

ORDINANCE NO. 1

AN ORDINANCE TO ESTABLISH AN ORDINANCE ADOPTION PROCEDURE FOR BUTLER COUNTY, IOWA.

Be It Enacted by the Board of Supervisors of Butler County, Iowa:

SECTION 1. Purpose. The procedures in this ordinance shall be used by the County of Butler for the adoption and amendment of all subsequent ordinances in this county.

SECTION 2. Two Considerations Before Final Passage--Waiver.

A. A proposed ordinance must be considered and voted on for passage at two (2) regular meetings of the Board of Supervisors.

B. The title of the proposed ordinance shall be published at least ten (10) days prior to its first consideration. Copies of the full text of the ordinance will be made available at the time of publication at the office of the County Auditor, and it will be noted in the publication where copies may be obtained. A copy of proposed ordinance shall also be posted in a prominent place in the courthouse for public inspection.

C. The title of the ordinance shall be published at least four (4) days before the meeting for second consideration of the ordinance.

D. Upon the recorded affirmative vote of all three of the members of the Board of Supervisors, and for cause, which shall be entered in the minutes of the meeting, the Board may waive second consideration of any ordinance and amendment and adopt the same at the meeting at which it is first considered.

E. Not more than twenty (20) days following the final passage of the ordinance, there will be a full and complete publication of the adopted ordinance.

SECTION 3. Amendment. An amendment to an ordinance must specifically repeal the ordinance, or the section or subsection to be amended, and must set forth in full the ordinance, section, or subsection as amended. If an ordinance is to be repealed or amended, the procedure will be the same as in enacting the ordinance.

SECTION 4. Majority Requirement. Passage of an ordinance or an amendment to an existing ordinance requires an affirmative vote of not less than a simple majority of the entire Board of Supervisors. Each Board member's vote on an ordinance must be recorded in the Board's official minutes.

SECTION 5. Effective Date. Upon final passage of an ordinance or an amendment to an existing ordinance, the ordinance or amendment will become effective upon publication, unless a subsequent effective date is provided therein.

SECTION 6. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 7. Definitions. The use of all words in this and subsequent ordinances shall be determined by the definitions and construction principles provided in Chapter 4, Code of Iowa, 1981, and as said Code may hereafter be modified or amended, unless otherwise provided in the ordinance.

SECTION 8. Maintenance and Publication of Ordinances. In accordance with the provisions of this ordinance, the county auditor shall cause all ordinances, amendments, or titles thereof to be published in at least one official newspaper in the county; provided that the publication requirements of Section 2(B) and (C) of this ordinance shall be satisfied by the inclusion of the same in the publication of the official minutes of the meetings of the board of supervisors and as a part thereof. Final copies of any ordinance or amended ordinance which in any manner effect or pertain to real estate shall be certified to and recorded in the office of the County Recorder. All adopted and amended ordinances shall be printed or otherwise reproduced for adequate distribution by the county auditor and made available to the public upon request without cost.

SECTION 9. County Ordinance Book. All adopted ordinances and amended ordinances shall be maintained in a separate book known as "Butler County Ordinance Book", which shall be maintained in the office of the county auditor.

PASSED by the board of supervisors and APPROVED this 16th day of March, 1981.



Chairman

Attest:



Auditor