

ORDINANCE No. 2022- 001

CITY OF POLSON

AN ORDINANCE OF THE CITY OF POLSON, MONTANA, DEFINING AND ESTABLISHING STANDARDS FOR THE APPOINTMENT OF COMMISSION MEMBER INTO VACANT SEAT UPON THE CITY COMMISSION.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1.

That Chapter 1, Article 2 Polson Municipal Code, shall be amended as follows and any sections within not amended herein shall remain in effect:

Section TBD (Propose 2.02.011): Title

Appointment of Vacant Councilmember Seat – Upon a vacancy of a city commissioner seat, the remaining commission shall abide by Montana Code Annotated § 7-4-4112. The remaining commission shall consider and vote to fill the vacant City Commissioner seat by voting on a pool of applicants that meet the statutory, charter, and municipal code, eligibility requirements upon review of their applications by the Mayor. The vacant seat shall be filled by a simple majority vote. Once the majority vote has established the new commissioner, the Mayor shall issue a letter appointing the applicant as the new City Commissioner.

Section TBD (Propose 2.02.011): Title

Voting – The City Commissioners and Mayor shall submit one vote for their chosen candidate by ballot during the City Commission meeting. The vote must occur within the 30-day window prescribed by Montana Code annotated § 7-4-4112. The City Clerk shall collect and tally the votes and announce the votes during the City Commission meeting.

Section 2.

Repeal. All provisions of the ordinances of the City of Polson in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other provisions of the ordinances of the City of Polson not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3.

Savings Provision. This ordinance does not affect the rights and duties that matured penalties incurred or proceedings that were begun before the effective date of this ordinance.

Section 4.

Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Polson Municipal Code as a whole.

Section 5.

Codification Instruction. The provisions of Section 1 shall be codified as appropriate in the Polson Municipal Code.

Section 6.

Effective Date. This ordinance shall be in full force and effect thirty (30) days after final adoption.

GIVEN FINAL ADOPTION by the City Commission of the City of Polson, Montana, on second reading at a regular session held on the 19th day of January, 2022.

Eric Huffine, Mayor

ATTEST:

Cora Pritt,
City Clerk

APPROVED AS TO FORM:

Skyler Bagley,
City Attorney