

ORDINANCE 91-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING HOMER CITY CODE CHAPTER 1.08, CITY LEGISLATION, SECTION 1.08.020, ENACTMENT PROCEDURES.

WHEREAS, Homer City Code Section 1.08.020 (c) states that at the second reading Council may adopt the ordinance with or without amendment; and

WHEREAS, in the past amendments have been made to ordinances at second reading often with substantial fiscal impact; and

WHEREAS, once adopted at second reading there is no further public hearing on the ordinance; and

WHEREAS, on several occasions the public has asked that Council provide for another public hearing on the amendments; and

WHEREAS, the Homer City Code Section 1.08.020 (c) does not provide for a public hearing after substantial fiscal impact amendments.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. That Homer City Code Section 1.080.020 (c) be amended to read as follows:

c. Public Hearing and Second Reading. The Council shall hear all interested persons wishing to be heard on an ordinance. After the hearing the Council shall consider the ordinance on second reading and may adopt it with or without amendment, except as provided in Section 1.08.020 d. Second reading may occur at the same meeting as the public hearing, however, it must occur no later than the first regular meeting following the public hearing. Should second reading fail to occur no later than the first regular meeting following the public hearing the ordinance must be reintroduced and shall be treated as a new ordinance and the regular ordinance enactment procedures shall be followed. Copies of the ordinance must be available to all persons present or the ordinance must be read in full.

Section 2. A new subsection 1.08.020 d. is hereby added to the city code to read as follows:

d. Subsequent Public Hearings and Readings. If amendments adopted after a public hearing substantially increase the fiscal impact of the ordinance, the ordinance shall be rescheduled for another public hearing and a subsequent reading prior to adoption. Such subsequent hearings and readings shall follow the procedure set forth in Section 1.08.020 b. and c. An ordinance shall be considered substantially changed when amendments make alterations so substantially different from the proposed ordinance as to amount to an entirely new proposal.

The City Council shall make the final determination when an ordinance amendment has made a substantial change to or has substantially increased the fiscal impact of an ordinance.

Section 3. This ordinance is of a permanent and general nature and its substantive provisions shall be included in the city code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of _____, 1991.

THE CITY OF HOMER, ALASKA

HARRY E. GREGOIRE, MAYOR

AYES:
NOES:
ABSENT:
ABSTAIN:

Mary L. Shannon, City Clerk

(City Seal)

First Reading: 12/09/91
Public Hearing: 12/16/91
Second Reading:
Effective Date:

Reviewed and approved as to form and content:

C.E. Swackhammer, City Manager

Gordon J. Tans, City Attorney

Date: _____

Date: _____