

AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE I (“GOVERNMENT CODE”), CHAPTER 115 (“MAYOR AND CITY COUNCIL”), ARTICLE 115-I (“MAYOR AND CITY COUNCIL – GENERALLY”), SECTION 115.035 (“INTRODUCTION AND ADOPTION PROCEDURES FOR ORDINANCES”) OF THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, on April 2, 2024, an election was held in the City of Republic wherein the citizens voted to, among other things, approve an amendment to Sections 3.10(f) and (g) of the City Charter to allow for the first and second reading of proposed non-emergency Ordinances to occur in a single open Council meeting, if approved by the Council; and

WHEREAS, on or about April 16, 2024, via Resolution 24-R-16, the Council certified the election results, officially declaring the validity of the votes cast therein; and

WHEREAS, the Council now finds it necessary and appropriate to adopt certain amendments to the Municipal Code provisions affected by the above-mentioned Charter amendment, consistent with the vote of the citizens and the newly adopted Charter language.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: Title I (“Government Code”), Chapter 115 (“Mayor And City Council”), Article 115-I (“Mayor And City Council – Generally”), Section 115.035 (“Introduction And Adoption Procedures For Ordinances”), is hereby amended to read as follows:

Chapter 115 Mayor And City Council

Article 115-I Mayor And City Council – Generally

115.035 Introduction And Adoption Procedures For Ordinances

- A. Section 3.10~~1~~ of the City Charter provides for two (2) readings of an ordinance before final passage except for emergency ordinances. The vote on final passage is the vote that takes place after the second (2nd) reading of the ordinance or after the reading of an emergency ordinance. **Ordinances that may be introduced under the emergency ordinance provision include:**
1. **Bills concerning the immediate preservation of public peace, property, health, safety, or morals.**
 2. **An appropriation for payment of principal or interest of the public debt.**
 3. **An appropriation for the payment of current expenses of the city government or payment of compromise settlement of damage claims upon recommendations of the City Attorney.**
 4. **Calling an election or providing for the submission of a proposal to the people.**
 5. **Any ordinance fixing any tax rate or assessment.**

6. Any ordinance relating to the public improvement to be paid for by special assessment.

- B. An ordinance is introduced by filing a Council bill with the City Clerk setting forth the language of the ordinance to be considered.
- C. Generally, a Council bill is to be filed before the agenda of the meeting at which the bill is to be considered is posted so that consideration of the Council bill can be set forth on the agenda unless unusual or unforeseen circumstances prevent the filing of the Council bill before the posting of the agenda. In that case, the Council bill should be filed as soon as possible with a written explanation as to the unusual or unforeseen circumstances.
- D. The call for the reading of an ordinance is by motion and second with approval of a majority of the Council. Upon approval of the call for the reading, the City Clerk may read the ordinance by title. After the reading of the bill, discussion may follow and such motions or actions may be made or taken as are deemed appropriate and within the established rules of the Council. There shall, however, be no need for a motion to approve the reading of an ordinance after the City Clerk reads the ordinance.
- E. Upon the close of discussion after the first (1st) reading of the ordinance, the matter shall be placed on the next agenda for second (2nd) reading unless otherwise directed by the Mayor ~~or by a majority~~ **with a unanimous vote excluding abstentions** of the Council **members present to have the second (2nd) reading and passage in the same meeting**. An ordinance may be considered for emergency passage after the first (1st) reading, upon a motion and second seeking declaration of an emergency and approval by a majority vote of Council. The ordinance may then be considered for final passage pursuant to the requirements set forth in the Charter for emergency passage. If the motion for emergency consideration or if the ordinance itself fails to receive the required number of votes for emergency passage, then the ordinance shall be treated as a first (1st) reading ordinance for further consideration by Council.
- F. Upon the close of discussion after the second (2nd) reading of an ordinance or after declaration of an emergency, a motion and second to approve final passage of the ordinance shall be in order. Prior to the vote on the motion for final passage, such further discussion or action as may be deemed in order under Council rules may be allowed. Upon the close of discussion, the final passage of the ordinance shall require a majority vote of the entire Council or, in the case of an emergency ordinance, a two-thirds (2/3) vote of the entire Council shall be required for final passage. If a higher number of votes is required for a particular issue by Charter, ordinance or State law, then that number of votes shall be required for final passage of the ordinance.

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

Section 2: All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

Section 3: The City Administrator or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.

Section 4: The WHEREAS clauses above are specifically incorporated herein by reference.

Section 5: The provisions of this Ordinance are severable, and if any provisions hereof are declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this ____ day of May, 2024.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: