



## ORDINANCE 2009-011

### AN ORDINANCE AMENDING SECTION 1.08.060 OF THE MUNICIPAL CODE RELATING TO EFFECTIVE DATES OF ORDINANCES

**WHEREAS**, the City adopted section 1.08.060 into Municipal Code in 1998 via Ordinance 98-1038 § 10, which identified the effective dates of ordinances; and

**WHEREAS**, the City Charter and City Municipal Code language that were adopted regarding the Effective date of Ordinances, specifically the Emergency Clause, are not consistent; and

**WHEREAS**, the provisions of the City Charter take precedence over contrary provisions in the Municipal Code; and

**WHEREAS**, the amendment to remove section 1.08.060 from the Municipal code will make the Code consistent with the City Charter; and

**WHEREAS**, the proposed amendment was reviewed by the City Attorney for compliance and consistency with the Charter and applicable state regulations and found to be fully compliant; and

### **NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

Section 1. Findings. After full and due consideration of the evidence presented, the Council finds that the text of the Sherwood Municipal Code shall be amended to ensure consistency with the charter; therefore, the Council adopts the amendments contained in Exhibit 1.

Section 2. Approval. The proposed amendment for the Municipal Code Amendment identified in Exhibit 1, is hereby **APPROVED**.

Section 3 - Manager Authorized. The City Manager is hereby directed and authorized to take such action as may be necessary to document this amendment, including necessary updates to Chapter 1 of the municipal code in accordance with applicable City ordinances and regulations.

Section 4 - Effective Date. This ordinance shall become effective the 30<sup>th</sup> day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 15<sup>th</sup> day of September 2009.

  
Keith S. Mays, Mayor

ATTEST:

  
Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Weislogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input type="checkbox"/>	<input type="checkbox"/>
Grant	<i>Absent</i>	<input type="checkbox"/>
Heironimus	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Municipal Code  
Title 1 – General Provisions

~~1.08.060 Effective date of ordinances~~

~~No ordinance shall take effect and become operative until thirty (30) days after its passage by the council and approval by the mayor, or passage by four-fifths vote over the veto of the mayor, except emergency measures necessary for the immediate preservation of the peace, health or safety of the city; and no such emergency shall become immediately operative until same is passed by a three-fifths majority of all the members of the council and also approved by the mayor.  
(Ord. 98-1038 § 10)~~