

ORDINANCE NO. 968

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING CHAPTER 2.52 OF THE LANCASTER MUNICIPAL CODE ESTABLISHING THE PROCEDURES AND REQUIREMENTS FOR THE ADOPTION OF ORDINANCES AND THE PUBLICATION OF NOTICES

WHEREAS, at the April 13, 2010 election the voters approved the Charter of the City of Lancaster; and

WHEREAS, Section 100 of the Charter provides that the City has the power to make and enforce all laws and regulations with respect to municipal affairs; and

WHEREAS, the addition of this new Chapter 1.02 establishing procedures, requirements and methods for adoption of ordinances different from those applicable to general law cities is in the best interest of the citizens of Lancaster.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 2.52.040 of the Lancaster Municipal Code is hereby added to read as follows:

Section 2.52.040 ADOPTION OF ORDINANCES

A. All ordinances shall be adopted by a majority vote of the Council at a regular or special meeting.

B. Enacting Clause

The enacting clause of ordinances shall be: "The City Council of the City of Lancaster does ordain as follows:"

C. Signature and attestation

Ordinances shall be signed by the Mayor and attested by the City Clerk.

D. Publication and Notice of Ordinances

The full text of a proposed ordinance shall be posted on-line on the City's Website not later than the date the agenda for the meeting is required to be posted. Within 15 days after its passage, the City Clerk shall cause each ordinance to be published at least once, with the names of those City Council members voting for and against the ordinance, in a newspaper of general circulation published and circulated in the City, or by posting it on the City's website.

E. Reading of ordinances and resolutions.

At the time of introduction and adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title or by reference to the title set forth on the agenda without reading, further reading is requested by a majority of the City Council.

F. Ordinances--Adoption.

An ordinance may be introduced and adopted at any council meeting by motion after public comment shall be received, such ordinance may be adopted at the same meeting at which it is introduced, by a majority vote of the City Council.

G. Effective date.

Ordinances shall take effect 30 days after their adoption by the City Council except as hereafter provided. Notwithstanding the foregoing, an ordinance takes effect immediately upon its adoption and posting as required by Section 2.52.040D, if it is an ordinance:

- (a) Relating to an election.
- (b) Relating to street improvement proceedings.
- (c) Relating to taxes for the usual and current expenses of the city.
- (d) Covered by particular provisions of law prescribing a different effective date.
- (e) Determined by the City Council by a four-fifths vote of the City Council to become effective immediately.

H. Correction of documents.

Upon occasion, ordinances or other documents are submitted in draft form, or on the spot amendments occur, or typographical or other technical errors are found which necessitate retyping of the document; such redraft, when properly executed, shall become the original document, to be effective and to be retained in the files of the City Clerk.

Section 2. Section 2.52.050 of the Lancaster Municipal Code is hereby added to read as follows:

2.52.050 PUBLICATION OF LEGAL NOTICES

A. Notices. The full text of all legal notices, including but not limited to bid notices, public hearing notices, resolutions of intention may be published in a local publication or on the City of Lancaster website. It may also be posted in two public places at which the City Council agenda is posted and available for review in the office of the City Clerk, at least five days prior to the date set forth in the notice for action to be taken.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Lancaster hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted as required by law and this Ordinance shall take effect 30 days after its final passage.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2011, and placed upon its second reading and adopted at a regular meeting of the City Council on the ____ day of _____, 2011 by the vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 968, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
