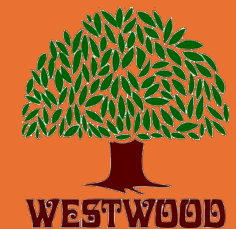




2024 Recodification Review

City Council Work Session: 3/14/24 (Chapters 1 – 7, 9)

City Council Work Session: 4/11/24 (Chapters 8, 10 – 16)



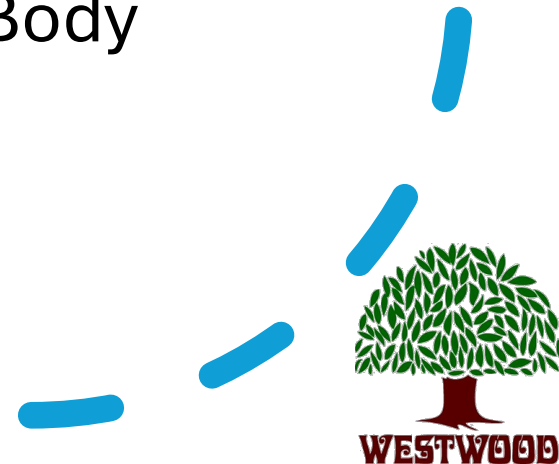
Recodification Process

Recodification is the process by which all adopted ordinances (and modern, current State and Federal laws, where applicable) are integrated into a City's Codebook so that the Codebook reflects the current and comprehensive laws of the City.

- In January 2023, the City engaged CivicPlus (which acquired Municode) to begin the 12 – 18-month process of recodifying the City Code, which has not been done since 2008.
- In addition to recodification services, this scope of service includes the digitization and integration of the City Code into the City's website for transparency, convenience, and easy updating when new ordinances are approved.
- Five weeks ago, City staff received the full Code with legal review notes and embarked on internal review of the documents.
- Over the past month, the City Administrator, City Clerk, Building Official, Public Works Director, and Police Chief have met weekly to review and annotate the Code chapters in preparation for Governing Body review and final legal review with the City Attorney and CivicPlus legal counsel.
- Following integration of the Governing Body's input and changes to the Code chapters, City staff will meet with CivicPlus to resolve any outstanding questions or issues so that CivicPlus can prepare proofs for staff and Governing Body review prior to creation of the ordinance document for formal adoption.

Chapter 1: Administration

- Note: This chapter was reviewed in depth in 2022.
- Add: Municode missed adding in Charter Ord. 19 establishing the role of City Administrator.
- Move: Governing Body expense reimbursement rules to Governing Body Handbook; update Governing Body Handbook accordingly (Art. 2)



Chapter 2: Animal Control and Regulation

- Note: This chapter was reviewed at some level of detail in 2022.
- Under Review: Animal control officer duties and authority being reviewed against interlocal agreement with City of Mission. (Art. 1)
- Flagged for Council Direction: Should the City continue its pet registration program? (Art. 2)



Chapter 3: Beverages

- Note: This chapter was last modified in 2021.
- Change: Fee for caterer's liquor license and temporary event liquor license from being established administratively to being set out in the master fee schedule adopted by resolution of the Governing Body.



Chapter 4: Buildings and Construction

- Note: Articles 1 – 10 of this chapter were completely revised in 2021. Article 11 was completely revised in 2022.
- Note: Staff intends to recommend adoption of 2024 ICC code sections following review by Johnson County Building Officials Association this year.
- Under Review: If there is no legal reason requiring the City to have a Board of Building Code Appeals, staff recommends consideration for transfer of authority to an existing body, possibly Planning Commission. Staff will review with the City Attorney.



Chapter 5: Business Regulations

- Note: Chapter last reviewed in 2022 to add short term rental regulations. (Art. 11)
- Move: Occupation fee amounts from City Code to master fee schedule adopted by the City Council by resolution. (Art. 1)
- Add: Application fee for solicitor's license, to be included in master fee schedule. (Art. 2)
- Change: Drive-in Businesses to Businesses with Curbside Service. (Art. 3)
- Delete: Requirement that massage therapists maintain a City-issued ID card. (Art. 4)
- Change: license required for amusement devices to allow amusement devices but to prohibit gambling devices. (Art. 5)
- Revise: Wrecker and Tow Services to reflect the City's use of the County's tow rotation system. (Art. 6)
- Delete: Water Conditioning Contractors article. (Art. 7)



Chapter 6: Elections

- Note: This chapter was last revised in 2021 with the adoption of Ord. 1019.
- Revise: Chapter to reflect Ord. 1019.



Chapter 7: Fire

- Under Review: City staff has asked CFD2 to review this chapter and indicate if revisions are recommended.



Chapter 8: Health & Welfare

- Under Review: City staff will seek to learn during legal review whether the City is legally required to have a Board of Health; if not, staff recommends discontinuing and assigning that Board's duties under this chapter as appropriate. (Art. 1)
- Change: Staff recommends allowing for approved native grasses to not be considered a nuisance (Art. 3)
- Change: Staff recommends allowing for food waste in composting systems (Art. 3)
- Change: Process for handling complaints to reflect current organizational structure and roles (Arts. 3, 7, 10, 11, 12, & 15)



Chapter 8: Health & Welfare, Cnt'd.

- Change: Staff recommends allowing the City to abate hazardous trees on private property that may not meet the definition of dead or diseased (Art. 4)
- Under Review: Staff recommends removing prescriptive rules and regs relating to solid waste services to allow for flexibility in contract negotiation and market changes (Art. 5)
- Change: Staff recommends explicitly disallowing the placement of waste containers where they would impede pedestrian or vehicular traffic (Art. 5)
- Under Review: For processes where City can abate and charge costs to property owner, staff recommends decreasing the amount of time to attempt service from two years to two weeks, if permitted by law (Arts. 3, 7, & 15)



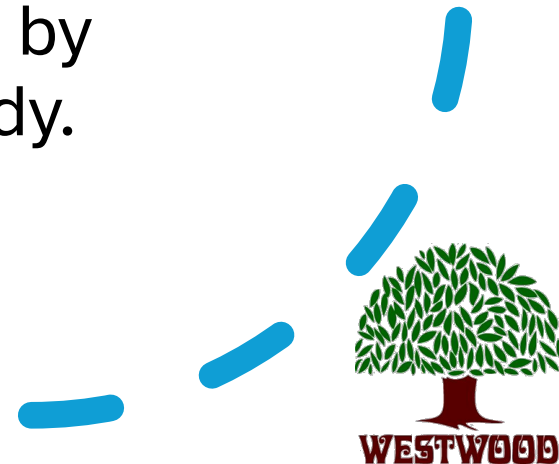
Chapter 8: Health & Welfare, Cnt'd.

- Change: Staff recommends requiring at least one (1) off-street parking space for every house (Art. 10)
- Change: Staff recommends including shutters in list of exterior appurtenances so staff can enforce property maintenance when they are in disrepair (Art. 12)
- Change: Staff recommends changing the clearance height for trees, bushes, and other vegetation from 12 feet over streets to 14 feet (the Code currently requires a clearance of 8 feet over sidewalks, which staff isn't recommending changing)(Art. 12)



Chapter 9: Municipal Court

- Add: Allowance for remote/virtual court appearance under certain circumstances.
- Change: Judge's salary is set by contract, not by ordinance.
- Change: Court Clerk's salary is no longer set by ordinance.
- Change: Court costs to be set out in master fee schedule adopted by resolution of the Governing Body.



Chapter 10: Police

- Change: Various areas to reflect current organizational structure
- Change: Fee structure for repeated false alarms (in Westwood, businesses are the main culprit)(Art. 4)



Chapter 11: Public Offenses

- Note: An update to the Uniform Public Offense Code (UPOC) is adopted by the Governing Body annually (Art. 1)



Chapter 12: Public Property

- Change: Process for permits to reflect current organizational structure and roles (Art. 1)
- Flagged for Council Direction: Should the City continue to have a process to permit camping on public property? (Art. 1)
- Under Review: Legal advice being sought on whether the City has to continue to allow concealed carry in City parks (Art. 2)
- Change: Various areas to reflect current organizational structure (Art. 3)



Chapter 13: Public Rights-of- Way

- Note: City staff does not recommend any substantive changes to this chapter but does have the noted legal questions, which will be resolved during the meeting between Municode and staff.



Chapter 14: Traffic

- Change: Staff recommends the Council consider prohibiting parking completely – not just for more than two (2) hours – between midnight and 6 AM; this would aid the Police Department in their ability to enforce the overnight parking restrictions currently in place (Notably, the City’s restriction of overnight parking has been in place since Oct. 1953) (Art. 2)
- Change: Staff recommends updating the list of who should be notified of a parade (Art. 3)



Chapter 15: Surface Water Management

- Note: City staff does not recommend any substantive changes to this chapter but does have the noted housekeeping items for Municode.



Chapter 16: Zoning

- Note: This chapter was reviewed in depth in 2021 and substantive changes were made in February 2022.
- Note: City staff recommends housekeeping cleanup during the recodification.
- Note: Amendments to the Zoning Ordinance are required to go through Planning Commission first, for recommendation to the City Council for adoption.

