

Council Agenda Summary

April 5, 2022

Key Staff Contact: Stacey Aurzada, Interim City Clerk, 970-350-9742

Title:

Introduction and first reading of an Ordinance amending and repealing portions of the City of Greeley Municipal Code, all correcting the codification of the entire permanent code to accurately reflect the intent of ordinances passed in the City of Greeley

Summary:

The City contracts with a specialized publisher, MuniCode Corporation ("MuniCode"), to consolidate the City's general legislation and organize it by topics into a Code of Ordinances – also referred to as the Code or Greeley Municipal Code. This process, called codification, also includes the addition of frequent changes, or supplementation, as changes are made to the Code through Council's adoption of new ordinances.

Recodification of the Municipal Code is completed periodically. In 2018, the City contracted with MuniCode to review and recodify the Municipal Code. Pursuant to this contract, MuniCode was to review and identify:

1. conflicts, inconsistencies, and obsolete provisions in the Municipal Code in connection with Colorado state statutes;
2. conflicts and redundancies with the Charter;
3. internally conflicting provisions and redundancies; and
4. potentially unconstitutional provisions.

In addition, MuniCode was to recommend and implement organizational improvements of sections and chapters.

The recodification was completed by MuniCode in early 2021. The City Council adopted the recodified Municipal Code on April 6, 2021. Shortly after the recodified Municipal Code was adopted, City staff members began to identify errors in the Code. Examples of the errors are erroneous omission of previously adopted ordinances, scrivener's errors, inappropriate Code language, duplicating Code sections when not necessary, and erroneous inclusion of repealed Code sections.

The City Attorney's Office compiled a log of the identified errors and conducted a review of ordinances from 2018 to 2021 to ensure all adopted ordinances were contained within the Municipal Code. The ordinance before Council is intended to correct the errors that have been discovered to date. Additional corrections may be necessary in the future and may require adoption of additional corrective ordinances by the City Council.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	The City Clerk's office budgets funds to codify ordinances that Council passes every year, so there are funds available to codify this ordinance. However, the City Clerk's office and the City Attorney's Office have been negotiating with MuniCode to identify and correct errors from the recodification. MuniCode has indicated that they will fix errors without charging typical supplementation costs, and a formal agreement is forthcoming

Legal Issues:

Consideration of this matter is a legislative process.

Negotiations with MuniCode related to supplementation costs and editorial review are on-going.

Other Issues and Considerations:

None.

Strategic Work Program Item or Applicable Council Priority and Goal:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and second reading for April 19, 2022.

Attachments:

Ordinance
Appendix A