

OVERVIEW OF THE DARBY COUNCIL PROCESS

The Town Council holds regularly scheduled meetings on the Second Monday of each month.

Special Town Council meetings may be called at any time with proper public notice.

Meetings are convened at 7:p.m. in the City Hall.

COUNCIL---MAYOR FORM OF GOVERNMENT

The Council-Mayor form of Government consists of an elected commission (council) and one executive (mayor) who is elected at large. M.C.A. 7-3-201

The City or Town Council has power to make and pass all by-laws, ordinances, orders, and resolutions not repugnant to the constitution of the United States or of the State of Montana, necessary for the government management of the affairs of a city or town, for the execution of the powers vested in the body corporate, and for carrying into effect the provisions of this title. M.C.A. 7-5-4101

The Council enacts local legislation, adopts budgets, determines policies and appoints the city officers deemed necessary and proper for the orderly government and administration of the affairs of the City as prescribed by the constitution and applicable laws, and ordinances herein after adopted by the city.

Use of Ordinances and/or Resolutions

When To Use Ordinances

Ordinances normally amend or add sections to the City Code

Examples (illustrative only)

1. Changes to speed limits
2. Fees and Charges for some city services
3. Animal control regulations
4. Traffic regulations
5. Repeal or amend Ordinances
6. Set license and permit fees
7. Excavation procedures
8. Encroachments of Public rights of way
9. Set boundaries of Wards

An Ordinance is a municipal law which can only be amended or repealed by adoption of another ordinance as prescribed by State law. A proposed ordinance requires two readings at separate council meetings before it is adopted. The ordinance then becomes effective 30 days after the second reading.

When To Use Resolutions

Resolutions are normally used to make changes in internal policy or memorialize events (Resolutions DO NOT CHANGE CITY CODE)

Examples (illustrative only)

1. Establish rules for use of facilities
2. Improvement districts
3. Easements
4. Repeal or amend other resolutions
5. Calling for city elections
6. Budget resolutions
7. Exclusion of land
8. Street and alley closures
9. Establishment of all inter-government agreements
10. Annexations

A resolution may be used to express City Council policy; direct certain administrative or legal action; or embody a public Council statement. It requires only one reading (may be introduced and adopted at the same meeting) and may be changed by subsequent resolution.

IF AN ORDINANCE OR RESOLUTION REQUIRES IT BE PASSED WITH AN EMERGENCY CLAUSE IT MUST BE SO STATED IN THE ORDINANCE OR RESOLUTION TITLE.

BOTH ORDINANCE AND RESOLUTION REQUIRE A ROLL CALL ON THE VOTE OF THE COUNCIL.

NO ORDINANCE SHALL BE PASSED CONTAINING MORE THAN ONE SUBJECT, WHICH SHALL BE CLEARLY EXPRESSED IN ITS TITLE, EXCEPT ORDINANCES FOR THE CODIFICATION AND REVISION OF ORDINANCES 7 5 4201 (2)