



TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: September 28, 2016
MEETING DATE: October 3, 2016

SUBMITTING DEPARTMENT: Legal
DEPARTMENT DIRECTOR: Audrey Cohen-Davis
PRESENTER: Audrey Cohen-Davis

SUBJECT: Ordinance Repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core

PURPOSE OF WORKSHOP ITEM

To present an ordinance repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core.

BACKGROUND/ALTERNATIVES

Town of Jackson Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core became effective on August 2, 2016 after three (3) public readings. A referendum petition was received by the Town of Jackson on August 22, 2016 regarding Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 and were certified by the Town Clerk as legally sufficient under W.S. § 22-23-1006. Thereafter, on August 29, 2016, Emergency Ordinance 1034 was approved thereby suspending Town of Jackson Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 as also required by W.S. § 22-23-1006. A Special Election on this issue was set for September 20, 2016 at which time a majority of the electors voting on the question favored rejection. As such, the Town of Jackson needs to repeal Town of Jackson Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core.

Attached is an Ordinance repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129, to be adopted after three (3) public readings. An alternative for the Town Council is to determine and declare that there is an “emergency,” to suspend the rules required by Wyoming State Statute for three (3) readings, and adopt the Ordinance as an Emergency Ordinance via one reading.

FISCAL IMPACT

The fiscal impact of passage of this ordinance after second reading varies between \$250 and \$700 depending on the length of the ordinance. (Shorter ordinances average around \$350 and short franchise ordinances can reach \$700.) Ordinances are advertised in between second and third reading unless statute specifies otherwise. Ordinances passed on second reading but are changed at third reading require re-advertising.

STAFF IMPACT

The staff impact of actual passage of this ordinance after second reading is minimal in the Town Clerk’s office and involves preparing the ordinance for advertising and sending to the newspaper. The staff impact for passage upon third and final reading is notable in that it requires update of the Jackson Municipal Code online and in hard copy for those receiving hard copy versions of the code. The ordinance is also printed and signed and placed in the permanent record storage book in the vault and indexed and posted on the website. The ordinance is also prepared and sent to the newspaper for advertising.

LEGAL ISSUES

Complete.

ATTACHMENTS

Ordinance C repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129,.

RECOMMENDATION

Staff recommends adopting Ordinance C as drafted, unless the Town Council wishes to make this an emergency ordinance.

SUGGESTED MOTION

I move to approve the attached Ordinance C on first reading repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 regarding Character District 2 – Town Commercial Core.

Synopsis for PowerPoint (120 words max):

Purpose:

To present an ordinance repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core.

Background:

A Special Election on this issue was set for September 20, 2016 at which time a majority of the electors voting on the question favored rejection. As such, the Town of Jackson needs to repeal Town of Jackson Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 in connection with implementing Character District 2 – Town Commercial Core. Attached is an Ordinance repealing Ordinances 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129 to be adopted after three (3) public readings.

Fiscal Impact:

The fiscal impact of passage of this ordinance after second reading varies between \$250 and \$700 depending on the length of the ordinance. (Shorter ordinances average around \$350 and short franchise ordinances can reach \$700.) Ordinances are advertised in between second and third reading unless statute specifies otherwise. Ordinances passed on second reading but are changed at third reading require re-advertising.

