# Ordinance 2016-35

### **SHORT TITLE:**

An ordinance amending Provo City Code Section 2.50.010 (Municipal Council Rules) regarding the procedure to adopt, suspend, or repeal council rules. (16-125)

### PASSAGE BY MUNICIPAL COUNCIL

### **ROLL CALL**

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL			√		
CW 2	GEORGE STEWART			√		
CD 1	GARY WINTERTON			√		
CD 2	KIM SANTIAGO			√		
CD 3	DAVID KNECHT			√		
CD 4	KAY VAN BUREN		√	√		
CD 5	DAVID HARDING	√		√		
			TOTALS	7	0	0

rovo City, on the 6 <sup>th</sup> day of December,
11th January, 2017
David & Sewell
Chair
MAYOR
17

Mayor

# Ordinance 2016-35

III

## CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 12th day of January, 2017 , with a short summary being published on the 10<sup>th</sup> day of December, 2016, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2016-35.



City Recorder

1	ORDINANCE 2016-35.
2 3 4 5	AN ORDINANCE AMENDING PROVO CITY CODE SECTION 2.50.010 (MUNICIPAL COUNCIL RULES) REGARDING THE PROCEDURE TO ADOPT, SUSPEND, OR REPEAL COUNCIL RULES. (16-125)
6 7 8 9	WHEREAS, in an effort to make the rules of procedure and conduct more forthright and clear, the Rules Committee has been engaged in an effort to clean up Chapter 4 (Council Meetings and Rules of Procedure) of the Council Handbook; and
10 11 12	WHEREAS, one of the proposed Handbook revisions affects the procedure for adopting, suspending, or repealing Council Rules and requires this code change to be effective; and
13 14 15 16 17	WHEREAS, on December 6, 2016, the Municipal Council held duly noticed public meetings to ascertain facts regarding this matter, which facts are found in the meeting records; and
17 18 19 20 21	WHEREAS, after considering the facts presented to the Municipal Council, the Council finds (i) Provo City Code Section 2.50.010 should be amended and (ii) this action, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.
22 23 24	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:
25 26	PART I:
27	Provo City Code Section 2.50.010 (Municipal Council Rules) is amended as follows:
28	2.50.010. Municipal Council Rules.
29 30	(1) The Municipal Council may adopt rules regulating the business of the Council and the conduct of its members.
31	(2) Rules of the Municipal Council may be adopted, suspended or repealed by a majority of the Municipal
32	Council. Rules may be temporarily suspended in a meeting by a vote of two-thirds (2/3) of those Municipal
33	Council Members present.
34 35 36	(3) The violation of any procedural rule adopted by the Municipal Council shall not be a basis for invalidating any section of the Provo City Code or other ordinance or resolution.
37	PART II:
38 39 40 41	A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

42 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be 43 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or 44 invalid, the remainder of the ordinance shall not be affected thereby. 45 C. The Municipal Council hereby directs that the official copy of the Provo city Code be 46 47 updated to reflect the provisions enacted by this ordinance. 48 49 D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah 50

Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

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