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~~ORDINANCES OF THE CITY OF PAYETTE, IDAHO.~~

ORDINANCE NO. 3.

An ordinance to regulate the passage of ordinances of a general or a permanent nature.

Be it ordained by the Mayor and Council of the City of Payette.

Section I. All ordinances of a general or a permanent nature shall be written or printed and presented to the Council by a member, at a regular or a special meeting.

Section II. Every such ordinance shall be read in meetings of the council on three different days. At each reading of an ordinance it shall be open to discussion and amendment and may be referred to a committee, and shall be passed to the next reading, unless by a vote of the meeting some other disposition is made. After the second reading the ordinance shall be engrossed by the Clerk as amended. On final passage the yeas and nays shall be called and recorded, and a concurrence of a majority of the whole number elected to the Council shall be required. Provided, that three-fourths of the whole number of the members of the council may by yea and nay votes, recorded in the minutes, dispense with the three readings of the ordinances, and pass the same at any meeting.

3 Section III. When any such ordinance is passed it shall be signed by the clerk, and the date of its passage by the council shall be added thereto; and it shall, within three days thereafter, be presented to the Mayor, or, in case of his absence from the City, to the president of the Council for his approval. If he approves the same he shall attach his signature thereto.

Section IV. Should the mayor not approve the ordinance, he shall before the next regular meeting after such ordinance is presented to him for his approval, return the same to the council with his objections to the same in writing. When any ordinance is so returned by the mayor, it shall be re-considered by the council at the first regular meeting thereafter. If, on such reconsideration two-thirds of the members elected to the council shall vote in the affirmative, the ordinance shall become a law, notwithstanding the mayor's veto.

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The clerk, in such case, shall annex a certificate to the ordinance stating that the same was vetoed by the mayor, and that, on its reconsideration, it received the required majority of votes.

Section V. Should the mayor refuse or neglect to sign such ordinance and return the same with his objections in writing at the next regular meeting after the same has been presented to him, it shall become a law without his signature.

The clerk shall annex to such ordinance a certificate to the effect that the mayor has failed to sign or veto the same, and it has therefore become a law without his signature.

Section VI. An ordinance shall be considered passed on the date of its first approval by the mayor, and in case of his vetoing an ordinance, on the date of the passage of such ordinance over such veto, and in case of the failure of the mayor to sign or veto an ordinance, on the date of the next regular meeting after such ordinance shall be presented to him.

Section VII. All ordinances shall take effect and be in force from and after their passage, approval and publication. Publication shall be made by written or printed hand bills posted in at least three public places in the City of Payette, or by being inserted in one issue of some newspaper published in the City of Payette, or if no paper be published within said city, then in some paper having general circulation therein.

Section VIII. It shall be the duty of the clerk to safely keep the original ordinances as engrossed and to copy the same in a book provided for that purpose, and attach to each a certificate over the seal of the city, that the same is a true and correct copy of the original ordinances as passed.

Section IX. Whenever any ordinance or part thereof shall be repealed or modified by a subsequent ordinance, such ordinance or part thereof thus repealed or modified, shall continue in force until due publication of the ordinance repealing or modifying the same, unless therein expressly provided otherwise: but no proceeding, right, fine or penalty, instituted, created or given, secured or acquired, under any ordinance previous to its repeal or modification, shall in any way be affected, released or discharged,

but may be prosecuted, enjoyed and recovered as fully as if such ordinance had continued in force, unless it shall be therein otherwise expressly provided.

Section X. In all cases where the same offense may be punishable, or shall be created by different clauses of the ordinances of the City, the prosecuting officer, ^{of the city.} may elect under which to proceed; but no more than one recovery shall be had against the same person for the same offense.

Section XI. When any ordinance repealing a former ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall therein be so expressly provided.

Section XII. Words used in any ordinance importing the singular number or plural number may be so construed that one number includes both, whenever such construction may be applicable, and every word importing one gender only, may be construed to apply to either males or females or both, whenever the same is applicable. The word "person" in any ordinance may extend to bodies politic or corporate whenever applicable.

Section XIII. Whenever in any ordinance the doing of an act, or omission to perform an act or duty, is declared to be a breach thereof, and there shall be no fine or penalty declared for such offense or breach, any person who shall be convicted of such breach shall be adjudged to pay a fine of not less than one dollar nor more than one hundred dollars.

~~Sec. XIV~~

All ordinances in conflict with this ordinance are hereby repealed.

Passed and approved this 9 day of Sept 1903.

Attest:

W. Tracy

Clerk.

J. M. Sateris

Mayor.