

**ARTICLE IV
LEGISLATIVE PROCEDURE**

SECTION 4.01 FORM OF ACTION BY COUNCIL.

Except as otherwise provided in this Charter, action of Council shall be by ordinance, resolution or motion.

- (a) An ordinance is a type of action by Council, which consists of a general or permanent nature, creates a right, grants a franchise, or involves the expenditure of money, the levying of a tax, or authorizes the purchase, lease, sale, or transfer of real property.
- (b) A resolution is a declaration of intent or purpose, the authorization of some temporary act or administrative procedure, and the approval of any contract involving the expenditure of money that has been appropriated by ordinance.
- (c) A mMotion shall be used to conduct the business of Council, in procedural matters, for elections conducted among Council members, appointments by the Council, and as otherwise provided in this Charter. ~~All other action shall be taken by ordinance or resolution.~~

No action of Council shall be invalidated merely because the form thereof fails to comply with the provisions of this section.

SECTION 4.04 READING ORDINANCES AND RESOLUTIONS.

- (a) ~~Each An~~ ordinance ~~and resolution~~ shall be read on three different days occurring with at least one week between readings unless the Council suspends this rule concerning readings by a vote of at least three-fourths of the members of the Council; provided that ordinances ~~and resolutions~~ passed as emergency measures need not conform to this division (a), but shall be read at one meeting of the Council.
- (b) Resolutions shall be read during at least one open meeting of Council.
- ~~(b)~~(c) Ordinances or resolutions shall be read by title only unless the Council determines that a reading shall be in full by a majority vote of its members.

SECTION 4.05 VOTE REQUIRED FOR PASSAGE.

The vote on the question of passage of each ordinance, resolution and motion shall be taken by "yeas" and "nays" and entered on the Journal, and none shall be passed without concurrence of a

majority of the members of Council. Each emergency ordinance ~~or resolution~~ and each ordinance or resolution vetoed by the Mayor which is subsequently approved by the Council overriding the Mayor's veto shall require the affirmative vote of at least two-thirds of the members of Council for its enactment. If an emergency ordinance ~~or resolution~~ shall fail to receive the required two-thirds affirmative vote, but receives the necessary majority for passage as nonemergency legislation, it shall become effective as nonemergency legislation.

SECTION 4.07 CONTENT OF EMERGENCY MEASURES.

Each emergency ordinance ~~or resolution~~ shall determine that the ordinance ~~or resolution~~ is necessary for the immediate preservation of the public peace, health or safety, or that its passage is urgently required for the financial needs of the City's government, and shall contain a statement of the, necessity or urgency requiring its passage as an emergency measure.

SECTION 4.08 EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

- (a) Unless otherwise provided in this Charter, each nonemergency ordinance ~~or resolution~~ shall take effect thirty days after its passage by the Council, unless a later time is specified therein.
- (b) Each ordinance ~~or resolution~~ passed as an emergency measure and each resolution shall take effect immediately upon its passage, unless a later time is specified therein.
- (c) As used in divisions (a) and (b) of this section, "passage" or "passed" means any of the following, as appropriate: the date the ordinance or resolution is approved by the Mayor; the day following the last day of the ten day period allowed by Section 4.06 of this Charter for the Mayor to return the ordinance or resolution as approved or disapproved (vetoed), if the Mayor shall fail to return it within such period; or the day the Council shall reconsider and override the Mayor's veto by approval of the ordinance or resolution by a vote of not less than two-thirds of the members of the Council, as provided in Section 4.06 of this Charter.