



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 4
AGENDA DATE: Thu 03/03/2005
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SUBJECT: Consideration of and possible action on an initiated ordinance entitled "An Ordinance Repealing and Replacing City Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties."

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING City Clerk's Office
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Shirley Brown

FOR MORE INFORMATION CONTACT:

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

Under Article IV, Section 5 of the City Charter, when an initiative petition is certified by the city clerk to be sufficient, the city council shall either (a) pass the initiated ordinance without amendment or (b) order an election and submit the initiated ordinance without amendment to the voters.

This item is on the agenda so that the council may, if the initiative petition is certified by the city clerk to be sufficient, consider the option of passing the initiated ordinance without amendment.

As an alternative to passing the initiated ordinance, the council may order an election submitting the initiated ordinance to the voters.