ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY CHARTER

ARTICLE IV

ORDINANCES

Section 1. Form. Be it further enacted, That all ordinances adopted by the City Council shall begin: "BE IT ORDAINED BY THE CITY OF LEWISBURG".

Section 2. Passage. Be it further enacted, That all proposed ordinances shall be read in open session before the City Council at three (3) different meetings on separate days and shall be enacted and passed by a majority vote of a quorum of the City Council and any ordinance not so read shall be null and void. At the discretion of the Mayor without objection of the majority of the Councilmen present, a proposed ordinance may be presented for consideration on first, second and third reading by only reading the caption of the proposed ordinance. [As replaced by Priv. Acts 1984, ch. 185, § 6; and Priv. Acts 2010, ch. 62, § 1]

Section 3.[1] Become Effectual, When. Be it further enacted, That no ordinance shall take effect until the lapse of fifteen (15) days after its passage on third and final reading, except that the same be enacted as an emergency ordinance and expressly contain the Statement that an emergency exists, specifically containing recitals of the circumstances and reasons for the existence of an emergency.

Section 4. Amendments. Be it further enacted, That all amendments to existing ordinances shall be in the form of a new ordinance, and adoption of such amendment shall be had in the same manner as a new ordinance.

Section 5. Publication. Be it further enacted, That the Council may by resolution direct that any ordinance pending before the Council, or under consideration by it, be published in some newspaper circulated within the City, before taking final action thereon, and may in like manner direct the publication of any ordinance after its passage on third and final reading, but no such publication shall be mandatory and any and all ordinances duly and regularly passed and adopted by the Council as herein provided shall be effective without publication.

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[1]Private Acts 1996, ch. 156, § 8 amended Article IV, § 3 by deleting it in its entirety and replacing the language with that of "Service of process" which is Article V, § 3 and therefore the compiler has replaced Article V, § 3 leaving Article IV, § 3 intact.

Section 6. Journal Record. Be it further enacted, That after the passage on third and final reading, all ordinances shall be designated by number, recorded in an Ordinance Book, filed and preserved in the Municipal Building and shall at all times be open for inspection by the public. In all cases under the preceding Sections, the vote of each member of the Council shall be determined by ayes and nays, and the names of each member voting for or against an ordinance shall be entered of record on the Journal of the meeting.

Section 7. Code of Ordinances. Be it further enacted, That the City Council is hereby expressly empowered to enact a Code of Ordinances, in which may be embraced ordinances of administration, legislative or penal nature, including any and all ordinances necessary or proper to fully exercise the powers and duties, conferred or imposed by the provisions of this Charter, but the enactment of such Code shall not be mandatory. However, in the case of the enactment or adoption of such Code and if through oversight, mistake, topographical or printing error or inadvertence the taxing power and authority of the City is restricted or limited then the powers granted in this Charter and under the general law and under valid ordinance shall prevail over the provisions of the Code.