



Legislation Details (With Text)

**File #:** Ord 2317      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 1/11/2021      **In control:** City Council

**On agenda:** 3/1/2021      **Final action:** 3/1/2021

**Title:** AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE TO ENACT A NEW SECTION 2-4203 RELATING TO THE AUTHORITY OF CITY PERSONNEL TO ESTABLISH RULES

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Council Communication, 2. Ordinance - Final, 3. Ordinance, 4. Presentation

Date	Ver.	Action By	Action	Result
3/1/2021	1	City Council	approved on second & final reading	
2/1/2021	1	City Council	introduced by council as seated and approved on first reading	Pass

AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE TO ENACT A NEW SECTION 2-4203 RELATING TO THE AUTHORITY OF CITY PERSONNEL TO ESTABLISH RULES

The proposed ordinance confirms the authority of the city manager to establish rules. In general, the city manager is vested with the authority and responsibility to conduct the efficient administration of the city. In some cases, the methods of administration are subject to explicit council approval (e.g., certain employee policies and purchasing policies). See Charter 7.3. This ordinance is intended to address scenarios where Council approval of a rule is not specified by Charter, ordinance, or state law.

The areas specifically identified in the ordinance include:

- Implementing or conducting any function assigned to the city manager by law (not otherwise vested in the Council or another person);
- Managing, operating, and using city facilities and property (e.g., park or facility rentals; recreation center use;
- Operation and use of city programs and services (e.g., City social media accounts; application submissions).

The ordinance requires that, if applicable to public property, the rules must be posted. Enforcement may still occur if the person has actual knowledge, had previously received a copy of the rules, or was advised of the rule by city personnel.

Rules established prior to the enactment of the ordinance or outside of the scope of the ordinance are not affected.

**Staff Member Responsible/Presenting:** Robert Sheesley, City Attorney

**Recommendation:** Approval.

**Recommended motions:**

- Introduction & first reading: I move to introduce by council as seated and approve on first reading Ordinance 2317.
- Second & final reading: I move to approve Ordinance 2317 on second and final reading.