



CITY OF SACRAMENTO  
CITY MANAGER'S OFFICE

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July 17, 1980

Honorable City Council  
City Hall  
Sacramento, California 95814

APPROVED  
BY THE CITY COUNCIL

RE: PROPOSED AMENDMENT TO CITY CHARTER SECTION 32  
RELATING TO ORDINANCES

JUL 23 1980

Members in Session:

OFFICE OF THE  
CITY CLERK

SUMMARY

The Law and Legislation Committee, City Clerk and City Attorney recommend that subsection (f) and (g) of City Charter Section 32 be amended as follows:

(f) Except as otherwise provided in this Chapter, each adopted ordinance shall become effective at the expiration of thirty (30) days after adoption or at any later date specified therein.

(g) The following ordinances shall take effect immediately upon adoption or at such later dates, of less than thirty (30) days after adoption as may be specified therein in the ordinances. . . .

BACKGROUND INFORMATION

The proposed change in subsection (f) of Section 32 is merely the addition of one letter to the last word of the subsection. The word would henceforth read "therein" rather than "herein". This change would correct an oversight in the Charter revision of 1977. The change would make it clear that regular ordinances may become effective either after thirty (30) days or at any later date specified in the ordinance. With the present language, it can be argued that an emergency ordinance is necessary if the effective date of the ordinance is more than thirty (30) days after adoption. This would produce the ludicrous result of requiring only five (5) votes if the ordinance is effective in thirty (30) days but requiring six (6) votes if the ordinance is effective in more than thirty (30) days. We wish to eliminate the possibility of this type of interpretation.


The proposed amendment to subsection (g) would make it clear than an emergency ordinance, approved by six (6) or more affirmative votes of the Council, may become effective either immediately or at any time less than thirty (30) days after adoption. This is merely a technical change to conform with the intent of the emergency ordinance provisions of the Charter.

Honorable City Council  
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RECOMMENDATION

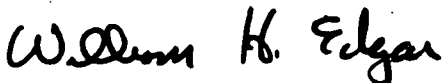
The Law and Legislation Committee, City Clerk and City Attorney recommend that the proposed amendment be presented to the voters at the November 1980 election.

Very truly yours,

  
JAMES P. JACKSON  
City Attorney

JPJ:KMF

RECOMMENDATION APPROVED:

  
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Acting CITY MANAGER