

COMMON COUNCIL



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I, Kari J. Van Diest, Deputy Clerk of the Common Council, hereby certify on this 25th day of January, 2013, that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 8th day of January 2013.

AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 2-64 OF THE WINCHESTER CITY CODE PERTAINING TO THE USE OF A CONSENT AGENDA

SECTION 2-64. READING OF ORDINANCES PRIOR TO ADOPTION.

- (a) Prior to adoption by the City Council, every ordinance shall be read two (2) times by title. A “Consent Agenda” listing the titles of ordinances to be considered for a first reading may be presented and approved by Council at any Regular or Special Meeting in summary fashion without the requirement of reading each individual title aloud. **Resolutions and Motions may also be included for adoption on the “Consent Agenda”.**

Unless otherwise required by applicable provisions of the State Code or other governing law, the affirmative vote of a majority of a quorum of Common Council to ~~forward~~**approve** the Consent Agenda ~~items for a Second Reading~~ shall satisfy the first reading requirements of this section **pertaining to Ordinances**. Any individual item/**resolution/ordinance/motion** may be removed from a Consent Agenda **by affirmative motion of any member of Council or** upon failure to receive a necessary majority vote.

Except as provided in subsection (b) of this section, the substance text of every ordinance shall be furnished by the Clerk of Council to each member of the Council prior to its second reading. The text of the ordinance shall also be provided by the Clerk of Council to each citizen requesting same. No proposed ordinance shall be read twice at any one meeting of Council, nor shall any ordinance be presented for second reading at the same meeting at which the ordinance is listed upon a Consent Agenda.

- (b) Budget and appropriation ordinances contained in a revision or codification of the ordinances of the City, including new or changed ordinances therein contained, shall be excepted from the provisions of subsection (a) of this section requiring furnishing of written text of ordinances, and said requirements as pertaining to

such ordinances shall be deemed to have been met upon:

- Publication of budget or appropriation ordinances as provided by law and the furnishing of same to members of the Council present at the meeting at which such ordinances are considered for adoption.
- Distribution as provided in subsection (a) above of the written text of so much thereof of a revision or codification of all ordinances of the City, including new or changed ordinances therein contained, as is not embodied within the numbered chapters and sections of such revision or codification. (Ord. No. 013-83, 4-12-83)
- (c) Consideration shall be given with regard to the question of timing when proposing ordinances for Council's consideration, balancing the proposal's review time with the need for expediency, the proposal's complexity, and its potential impact
- (d) A public hearing shall be held for every ordinance. Except as prescribed by City ordinance, code or regulation or State law, the following procedures for the hearing shall be used:
 1. Advertising shall be done one time in a newspaper of general circulation in the City at least ten (10) days prior to the hearing. The advertisement shall identify the substance of the ordinance and the time and place of the hearing.
 2. No request by a councilor shall be necessary for the advertising and holding of the hearing. (Ord. No. 036-95, 9-12-95)
- (e) **At the discretion of the Manger, the following shall serve as guidelines with regard to the inclusion of an item on a Consent Agenda:**
 1. **The agenda item must first be discussed at a Council Work Session**
 2. **The items must gain unanimous support of those Councilors present at the Work Session.**
 3. **The item must be non-controversial.**
 4. **Items for which it is determined to be beneficial for the viewing public to be better informed may be excluded from the Consent Agenda.**

Ordinance No. 2012-37

ADOPTED by the Common Council of the City of Winchester on the 8th of January, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.

*Kari J. Van Diest, CMC
Deputy Clerk of the Common Council*