

ORDINANCE I.2

COUNTY LEGISLATION

Section 1. Procedure Required. The County Board of Supervisors must use the procedures contained in this Chapter for the adoption and amendment of all ordinances in Tama County (pursuant to Chapter 331.302, Code of Iowa, 2005).

Section 2. Adoption Procedure - How Waived.

2.1. A proposed ordinance or amendment must be considered and voted on for passage at two meetings of the Board of Supervisors prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than two-thirds of the members of the Board of Supervisors.

2.2. Copies of the full text of the ordinance or amendment will be made available to the public at the time of publication at the office of the county auditor.

2.3. The county auditor will post a copy of the proposed ordinance or proposed amendment in a prominent place in the courthouse for public inspection at the time of its first publication.

Section 3. Majority Requirement. Passage of an ordinance or an amendment to an existing ordinance requires an affirmative vote of not less than a majority of the members of the Board of Supervisors. Each Board member's vote on an ordinance or amendment to an ordinance must be recorded in the official minutes of the Board of Supervisors.

Section 4. Publication and Notice.

4.1. The title of the proposed ordinance or amendment shall be published at least fifteen days prior to its first consideration by the Board of Supervisors. The publication of the title of the ordinance or amendment will state where copies of the full text of the ordinance or amendment may be obtained.

4.2. The final publication of the title of the ordinance or amendment shall be published at least fifteen days before the meeting for final consideration of the ordinance.

4.3. The Board will publish the full and complete text of the adopted ordinance or amendment not more than ten days following the final passage of the ordinance.

Section 5. Amendment. An amendment to an ordinance, to a code of ordinances or to part of an ordinance must specifically repeal the ordinance, the code of ordinances, or the part of the ordinance to be amended, and must be set forth in full the ordinance, code, or part of the ordinance as amended. The Board must follow the procedure utilized to enact an ordinance when the Board amends or repeals an ordinance, code, or part of an ordinance.

Section 6. Time Limits. Time limits for publication and notice may be increased or reduced as required by law.

Section 7. Effective Date. Upon final passage of an ordinance or amendment to an existing ordinance or code and upon a majority of the Board of Supervisors signing the ordinance, or the amendment to the existing ordinance, it will become effective upon publication, unless a subsequent effective date is provided within the ordinance or amendment.

Section 8. Severability. If any ordinance, section, subsection, chapter or part of the ordinances of Tama County is adjudged invalid or unconstitutional, the adjudication will not effect the validity of the county ordinances as a whole or the validity of any other ordinance, section, provision or part not adjudged invalid or unconstitutional.

Section 9. County auditor. The county auditor shall:

9.1. Promptly record each ordinance, or amendment to an existing ordinance, code, section or subsection passed by the Board with a statement of how the members of the Board voted.

9.2. Publish all proposed ordinances and all amendments in the manner required by the Code of Iowa, as amended, and by the ordinances of Tama County in at least one newspaper having general circulation within the county.

9.3. Authenticate all ordinances with his/her signature and certification as to the time and manner of publication. The county auditor's certification is presumptive evidence of the facts stated therein.

9.4. Maintain for public use copies of all effective county ordinances and codes.

Section 10. County ordinance book. All ordinances adopted by the Board of Supervisors shall be maintained in a separate book known as the Tama County Ordinance Book. The county attorney, the county sheriff, the magistrate's office, the county auditor and the Board of Supervisors shall maintain a copy of the Ordinance Book in each respective office. The county auditor shall provide final copies of each ordinance or amendment thereto to each office for placement in the County Ordinance Book maintained in each office.

Upon the request of any other county officer, the county auditor will provide a copy of the Ordinance Book to that office which copy will be maintained in the same manner as the copies in the office of the county auditor are maintained.

Section 11. Copies.

11.1. The Board of Supervisors by resolution will set the fee which persons must pay for copies of all or part of the Tama County ordinances.

11.2. The County Auditor will provide one free copy of the County Ordinance Book to each incorporated municipality and each public library within the limits of Tama County which requests a copy of the ordinance book. The County Auditor also shall provide free copies of any changes or additions to the ordinances to each municipality and library that received a copy of the county ordinance book.