

CHAPTER 10

ORDINANCES

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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contains the entire ordinance or sections as revised or amended, and the ordinance or section so revised or amended is repealed in its entirety.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 SIGNATURE: If the Mayor neglects or refuses to sign an ordinance, he 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

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 a book to be known as the City Ordinance Book.

1-10-12: ABSENTEE VOTING: The city council hereby establishes an absentee voting precinct for the City of Shelley, which shall be identified as the absentee

precinct. Voted ballots in the absentee voting precinct shall be retained by the city clerk until election day, when they shall be transferred to the ballot processing center and thereafter made a part of the election returns.

1-10-13: APPLICATION FOR ABSENTEE BALLOT: Any registered elector may make application to the city clerk for an official ballot or ballots of the kind or kinds to be voted at the election. The application shall contain the name of the elector, his home address and address to which such ballot shall be forwarded. The application for an absent elector's ballot shall be signed personally by the applicant. The application for a mail-in absentee ballot shall be received by the city clerk not later than 5:00 p.m. on the sixth day before the election. An application for in person absentee voting at the absent elector's polling place described in section 50-448, Idaho Code, shall be received by the city clerk not later than 5:00 p.m. on the day before the election. Application for an absentee ballot may be made by using a facsimile machine. In the event a registered elector is unable to vote in person at this designated polling place on the day of election because of an emergency situation which rendered him physically unable, he may nevertheless apply for an absent elector's ballot on the day of election by notifying the city clerk. No person, may, however, be entitled to vote under an emergency situation unless the situation claimed rendered him physically unable to vote at his designated polling place within forty-eight (48) hours prior to the closing of the polls. A person in the United States service may make application for an absent elector's ballot by use of a properly executed federal postcard application as provided for in the laws of the United States known as "Federal Voting Assistance Act of 1955." The issuing officer shall keep as a part of the records of his office a list of all applications so received and of the manner and time of delivery or mailing to and receipt of returned ballot.