

ORDINANCE 10

A Resolution of the Board of Supervisors of Union County Iowa, Providing for an Ordinance Passage Procedure:

IT IS HEREBY RESOLVED on this 4th day of May 1981, that the Passage Procedure in order that the Board of Supervisors may from time to time enact ordinances necessary for its own government, the transaction of business, and the preservation of order, as provided in Section 331 of the Iowa Code.

Title of Ordinance. The subject matter of an ordinance or amendment must be generally described in its title.

Amendment. An amendment to an ordinance or to a code of ordinances must specifically repeal the ordinance or code, or the section or subsection to be amended, and must set forth in full the ordinance, code, section or subsection as amended.

Two considerations before the final passage- how waived. A proposed ordinance or amendment must be considered and voted on for passage at two Board of Supervisor' meeting prior to the meeting at which it is to be finally passed, unless this requirement is suspended by recorded vote of not less than three-fourths of the board members.

However, if a summary of the proposed ordinance or amendment is published as provided in Section 362.3 of the Iowa Code, prior to its first consideration, and copies are available at the time of publication at the office of the County Auditor, the ordinance or amendment must be considered and voted on for passage at one meeting prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than three-fourth of the board members.

Majority requirement-tie vote. Passage of an ordinance or amendment requires an affirmative vote of not less than a majority of the members of the Board of Supervisors, except when the Chairman of the Board of Supervisors may vote to break a tie vote in the case of an even number of Board members, as provided in Section 372.4 of the Iowa Code. A motion to spend public funds in excess of ten thousand dollars (\$10,000) on any one project, or a motion to accept public improvements and facilities upon their completion, also requires an affirmation vote of not less than a majority of the board members. Each board member's vote on an ordinance or amendment must be recorded.

Chairman of the Board. The Chairman of the Board may sign, vote, or take no action on an ordinance or amendment passed by the Board of Supervisors. However, the Chairman of the Board may not veto a measure if the Chairman of the Board was entitled to vote on the measure at the time of passage.

Effective date. Measures passed by the Board of Supervisors, other than motions, become effective in one of the following ways:

1. If the Chairman of the Board signs the measure, an ordinance or amendment becomes in affect when published, unless a subsequent effective date is provided within the measure.
2. If the Chairman of the Board vetoes the measure, he shall explain his reasons for the veto in a message to the Board of Supervisors at the time of the veto, the Board of Supervisors may pass the measure again by vote of not less than two-thirds of the board members. If the Chairman of the Board vetoes a measure and the Board of Supervisors repasses the measure after the chairman's veto, an ordinance or amendment becomes a law when published, unless a subsequent effective date is provided within the measure.
3. If the Chairman of the Board takes no action on the measure, an ordinance or amendment becomes a law when published but not sooner than fourteen days after the date of passage, unless a subsequent effective date is provided within the measure.

County Auditor. The County Auditor Shall:

1. Promptly record each measure, with a statement, where applicable, indicate whether the Chairman of the Board of Supervisors signed, vetoed, or took no action on the measure, and whether the measure was repassed after the Chair's veto.
2. Publish all ordinances and amendments in the manner provided in Section 362.3 of the Iowa Code.
3. Authenticate all measures accept motions with his/her signature and certification as to time and manner of publication, if any. The County Auditor's certification is presumptive evidence of the facts stated therein.
4. Maintain for public use copies of all effective ordinances and codes.

Code of ordinances published. At least once every five years, a county shall compile a code of ordinances containing all the county ordinances in effect, except grade ordinances, bond ordinances, zoning ordinances, and ordinances vacating streets and alleys.

If a proposed code of ordinances contains only existing ordinances edited and compiled without change in substance, the Board of Supervisors may adopt the code by ordinance.

If a proposed code of ordinances contains a proposed new ordinance or amendment, the Board of Supervisors shall hold a public hearing on the proposed code before adoption. The County Auditor shall publish notice of the hearing as provided in Section 362.3 of the Iowa Code.

Readoption and Update 11-05-2025

Copies of the proposed code of ordinances must be available at the County Auditor's office and the notice must so, state. Within thirty days after the hearing, the Board of Supervisors may adopt the proposed code of ordinances which become law upon publication of the ordinance adopting it. If the Board of Supervisors substantially amends the proposed code after a hearing, notice and hearing must be repeated.

Ordinances and amendments which become effective after adoption of a code or ordinances may be compiled as supplements to the code, and upon adoption of the supplement by resolution, become part of the code of ordinances.

An adopted code of ordinances is presumptive evidence of the passage, publication, and content of the ordinances therein as of the date of the County Auditor's certification of the ordinance adopting the code or supplement.

Fee for publication. The compensation paid to a newspaper for any publication required by this chapter may not exceed three-fourths of the fee provided in Section 618.11 of the Iowa Code.

Adoption by reference. A county may adopt the provisions of any statewide or nationally recognized standard code or portions of any such code by an ordinance which identifies the code by subject matter, source and date, and incorporates the provisions by reference without setting them forth in full. Such code or portion must be adopted only after notice and hearing in the manner provided in Section 331 of the Iowa Code.

Certain measures recorded. Immediately after the effective date of a measure establishing any zoning district, building lines or fire limits, the County Auditor shall certify the measure and plat showing the district, lines or limits, to the County Recorder. The County Recorder shall record the measure and plat in the miscellaneous record or other books for special records and shall index the record. The County shall pay the recording fee.