

ORDINANCE NO. 209

AN ORDINANCE ADDING PROVISIONS TO CHAPTER 32 OF THE DUNES CITY CODE BY ESTABLISHING AN ORDINANCE REVIEW COMMITTEE, AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Dunes City Council did, on February 12, 2009, discuss the need to establish an Ordinance Review Committee for Dunes City; and;

WHEREAS, appointments of individuals to serve on a Dunes City Ordinance Review Committee were made; and

WHEREAS, an ordinance to create the Dunes City Ordinance Review Committee was never considered or adopted by the Dunes City Council; and

WHEREAS, over time, some of Dunes City's Ordinances have become complicated, incongruous, and ineffectual; and

WHEREAS, recent Court action has emphasized the need for Dunes City to review its ordinances and Code to ensure their timeliness, accuracy, and efficacy; and

WHEREAS, the Dunes City Council desires to review and take action to ensure the Dunes City ordinances and Code are accurate, congruous, effective and include clear and objective standards for the special needs of our rural city;

NOW, THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:

A new section shall be added to Title 3, Chapter 32 of the Dunes City Code, to read as follows:

ORDINANCE REVIEW COMMITTEE

§ 32.10 ESTABLISHED.

An Ordinance Review Committee (hereafter Committee) is hereby established for the city.

§ 32.11 PURPOSE.

The purpose for the creation and continued existence of the Committee is to ensure the accuracy, congruency, and effectiveness of the Dunes City Code by conducting periodic review of code provisions and making reports and/or recommendations to the City Council. The Committee shall serve in an advisory capacity to the City Council.

§ 32.12 MEMBERS; QUALIFICATIONS.

(A) *Members.* The Committee shall consist of three members, two of whom are city residents but not officers or employees of the city, and one of whom is a member of the City Council, who acts as the Ordinance Committee chairperson and votes only when a tie occurs. Appointments shall be made by the City Council.

(B) *Qualifications.* All members of the committee shall be legal residents of the city, of legal voting age, and, except for the City Council member, is not an employee or official of the city.

§ 32.13 TERMS OF OFFICE.

The citizen members of the Committee shall serve for a three year term, except that the initial appointments to the Committee shall be one position for a two year term and one position for a three year term. The Council member position shall be for a term of one year. All terms expire on the month and day of the first regularly scheduled City Council meeting in January.

§ 32.14 VACANCIES.

A vacant position shall be filled by City Council appointment for the remainder of the unexpired term of the predecessor in office.

§ 32.15 MEETINGS; QUORUM.

(A) *Meetings.* The committee should meet at least once each month and shall meet at the call of the Chair or on call by a majority of voting members.

(B) *Quorum.* A majority of voting members shall constitute a quorum. The chairman of the Committee shall only be considered a voting member for the purpose of establishing a quorum, as their voting rights are only exercised if a tie vote occurs.

§ 32.16 DUTIES.

The duties and responsibilities of the Committee shall include, but not be limited to, the following:

- (A) To review current Dunes City Code and ordinances:
 - (1) For accuracy, specifically looking for typographical errors, reference errors, and other minor deficiencies, and make recommendation for correction to the City Council;
 - (2) For comparison purposes to ensure, to the greatest extent possible, that the provisions of the Code and ordinances do not conflict, and to make recommendations for correction to the City Council;

(3) To ensure all were adopted in accordance with the laws of the state of Oregon and the Dunes City Charter, Comprehensive Plan, Code and Ordinances, and where deficiencies are found, to make recommendation for correction to the Dunes City Council; and

(B) To draft ordinances for consideration by the Dunes City Council.

§ 32.17 POWERS AND LIMITATIONS.

Neither the Committee, as a whole, nor any member or members individually or collectively shall exercise authority to bind the city, its officers, or its agents to any financial commitment or obligation (except as specifically directed or authorized by the City Council). The Committee has only those powers and duties as are now or hereafter granted or imposed by the City Charter, ordinances, and directives of the City Council. All actions of the committee shall be deemed advisory to the Mayor and City Council and shall have no legislative or judicial effect.

Passed at the first reading in a special session of the City Council of Dunes City, Oregon, on this 17th day of February, 2011.

Ayes: 6 Nays: 0 Abstain: 0 Absent: 0 Vacant: 0

Passed at the second reading and placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this 10th day of March, 2011.

Ayes: 4 Nays: 1 Abstain: 0 Absent: 1 Vacant: 0

ADOPTED BY THE DUNES CITY COUNCIL THIS 10th DAY OF MARCH, 2011.

[Signed copy available at City Hall]
Eric Hauptman, Mayor

ATTEST:

[Signed copy available at City Hall]
Fred Hilden, City Recorder