



Date: August 22, 2023

Honorable Mayor and Council Members:

Author and title: Judy Price, Town Clerk

Title: **Clean Up Amendment to Municipal Code Title 2, Section 2.04.130 (a)**

Jen Callaway, Town Manager

Recommended Action: Introduce Ordinance 2023-11, removing section 2.04.130(a) from Title 2 of the Municipal Code.

Discussion: While reviewing the process of an appeal of a decision to the Council, staff identified section 2.04.130(a) that reads as follows:

2.04.130 Appeal Hearings.

(a) The Town Council may limit participation at the hearing to those parties directly interested or may allow participation by the public. Such public participation, however, shall only occur when the Council deems the same necessary to further the public interest. If a hearing is ordered open to public participation, notice thereof shall be given by publishing the notice of the same in a newspaper of general circulation in the Town not less than five days prior to the date of such hearing, and by such other means as the Town Council deems necessary.

This section is confusing and unnecessary. The Council cannot limit participation in an item on their agenda to only those parties directly interested. The public has the right to comment on all items before the Council. Based on this, staff is recommending that section 2.04.130(a) be removed from the Municipal Code.

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact: none.

Public Communication: This staff report. A summary of the Ordinance will be published in the Sierra Sun after the introduction and again after the adoption of the Ordinance.

Attachments: Attachment 1 – Ordinance 2023-11