

AN ORDINANCE GOVERNING VOTING PROCEDURES
IN ACTIONS BY THE CITY COUNCIL OF THE CITY OF URBANA

WHEREAS, the CITY OF URBANA, ILLINOIS, is a Home Rule Unit as defined in Article VII, Section 6 of the Constitution of the State of Illinois, 1970; and

WHEREAS, this Ordinance is intended as, and is in the exercise of, certain powers and functions pertaining to the government and affairs of the CITY OF URBANA, ILLINOIS; and

WHEREAS, it has been determined by the City Council of Urbana, Illinois, that it is in the best interests of the City of Urbana to clarify the legal effect of abstentions in matters voted upon by the City Council.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

SECTION 1. When, in order to enact an ordinance, resolution, or motion, State Statutes require a simple majority of the Members of the City Council to vote "aye", the following procedures shall be applicable in calculating said majority:

a. If the City Council contains an even number of Aldermen and Alderwomen then holding office, then a majority of the City Council shall be the simple majority of the members of the City Council including therein the Mayor.

b. If the City Council contains an odd number of Aldermen and Alderwomen then holding office, then a majority of the City Council shall be the simple majority of said Aldermen and Alderwomen, excluding the Mayor.

c. Abstentions shall not be counted as either an "aye" or "nay" vote.

SECTION 2. When, in order to enact an ordinance, resolution, or motion, State Statutes require an extraordinary majority of the Aldermen and Alderwomen to vote "aye", the following procedures shall be applicable in calculating said extraordinary majority:

a. Abstentions shall not be counted as either an "aye" or "nay" vote and members abstaining shall not be counted in determining the total to which the percentage of votes required is applied in determining whether such question has attained the requisite number of votes for passage, any statute, ordinance or rule of parliamentary procedure to the contrary notwithstanding.

b. However, no such ordinance, resolution, or motion shall be deemed to have passed the City Council of Urbana unless such ordinance, resolution, or motion receives an "aye" vote from at least a simple majority of the Aldermen and Alderwomen then holding office.

SECTION 3. The provisions of Chapter 24, Section 3-11-14, shall, from the effective date of this Ordinance, be of no force and effect within the City of Urbana, Illinois, and instead, the City of Urbana, Illinois, shall follow the following rules:

a. The Mayor shall preside at all meetings of the City Council.

b. He or she may vote on an ordinance, resolution, or motion, not requiring an extraordinary majority of "ayes", when his or her vote may affect the passage of such ordinance, resolution, or motion.

c. This section shall in no way deprive an Acting Mayor or Mayor Pro Tem from voting in his or her capacity as Alderman or Alderwoman, but such person shall not be entitled to another vote in the capacity as Acting Mayor or Mayor Pro Tem.

d. This Ordinance shall in no way effect the Mayor's statutory veto powers except, when determining the requisite number of votes to over-ride the Mayor's veto, the procedures of Section 2 above shall be applicable.

THIS ORDINANCE IS HEREBY PASSED by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 18th day of MARCH, A.D., 1974.

PASSED by the City Council this 18th day of MARCH, 1974.

Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 19 day of March,

1974.

Hiram Paley
Hiram Paley, Mayor