



Legislation Text

File #: ORD-71:2474, **Version:** 1

AN ORDINANCE TO PROVIDE FOR PROCEDURES FOR APPEAL FROM DECISIONS OF CITY COMMISSIONS AND BOARDS OF THE CITY COUNCIL DIRECTLY TO THE CITY COUNCIL WHEREAS, the City Council recognizes the complexity of the functions of its commissions and boards, and the impact of their decisions on individuals and their property and the general public at large; and,

WHEREAS, the City Council further recognizes every citizens right to appeal directly to a Court of record having jurisdiction, but recognizes the possibility of the cost and time factors involved in such recourse; therefore, the City Council desires to establish appeal procedures from its commissions and boards directly to the Council.

THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

Section 1: There exists the right of appeal from decisions of commissions and boards of the City Council directly to the City Council.

Section 2: Appeal to the City Council of decisions referred to above shall be in writing and filed with the City Clerk within 10 days following said decision. The appeal shall set forth the objection to the decisions so that the City Council may have an opportunity to review the subject matter of the appeal and decide if such request warrants appeal hearing sessions by the Council. Decisions shall be considered final if no appeal is perfected within the 10 day period.

Section 3: Appeals shall be heard by the City Council meeting in official session. No other business may be transacted in said session.

Section 4: The City Council shall meet on the second (2nd) Monday of each month only if there is pending an appeal. If no appeals are pending, the Council shall not meet.

Section 5: The City Council shall either approve or reject the appealed decision by majority vote. Failure to act on the appeal within 45 days will be deemed approval of the decision. Decisions not approved by the Council may be resubmitted through proper channels not less than six (6) months following the Councils action or sooner if there is a change in circumstances or conditions.

Section 6: Said procedures for appeal set forth herein shall in no way preclude or be a prerequisite to an appeal to a Court of record having jurisdiction.

Section 7: All Ordinances and/or parts of Ordinances in conflict herewith are hereby repealed.

Section 8: Should any portion of this Ordinance be unconstitutional or invalid and so declared by a Court of competent jurisdiction, then the remainder of this Ordinance shall not be affected by such partial invalidity.

Section 9: It is found and declared by the City Council that this Ordinance being necessary for the preservation

of the public peace, health and safety, an emergency is hereby declared to exist and this Ordinance shall take effect from and after its passage.

PASSED and ADOPTED this 20th day of December, 1971.