

## ORDINANCE 154

### AN ORDINANCE OF THE DARBY TOWN COUNCIL REMOVING SECTION 1-6B-C FROM THE TOWN CODE.

**WHEREAS:** Town Charter Section 2.02 states: "All powers of the town shall be vested in the commission, except as otherwise provided by law or this charter, and the commission shall provide procedures for the exercise thereof and for the performance of all duties and obligations imposed on the town by law, and

**WHEREAS;** Town Code 1-6B-1 (C) was found to be in conflict with the Town Charter, and

**WHEREAS:** it is desired to update and correct the Town Code when necessary, and

**WHEREAS;** at the February 9<sup>th</sup> Council meeting, the Town Council directed an amendment of the Town Code be prepared that would eliminate the entire Town Code Section 1-6B-1 (C), and

**WHEREAS;** this ordinance shall be publicly noticed prior to the first reading and approval, and

**WHEREAS;** a public hearing will be noticed and held on March 8<sup>th</sup> at the scheduled Town Council meeting, and

**WHEREAS;** this ordinance shall be in full force and effective 30 days after the second and final reading of the ordinance, and

**WHEREAS:** the strikethrough font shall indicate text being removed from the Town Code, and

**WHEREAS;** this ordinance shall be incorporated into the minutes of each Council meeting when discussed, read and approved.

**BE IT ORDAINED by the Town Council of the Town of Darby, Darby, Montana that:**

#### SECTION 1

That Town Code Section 1-6B-1(C) shall be eliminated:


~~C. Presiding Officer: The mayor is the presiding officer of the council, must sign the journals thereof and all warrants on the town clerk-treasurer, and decide by his vote all ties and has no other vote. (1975 Code § 2.08.030)~~

#### SECTION 2 Effective Date

The effective date of this ordinance shall be thirty (30) days after passage of the second and final reading by the Darby Town Council.

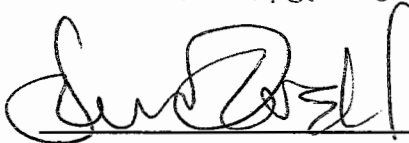
**ORDINANCE 154**

**PASSED** by the Town Council of the Incorporated Town of Darby on the first reading at a regular session thereof on this 23 day of February 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**PASSED, ADOPTED AND APPROVED** by the Town Council of the Incorporated Town of Darby, Darby, Montana on the second and final reading at a regular session thereof on this 8<sup>th</sup> day of March 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk