

CHAPTER 32: PASSAGE OF ORDINANCES AND MUNICIPAL ORDERS

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§ 32.01 QUORUM OF COUNCIL.

Unless otherwise provided by statute, a majority of the Council shall constitute a quorum and a vote of a majority of a quorum shall be sufficient to take action.

(KRS 83A.060 (6))

§ 32.02 ONE SUBJECT; TITLE.

Each ordinance shall embrace but one subject and shall have a title which shall clearly state the subject.

(KRS 83A.060 (1))

§ 32.03 INTRODUCTION; ENACTING CLAUSE.

Each ordinance shall be introduced in writing and shall have an enacting clause styled "Be it ordained by the City of Williamstown."

(KRS 83A.060 (2))

§ 32.04 FORM OF AMENDMENT.

No ordinance shall be amended by reference to its title only, and ordinances to amend shall set out in full the amended ordinance or section indicating any text being added by a single solid line drawn underneath it. Text that is intended to be removed shall be marked at the beginning with an opening bracket and at the end with a closing bracket. The text between the brackets shall be stricken through with a single solid line.

(KRS 83A.060 (3))

Cross reference:

Amendatory language, see § 10.14

§ 32.05 READING REQUIREMENT; EXCEPTION FOR EMERGENCY.

(A) Except as provided in division (B) of this section, no ordinance shall be enacted until it has been read on two separate days. The reading of an ordinance may be satisfied by stating the title and reading a summary rather than the full text.

(B) In an emergency, upon the affirmative vote of two-thirds of the membership, the Council may suspend the requirements of second reading and publication in order for an ordinance to become effective by naming and describing the emergency in the ordinance. Publication requirements of §32.09 shall be complied with within ten days of the enactment of the emergency ordinance.

(KRS 83A.060 (4), (7))

Cross-reference:

Approval of ordinances by Mayor, see § 31.13

§ 32.06 ADOPTION OF STANDARD CODES BY REFERENCE.

The Council may adopt the provisions of any local, statewide, or nationally recognized standard code and codifications of entire bodies of local legislation by an ordinance which identifies the subject matter by title, source, and date and incorporates the adopted provisions by reference without setting them out in full, provided a copy accompanies the adopting ordinance and is made a part of the permanent records of the city.

(KRS 83A.060 (5))

§ 32.07 OFFICIAL CITY RECORDS.

(A) Every action of the Council shall be made a part of the permanent records of the city and on passage of an ordinance the vote of each member of the Council shall be entered on the official record of the meeting.

(B) The Council shall provide by ordinance for the maintenance and safekeeping of the permanent records of the city. The person assigned this responsibility and the presiding officer shall sign the official record of each meeting.

(KRS 83A.060 (8))

§ 32.08 INDEXING AND MAINTENANCE REQUIREMENTS.

All ordinances adopted in the city shall, at the end of each month, be indexed and maintained in the following manner:

(A) The city budget, appropriations of money, and tax levies shall be maintained and indexed so that each fiscal year is kept separate from other years (see T.S.O. Tables III and IV for list of annual budget and annual taxation ordinances).

(B) All other city ordinances shall be kept in the minute book or an ordinance book in the order adopted and indexed in a composite index or maintained in a code of ordinances.

(KRS 83A.060 (8))

§ 32.09 PUBLICATION REQUIREMENTS.

(A) Except as provided in § 32.38(B), no ordinance shall be effective until published pursuant to KRS chapter 424.

(B) The publication requirements for ordinances, including all bond and zoning ordinances, may be satisfied by publication in full or in summary as designated by Council.

(C) The requirements for summary publication may be satisfied by publication of the title, a brief narrative setting forth the main points of the ordinance in a way reasonably calculated to inform the public in a clear and understandable manner of the meaning of the ordinance, and the full text of each section that imposes taxes or fees prepared and certified by an attorney licensed to practice law in the Commonwealth of Kentucky.

(D) Ordinances that include descriptions of real property may include a sketch, drawing, or map, including common landmarks, such as streets or roads in lieu of metes and bounds descriptions.
(KRS 83A.060 (9))

§ 32.10 ADDITIONAL REQUIREMENTS FOR ADOPTION.

The city may specify, by ordinance, additional requirements for adoption of ordinances in greater detail than contained herein, but a city shall not lessen or reduce the substantial requirements of this chapter or any other statute relating to adoption of ordinances.
(KRS 83A.060 (10))

§ 32.11 PERIODIC REVIEW REQUIRED.

At least once every five years the city shall cause all ordinances in the composite index or code of ordinances to be examined for consistency with state law and with one another and to be revised to eliminate redundant, obsolete, inconsistent, and invalid provisions.
(KRS 83A.060 (11))

§ 32.12 MUNICIPAL ORDERS.

(A) Council may adopt orders. Any order shall be in writing and may be adopted only at an official meeting. Any order may be amended by a subsequent municipal order or ordinance. All orders adopted shall be maintained in an official order book.

(B) In lieu of an ordinance, a municipal order may be used for matters relating to the internal operation and functions of the city

and to appoint or remove or approve appointment or removal of members of boards, commissions, and other agencies over which the city has control.

(KRS 83A.060 (12), (13))

§ 32.13 PROVED BY CLERK/TREASURER; RECEIVED IN EVIDENCE.

All ordinances and orders of the city may be proved by the signature of the City Clerk/Treasurer; and when the ordinances are placed in a printed composite index or code of ordinances by authority of the city, the printed copy shall be received in evidence by any state court without further proof of such ordinances.

(KRS 83A.060 (14))

§ 32.14 LEGISLATIVE IMMUNITY.

For anything said in debate, Councilmembers shall be entitled to the same immunities and protections allowed to members of the general assembly.

(KRS 83A.060 (15))

Statutory reference:

Privileges of members of general assembly, see KRS 6.050 and Ky.

Const. § 43