

AN ORDINANCE
BY COUNCILMEMBER FELICIA MOORE



AN ORDINANCE AMENDING PART 1 (“CHARTER AND RELATED LAWS”), SUBPART A (“CHARTER), ARTICLE 2. (“LEGISLATIVE”), CHAPTER 4. (“PROCEDURES OF COUNCIL”), SECTION 2-402. (“INTRODUCTION, CONSIDERATION, PASSAGE, AND PUBLICATION OF LEGISLATION.”) TO REQUIRE THAT ALL PERSONAL OR COMMITTEE PAPERS MEET MINIMUM STANDARDS TO ENSURE THAT THE PUBLIC IS ABLE TO ADEQUATELY REVIEW AND UNDERSTAND THE INTENT AND EFFECT OF THE LEGISLATION; AND FOR OTHER PURPOSES.

WHEREAS, legislation is introduced for Council consideration through personal papers and/or committee papers; and

WHEREAS, once introduced, said legislation is placed in the Electronic Legislative Management System for dissemination to the public; and

WHEREAS, legislation proposed for consideration by the Council must be in a form that provides enough information for the public to understand the rationale (whereas) and proposed action (sections) of the legislation that is to be considered.

WHEREAS, there are no guidelines as to the minimum required information for legislation to be introduced; and

WHEREAS, there is need to require minimum information for draft legislation that is introduced or placed on a committee or council agenda.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That Part 1 (“Charter and Related Laws”), Subpart A (“Charter), Article 2. (“Legislative”), Chapter 4. (“Procedures of Council”), Section 2-402. (“Introduction, consideration, passage, and publication of legislation.”) which reads:

Section 2-402. Introduction, consideration, passage, and publication of legislation.

- (a) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its title.
- (b) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.
- (c) To meet a public emergency threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The

emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.

- (d) The passage of all ordinances shall be contingent upon the recording in the minutes of council proceedings of the "ayes" and "nays" of each councilmember and the names of the members voting for and against each proposed ordinance or amendment, those abstaining, and those absent.
- (e) Pursuant to Section 2-101 of this Charter, the membership of the Atlanta City Council shall consist of fifteen (15) representatives. The affirmative vote of a quorum of the City Council's total membership, which is eight (8) votes, shall be required for the passage of any ordinance, resolution, communication, or other city council legislation, or for action on any matter of parliamentary procedure, with the following exceptions:
 - (i) where this Charter or Code of Ordinances requires a two-thirds (2/3) vote of the City Council, ten (10) votes shall be required to effectuate any such action; and
 - (ii) in the event the total number of Councilmembers is reduced to less than eight (8) members, a quorum of the number of members remaining shall be required for the passage of the above-referenced legislative actions until such time as the total membership of the City Council is restored.
- (f) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:
 - (1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;
 - (2) At least one electronic legible copy of such caption or title shall be published in readable form on the official city of Atlanta web site.
Copies of all ordinances shall be available for inspection and/or purchase by members of the public in the office of the municipal clerk in accordance with the provisions of the Georgia Open Records Act, as amended.

Is hereby **AMENDED** and shall be replaced with the following (with permanent additions in bold and permanent deletions in strikeout):

Section 2-402. Introduction, consideration, passage, and publication of legislation.

- (a) All proposed legislation must meet minimum standards to ensure that the public is able to adequately review and understand the intent and effect of the legislation. The minimum standards include a caption, at least one whereas clause, and at least one section which indicates the action proposed in said legislation.**
- (b) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its ~~title~~-caption.
- (c) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.
- (d) To meet a public emergency threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.
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(g) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:

(1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;

(2) At least one electronic legible copy of such caption or title shall be published in readable form on the official city of Atlanta web site.

Copies of all ordinances shall be available for inspection and/or purchase by members of the public in the office of the municipal clerk in accordance with the provisions of the Georgia Open Records Act, as amended.

SECTION 2: That no legislation shall be introduced nor placed on a committee agenda that does not meet minimum standards.

SECTION 3: That minimum standards for all proposed legislation shall, at a minimum, be introduced in draft form and include a caption, at least one whereas clause stating the rationale and intent of Council and at least one section indicating the action proposed in said legislation.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

(Do Not Write Above This Line)	First Reading		FINAL COUNCIL ACTION
	Committee _____ Date _____ Chair _____ Referred To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
AN ORDINANCE BY COUNCILMEMBER FELICIA MOORE <i>Felicia Moore</i> AN ORDINANCE AMENDING PART 1 ("CHARTER AND RELATED LAWS"), SUBPART A ("CHARTER"), ARTICLE 2. ("LEGISLATIVE"), CHAPTER 4. ("PROCEDURES OF COUNCIL"), SECTION 2-402. ("INTRODUCTION, CONSIDERATION, PASSAGE, AND PUBLICATION OF LEGISLATION.") TO REQUIRE THAT ALL PERSONAL OR COMMITTEE PAPERS MEET MINIMUM STANDARDS TO ENSURE THAT THE PUBLIC IS ABLE TO ADEQUATELY REVIEW AND UNDERSTAND THE INTENT AND EFFECT OF THE LEGISLATION; AND FOR OTHER PURPOSES.			CERTIFIED
<input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1 ST ADOPT 2 ND READ & REFER <input checked="" type="checkbox"/> PERSONAL PAPER REFER Date Referred: <i>11/21/2016</i> Referred To: <i>CC</i>			MAYOR'S ACTION
Date Referred: Referred To: Date Referred: Referred To:			

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(Do Not Write Above This Line)	First Reading		FINAL COUNCIL ACTION
	Committee _____ Date _____ Chair _____ Referred To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
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