ORDINANCE NO. 1302

AN ORDINANCE AMENDING SECTION 2-106(7) OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, WITH REGARDS TO THE MAYOR’S VETO OF RESOLUTIONS AND ORDINANCES.

WHEREAS, the City Council of the City of Miles City has determined that it is necessary and appropriate to amend Section 2-106(7) of the Code of Ordinances of the City of Miles City so as to require a written veto by the Mayor to be presented to all members of the City Council, and to explain the reasoning behind such veto in writing.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Section 2-106(7) shall be amended to read as follows:

“Sec. 2-106. - Powers and duties generally.

... (7) Veto procedure.

a. Veto of ordinances. The veto power of the mayor as to ordinances must be exercised in writing, shall include the mayor’s reason for exercising the veto, and shall be delivered or otherwise made available to the entire city council not less than 48 hours prior to the next regularly scheduled meeting of the council. If the mayor vetoes an ordinance, the governing body must act at the same meeting or its next regularly scheduled meeting to either override or confirm the veto. Whenever the veto is overridden or the mayor fails to act, the ordinance shall take effect.

b. Veto of resolutions. The veto power of the mayor as to resolutions must be exercised in writing, shall include the mayor’s reason for exercising the veto, and shall be delivered or otherwise made available to the entire city council not less than 48 hours prior to the next regularly scheduled meeting of the council. If the mayor fails to act, the resolution is approved. If the mayor vetoes a resolution, the governing body must act at the same meeting or its next regularly scheduled meeting to either override or confirm the veto. Whenever the veto is overridden or the mayor fails to act, the resolution shall take effect.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 26th day of January, 2016.

ATTEST:

John Hollowell, Mayor

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 9th day of February, 2016.

ATTEST:

John Hollowell, Mayor

Lorrie Pearce, City Clerk
Affidavit of Publication

STATE OF MONTANA
County of Custer } ss.

Mary Rose Bovee, being duly sworn on her oath, says
that she has been the principal clerk of the printer of the
MILES CITY STAR, a daily newspaper of general
circulation, printed and published at Miles City, in said
County and State. City of Miles City, Legal Notice.

Ordinance Number 1302. A printed and true copy
which, cut from the columns of said newspaper, is hereto
attached, and made a part hereof, was printed and
published in said newspaper, in the regular and entire
issue of every number of the paper during the period and
time of publication, on the following dates, to-wit:

Signed

Subscribed and sworn to before me this day of January 2016

Tabatha Hallman, Notary Public for the state of
Montana, residing at Rosebud. My Commission Expires
June 1, 2019.