

## Ordinance Drafting Guidelines

While American Legal Publishing does not intend to dictate the manner in which any municipality or county drafts or adopts its ordinances, we can make a few suggestions.

These suggestions are generic, and are not meant to apply to any specific municipality or county. The manner in which ordinances are drafted should be reviewed and approved by the Municipal Attorney.

1. Ordinance No. should be printed at the top of the first page of the ordinance. It is best to number each ordinance. (example: #2015-01, where the first number indicates the year the ordinance was drafted and the second number indicates it is the first ordinance passed this year) It is much easier to cite to an ordinance if it has its own unique number. Or do the reverse: #01-2015))

Ordinance No. may also be printed at the top right corner of every succeeding page in case pages become separated.

2. Name of government should be printed at the top of the first page either above the title or within the title.
3. Title of ordinance should be printed in capital letters and/or bold type at top of the first page.

The title should describe the ordinance subject matter, and if amending existing code sections, state which sections it amends and whether it repeals and replaces those sections. If it is intended to create a new code section or chapter, it may state what the new section or chapter number should be. (However, the codifier may be more qualified to make this judgement.)

Generally, the title does not need to contain information about severability clauses, publication, etc.

4. If they exist, WHEREAS clauses should follow the ordinance title. Such clauses are not absolutely necessary in many cases, but might show intent of Council/Commission.
5. Paragraphs contained in the text of the ordinance should be numbered.

Paragraphs that contain waiver, codification, severability and publication clauses should be so titled.

6. Text within the ordinance that amends a current code section may be highlighted (redlined, underlined, bolded or shaded) or struckout. (Example below.)
7. Passage/approval dates and signatures should be clearly stated at the end of the ordinance.
8. Pages should be numbered.

SAMPLE

**ORDINANCE NO. 2015-01**

**CITY OF SPRINGFIELD, MINNESOTA**

**AN ORDINANCE AMENDING SECTION 34.01 (COMPETITIVE BIDDING REQUIRED) OF THE SPRINGFIELD CODE OF ORDINANCES BY CHANGING THE AMOUNT OF EXPENDITURE EXEMPT FROM COMPETITIVE BIDDING.**

**WHEREAS,** *if desired, give reasons for the ordinance*

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, MINNESOTA, THAT:

*New text is indicated by redline/underline and text being deleted is struck out:*

SECTION I. The Code of Ordinances, Section 34.01, is hereby amended to read as follows:

Unless otherwise provided for herein, no purchase or contract shall be made for supplies, materials, equipment, nonprofessional contractual services or improvements requiring the expenditure of more than ~~\$15,000~~ **\$20,000** out of any fund or funds of the city, creating or imposing an obligation or liability, without first submitting such proposed purchase or contract to competitive bids.

SECTION II. WAIVER CLAUSE. The requirement of three separate readings of this Ordinance is hereby dispensed with by a vote of not less than a majority of all the members of City Council.

SECTION III. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Springfield Code of Ordinances as soon as practicable.

SECTION IV. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION V. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the City Council of Springfield, Minnesota, at which a quorum was present and which was held on the 2nd day of January, 2015.

CITY OF SPRINGFIELD

BY: \_\_\_\_\_  
*name, Mayor*

ATTEST:

BY: \_\_\_\_\_  
*name, City Clerk*

APPROVED AS TO FORM:  
Oxford, Oxford & Gonzalez  
Attorney at Law

BY: \_\_\_\_\_  
*attorney's name*