, two (2) readings of which may be by title only, and one (1) reading of which shall be in full, unless one-half plus one of the members of the Council shall dispense with this rule. An ordinance shall contain no subject which is not clearly expressed in its title and no ordinance or sections thereof shall be revised or amended unless the new ordinance contains the entire ordinance or sections as revised or amended, and the ordinance or section so revised or amended is repealed in its entirety. The passage or adoption of ordinances of a general and permanent nature, shall be by roll call and the yeas and nays shall be recorded by the Clerk. To pass or adopt any ordinance, a concurrence of a majority of the Council shall be sufficient, unless a greater number of votes is required by this Code or by state law.

1-10-3: **PASSAGE.** When any ordinance is passed, it shall forthwith be signed by the Mayor and attested by the Clerk, and the date of its passage by the Council shall be stated thereon. The Clerk shall attach to each ordinance a certificate of its authenticity, passage and execution and the seal of the City shall be impressed on the original thereof.

1-10-4: **VETO BY MAYOR; PASSAGE OVER MAYOR'S VETO.** If the Mayor neglects or refuses to sign an ordinance, he or she shall return the same to the Council with his or her objections and veto in writing on or before the date of the next regular meeting of the Council following its passage. When an ordinance is so returned by the Mayor the Council may reconsider the same. If four members of the Council approve the ordinance, it shall become law notwithstanding the Mayor's veto.

1-10-5: **VETO CERTIFICATE.** When any ordinance has been passed over the Mayor's veto, the Clerk shall attach a certificate to the ordinance stating the same was vetoed by the Mayor and that it received the required vote of the Council and the date of such action.

1-10-6: **BECOMING LAW WITHOUT MAYOR'S SIGNATURE.** If the Mayor refuses or neglects to sign any ordinance and fails to return the same to the Council in accordance with Section 1-10-4 above, it shall become effective without his signature.

1-10-7: **CERTIFICATE.** When any ordinance has become effective without the signature of the Mayor, the Clerk shall certify thereon that the Mayor has failed to sign or veto the ordinance, and that it has become effective without his signature.

1-10-8: **PASSAGE DATE.** An ordinance shall be considered passed on the date of its execution by the Mayor. In the case of passage pursuant to Section 1-10-4 the ordinance shall be deemed passed on the date of the regular meeting at which the ordinance was passed by the Council over the Mayor's veto. In the case of passage pursuant to Section 1-10-6, the ordinance shall be deemed passed at the conclusion of the next regular meeting following the meeting at which it was originally passed by the Council.

1-10-9: **PUBLICATION AND EFFECTIVE DATE.** All ordinances shall become effective upon their publication in the Official Newspaper and proof of publication thereof is filed with the Clerk. In lieu of publishing the entire ordinance, the City may publish a summary of the ordinance in accordance with Section 50-901(A), Idaho Code. Approval of the summary by the Council and the City Attorney shall be conclusive with respect to the completeness, adequacy and accuracy of the summary.

1-10-10: **RECORDING OF ORDINANCES.** The Clerk shall keep all original ordinances as passed, executed and published in a book provided by the City.

1-10-11: **BOOK OF ORDINANCES.** The City shall provide, and the City Clerk shall maintain, a book to be known as the City Ordinance Book. All general and special ordinances of the City shall be kept in the City Ordinance Book, irrespective of whether an ordinance is codified and published in the City Code.