

RESOLUTION NO. 13-19298

A RESOLUTION REFERRING ORDINANCE NO. 13-5611, AN ORDINANCE AMENDING THE BILLINGS CITY CHARTER TO PROVIDE FOR ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY TO HAVE ADMINISTRATIVE AUTHORITY IF ALLOWED BY STATE OR FEDERAL LAW OR INTERLOCAL AGREEMENT, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 5, 2013.

WHEREAS, the Billings City Council adopted Ordinance 13-5611, which amends the Billings City Charter to provide for City boards, commissions and committees to have administrative authority if allowed by state or federal law or interlocal agreement; and,

WHEREAS, by law the question of amending the Charter by Ordinance 13-5611 must be submitted to a vote of the people; and,

WHEREAS, a majority of the electors voting on this question must approve the ordinance to amend the Billings City Charter; and,

WHEREAS, the ordinance should be referred to a vote of the people at the general election to be held on November 5, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. REFERENCE: Ordinance Number 13-5611, being an Ordinance amending the Billings City Charter to provide for City boards, commissions and committees to have administrative authority if allowed by state or federal law or interlocal agreement, is hereby referred to a vote of the people at the regular election to be held November 5, 2013. A full copy of Ordinance Number 13-5611 is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. FORM OF BALLOT: The form of the ballot shall be as provided by law and similar to the following:

The Billings City Charter currently limits advisory boards, commissions, or committees to advisory only. They can have no administrative authority unless specifically required by federal or state law or interlocal agreement. The Billings City Council passed Ordinance No. 13-5611 to permit advisory boards, commissions, or committees to have administrative authority when allowed, rather than required, by state or federal law or interlocal agreement.

Should advisory boards, commissions, or committees of Billings city government have administrative authority if specifically allowed by federal or state law, or interlocal agreement?

- O FOR** amending the City Charter to permit advisory boards, commissions or committees of Billings city government to have administrative authority if specifically allowed by federal or state law or interlocal agreement, with an immediate effective date.
- O AGAINST** amending the City Charter to permit advisory boards, commissions or committees of Billings city government to have administrative authority if specifically allowed by federal or state law or interlocal agreement, with an immediate effective date.

3. CERTIFICATION: The City Clerk shall certify this resolution and Ordinance

Number 13-5611 to the Yellowstone County Election Official as provided by law.

4. EFFECTIVE DATE: This resolution shall be effective upon adoption.

APPROVED AND PASSED by the Billings City Council this 12th day of August, 2013.

THE CITY OF BILLINGS



BY:

Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

BY:

Cari Martin
Cari Martin, City Clerk

ORDINANCE NO. 13-5611

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE BILLINGS CHARTER BE AMENDED TO REVISE SECTION 5.01; PROVIDING FOR ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY TO HAVE ADMINISTRATIVE AUTHORITY IF ALLOWED BY STATE OR FEDERAL LAW OR INTERLOCAL AGREEMENT, AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Article V of the Billings Charter be amended by revising Section 5.01, so that such section shall read as follows:

“Section 5.01. Powers.

Boards, commissions, or committees of city government shall be advisory only. They shall have no administrative authority unless specifically ~~required~~ allowed by federal or state law, or interlocal agreement.”

Section 2. REFERRAL TO ELECTORS. This ordinance with amendments to the Billings Charter is referred to a vote of the electors of the City of Billings at the November 2013 regular election.

Section 3. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption. These amendments to the Billings Charter shall become effective immediately upon approval by the electors as provided by law.

PASSED by the City Council on first reading this 24th day of June, 2013.

PASSED, ADOPTED and APPROVED on second reading this 8th day of July, 2013.



CITY OF BILLINGS

By Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, Deputy City Clerk