

17-53-208 Ordinances -- Effective dates -- Publication -- Adoption of ordinances printed in book form.

- (1) The enacting clause of all ordinances of the county legislative body shall be as follows: "The County Legislative Body of _____ County ordains as follows:".
- (2) Every ordinance shall be signed by the chair of the county legislative body and attested by the clerk. On the passage of all ordinances the votes of the several members of the county legislative body shall be entered on the minutes, and all ordinances shall be entered at length in the ordinance book.
- (3)
 - (a) No ordinance passed by the county legislative body may take effect within less than 15 days after its passage.
 - (b) The legislative body of each county adopting an ordinance shall, before the ordinance may take effect:
 - (i) deposit a copy of the ordinance in the office of the county clerk; and
 - (ii)
 - (A) publish a short summary of the ordinance, together with a statement that a complete copy of the ordinance is available at the county clerk's office and with the name of the members voting for and against the ordinance:
 - (I) for at least one publication in:
 - (Aa) a newspaper published in and having general circulation in the county, if there is one; or
 - (Bb) if there is none published in the county, in a newspaper of general circulation within the county; and
 - (II) as required in Section 45-1-101; or
 - (B) post a complete copy of the ordinance in nine public places within the county.
- (4) Any ordinance printed by authority of the county legislative body in book form or electronic media, or any general revision of county ordinances printed in book form or electronic media, may be adopted by an ordinance making reference to the printed ordinance or revision if a copy of the ordinance or revision is filed in the office of the county clerk at the time of adoption for use and examination by the public.
- (5) Ordinances establishing rules and regulations, printed as a code in book form or electronic media, for the construction of buildings, the installation of plumbing, the installation of electric wiring, or other related or similar work may be adopted by reference to the code book if a copy of the code book is filed in the office of the county clerk at the time of the adoption of the ordinance for use and examination by the public.
- (6) Ordinances that in the opinion of the county legislative body are necessary for the immediate preservation of the peace, health, or safety of the county and the county's inhabitants may, if so provided in the ordinance, take effect immediately upon publication in one issue of a newspaper published in and having general circulation in the county, if there is one, and if there is none published in the county, then immediately after posting at the courthouse door.
- (7) An ordinance may take effect at a later date than provided in this section, if the ordinance so provides.
- (8) An order entered in the minutes of the county legislative body that an ordinance has been duly published or posted shall be prima facie proof of the publication or posting.

Amended by Chapter 388, 2009 General Session