



City of Albuquerque

City of Albuquerque
Government Center
One Civic Plaza
Albuquerque, NM 87102

Legislation Details (With Text)

File #: O-22-35
Type: Ordinance
Status: Enacted
File created: 8/15/2022
In control: City Council
Final action: 10/3/2022
Enactment date: 10/18/2022
Enactment #: O-2022-034
Title: Amending The City Of Albuquerque Code Of Ordinances, Section 2-7-2-2, "Authority And Duties Of The City Attorney" To Prohibit Policy Advocacy By The City Legal Department (Davis)
Sponsors: Pat Davis
Indexes:
Code sections:
Attachments: 1. O-35, 2. O-35Enacted

Date	Ver.	Action By	Action	Result
10/18/2022	1	City Clerk	Published	
10/17/2022	1	Mayor	Not Signed by the Mayor	
10/7/2022	1	City Council	Sent to Mayor for Signature	
10/3/2022	1	City Council	Amended	Pass
10/3/2022	1	City Council	Passed as Amended	Pass
9/19/2022	1	City Council	Accepted with a Recommendation Do Pass	
9/12/2022	1	Finance & Government Operations Committee	Sent to Council with a recommendation of Do Pass	Pass
8/15/2022	1	President	Referred	
8/15/2022	1	City Council	Introduced and Referred	

CITY of ALBUQUERQUE TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-35 ENACTMENT NO. _____

SPONSORED BY: Pat Davis

ORDINANCE

Amending The City Of Albuquerque Code Of Ordinances, Section 2-7-2-2, "Authority And Duties Of The City Attorney" To Prohibit Policy Advocacy By The City Legal Department (Davis) ..body
AMENDING THE CITY OF ALBUQUERQUE CODE OF ORDINANCES, SECTION 2-7-2-2,

“AUTHORITY AND DUTIES OF THE CITY ATTORNEY” TO PROHIBIT POLICY ADVOCACY BY THE CITY LEGAL DEPARTMENT.

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

SECTION 1. Chapter 2, Article 7, Part 2, Section 2 of the Revised Ordinances of Albuquerque, New Mexico, 1994, “Authority and Duties of the City Attorney” is hereby amended as follows:

“§ 2-7-2-2 AUTHORITY AND DUTIES OF THE CITY ATTORNEY.

The City Attorney, both personally and through his or her assistant city attorneys, shall represent the city in the courts. He or she shall also advise the Mayor and the Council as to legal matters. The City Attorney and assistant city attorneys, while acting in the course and scope of their duties, are prohibited from engaging in policy advocacy relating to matters upon which the City Legal Department has or is likely to be called upon for advisement or representation. Nothing herein shall prohibit the City Attorney or assistant city attorneys from expressing their personal views on any issue while acting outside the scope of their duties.”

SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause, word, or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance the Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 3. COMPILATION. Section 1 of this Ordinance shall amend, be incorporated in, and compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect five (5) days after publication by title and general summary.

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