

## ORDINANCE NO. 05-5354

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 2-204; PROVIDING THAT THE DEPUTY MAYOR BE ELECTED AT THE CITY COUNCIL'S FIRST REGULAR MEETING FOLLOWING THE CITY GENERAL ELECTION; CLARIFYING LANGUAGE.

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

*Section 1.* That Section 2-204 of the Billings, Montana City Code be amended so that such section shall read as follows:

**"Sec. 2-204. Election and duties of deputy mayor and deputy mayor pro tempore.**

~~"The city council shall elect by voice vote a~~At its first regular meeting of the new year following each city general election, the city council shall elect by voice vote one of the ~~from the councilmembers as~~ deputy mayor, and a ~~deputy mayor pro tempore,~~ At its ~~first regular meeting of the year following each city general election, the city council~~ shall elect by voice vote one of the councilmembers as deputy mayor pro tempore. Both ~~of which~~ the deputy mayor and deputy mayor pro tempore shall serve two-year terms. In the absence of the mayor, or the mayor's inability from any cause to discharge the duties of his or her office, the deputy mayor shall preside over meetings and exercise all the power and discharge all the duties of the mayor. In case of the absence or inability of both the mayor and the deputy mayor, the deputy mayor pro tempore, shall preside and discharge all of the duties of the deputy mayor. The deputy mayor or the deputy mayor pro tempore, while performing the duties of the mayor, shall serve as the acting mayor, and acts performed by such person while acting as mayor shall have the same force and validity as if performed by the mayor.

*Section 2. EFFECTIVE DATE.* This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

*Section 3. REPEALER.* All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

*Section 4. SEVERABILITY.* If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 28<sup>th</sup>. day of November, 2005.

PASSED, ADOPTED and APPROVED on second reading this 12<sup>th</sup>. day of December, 2005.

CITY OF BILLINGS

By \_\_\_\_\_  
Charles F. Tooley Mayor

ATTEST:

By \_\_\_\_\_  
Marita Herold, CMC/AAE City Clerk