

# CITY of ALBUQUERQUE

## TWENTY SIXTH COUNCIL

COUNCIL BILL NO.     O-24-7     ENACTMENT NO.     O-2024-005    

SPONSORED BY: Brook Bassan, Dan Champine, Klarissa J. Peña, Nichole Rogers

**ORDINANCE**

**AMENDING GENERAL PROVISIONS, CHAPTER 1, ARTICLE 1 OF THE REVISED ORDINANCES OF ALBUQUERQUE, 1994, TO CLARIFY TIME COMPUTATION AND TRANSMITTAL PROCEDURES, AND CODIFY THE EFFECTIVE DATE OF RESOLUTIONS.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:**

**SECTION 1. Section 1-1-12 of the Revised Ordinances of Albuquerque, 1994, is hereby amended as follows:**

**“§ 1-1-12 REASONABLE TIME, COMPUTATION OF TIME, AND TRANSMITTAL PROCEDURES.**

**(A) Reasonable Time.** In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, reasonable time or notice shall be deemed to mean the time which is necessary for a prompt performance of such act or the giving of such notice.

**(B) Computation of Time.** The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last. If the last day be a Saturday, Sunday, or City holiday, it shall be excluded, and the period shall end on the next day that is not a Saturday, Sunday, or City holiday. For the purpose of computing time, a day begins immediately after 5:00 PM and ends at the next 5:00 PM.

**(C) Transmittal Procedures.** In all instances where an item, such as legislation for introduction, a veto message, or other item that has a deadline for submission to the City Council, is to be transmitted by the City Administration to the City Council, the following procedures shall apply. For

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1 the purpose of computing the deadline to transmit an item to the City Council,  
2 unless otherwise stated, days shall be computed using calendar days.

3 (1) The City Administration shall deliver both a printed hard copy and an  
4 electronic copy of the item to the Council Services Office. The printed hard  
5 copy shall include a transmittal memo that lists all item(s) being submitted.  
6 Council Services shall review the transmittal memo, sign and date to  
7 document receipt of the item(s), and provide the City Administration with a  
8 copy of the completed transmittal memo.

9 (2) Any items transmitted after the close of business (5:00 PM) on the date  
10 on which they are due to the City Council shall be deemed untimely, unless an  
11 after-hours transmittal is approved in writing by the City Council President.  
12 Upon such written approval, the City Administration shall immediately provide  
13 an electronic copy of the item via email to the City Council President, Director  
14 of Council Services, and Clerk of the Council. Any after-hours transmittals  
15 shall follow the procedures outlined in subsection (1) above, except that the  
16 printed hard copy shall be delivered to the City Council Services Office on the  
17 following business day.”

18 SECTION 2. Section 1-1-15 of the Revised Ordinances of Albuquerque,  
19 1994, is hereby amended as follows:

20 “§ 1-1-15 EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

21 An ordinance shall not become effective until five days after it has been  
22 published, unless passed and approved as an emergency measure, in which  
23 event it shall become effective immediately following publication or at a  
24 subsequent date determined by Council. A resolution shall become effective  
25 immediately upon the earliest of the following actions:

- 26 (1) The Mayor signs the resolution;
- 27 (2) After ten days, if the Mayor does not veto the resolution; or
- 28 (3) If the resolution is vetoed by the Mayor, at the conclusion of the City  
29 Council meeting at which the veto is overridden.”

30 SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,  
31 word or phrase of this Ordinance is for any reason held to be invalid or  
32 unenforceable by any court of competent jurisdiction, such decision shall not  
33 affect the validity of the remaining provisions of this Ordinance. The Council

1 hereby declares that it would have passed this Ordinance and each section,  
2 paragraph, sentence, clause, word or phrase thereof irrespective of any  
3 provision being declared unconstitutional or otherwise invalid.

4 SECTION 4. COMPILATION. Sections '1' and '2' of this Ordinance amend,  
5 are incorporated in, and are to be complied as part of the Revised Ordinances  
6 of Albuquerque, New Mexico, 1994.

7 SECTION 5. EFFECTIVE DATE. This Ordinance takes effect five days after  
8 publication by title and general summary.

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1 PASSED AND ADOPTED THIS 4<sup>th</sup> DAY OF March, 2024  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Dan Lewis, President  
City Council

APPROVED THIS 14 DAY OF March, 2024

Bill No. O-24-7

  
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Timothy M. Keller, Mayor  
City of Albuquerque

ATTEST:  
  
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Ethan Watson, City Clerk

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