



## Legislation Text

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**File #:** Ordinance 28-2018, **Version:** 2

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Agenda Date: 08/07/2018

**Subject:**

An ordinance on second reading amending city charter section 117 regarding revocable licenses and deleting section 118 regarding revocable permits

Presented By: Steve Kemp, City Attorney
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**REQUESTED COUNCIL ACTION:**

Does city council support amending city charter section 117 regarding revocable licenses and deleting section 118 regarding revocable permits?

**BACKGROUND:**

The Littleton City Charter was adopted in 1959. Amendments were made in 1969, 1975, 1987, 1991, 1997, 2004, 2013 and 2015. The Charter Review Committee of 2015 recommended ten amendments be placed on the ballot, seven of which were approved by the voters. There were an additional 20 amendments recommended to city council that were not placed on the ballot.

On May 22, 2018, city council held a study session to consider additional charter amendments, most of which are "housekeeping" in nature, designed to make the charter more usable and to reflect current practices.

**PRIOR ACTIONS OR DISCUSSIONS:**

Study session on May 22, 2018. Ordinance passed on first reading at the July 17, 2018 regular meeting of the city council.

**STAFF ANALYSIS:**

Unlike easements, licenses do not convey a right or interest in real property but are a limited right to use property subject to all of the restrictions and requirements placed on the license by the owner. These provisions and others in the code conflict as the code reflects the interest granted by a license.

These current charter provisions suggest that licenses and permits involve a property right, which they do not. Further, they conflict with the provision that the city manager is the administrative head of city government. Issuing licenses and permits is an administrative decision.

The proposed amendment grants council the power to delegate this responsibility to the city manager. This is appropriate as it places this administrative responsibility with the officer responsible to the council for the day to day administration of the city.

**OPTIONS/ALTERNATIVES:**

A. Approve the proposed ordinance on second reading amending city charter section 117 regarding

revocable licenses and deleting section 118 regarding revocable permits and referring the matter to the voters at the November 6, 2018 election.

- B. Don't approve the proposed ordinance on second reading amending city charter section 117 regarding revocable licenses and deleting section 118 regarding revocable permits.

**FISCAL IMPACTS:**

N/A

**STAFF RECOMMENDATION:**

While the merits of a charter change are a council policy decision, staff does recommend changes that make the charter, which is the foundational document of city government, a more effective document.

**PROPOSED MOTION:**

I move to approve the ordinance on second reading amending city charter section 117 regarding revocable licenses and deleting section 118 regarding revocable permits, and referring the amendment to the voters of the City of Littleton at the November 6, 2018 election.