

ORDINANCE NO. 2017-1

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 2016-5 AND TO PROVIDE FOR AN APPEAL PROCESS FROM DECISIONS OF THE ADMINISTRATION BOARD OF THE CITY OF COOPERSTOWN, NORTH DAKOTA

BE IT ORDAINED, by the City Council of the City of Cooperstown, North Dakota, as follows:

SECTION 1: APPEAL FROM DECISION OF ADMINISTRATION BOARD.

Any party to any proceeding heard by the Administration Board may appeal from the decision of said Board within ten (10) days after the date of said decision as provided herein.

SECTION 2: APPEAL TO CITY COUNCIL.

The appeal of a decision issued by the Administration Board may be taken De Novo to the City Council of the City of Cooperstown as provided herein.

SECTION 3: NOTICE OF APPEAL.

An appeal shall be taken by serving a Notice of Appeal upon the Administration Board and upon all the parties to the proceeding before the Administration Board. A copy of the Notice of Appeal together with proof of service of the Notice of Appeal and the filing fee shall be filed with the City Auditor of the City of Cooperstown.

SECTION 4. FILING FEE.

A filing fee of \$50.00 shall be paid to the City Auditor at the time of filing the Notice of Appeal.

SECTION 5.

Not later than twenty (20) days after receiving a Notice of Appeal as provided herein the City Auditor shall cause a time and place for the said matter to be heard by the City Council of the City of Cooperstown, North Dakota.

Not less than ten (10) days prior to the date set for said hearing notice of the time and place of said hearing shall be given to the Appellant by mailing a copy thereof to him at his address as shown on his Notice of Appeal by ordinary mail. A copy of said Notice shall also be posted in the City Hall of the City of Cooperstown.

In the event of mailing the notice to Appellant, service of the notice shall be complete two (2) days after the postmark of mailing.

Thereafter at the time and place so designated the City Council shall hold a hearing and hear and consider all testimony and other evidence relative to the matter. At such time Appellant may present any witnesses or other testimony relative to the matter.

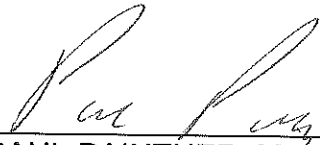
The decision of the City Council is subject to appeal as provided by statute of the North Dakota Century Code.

SECTION 6. CONFLICTS.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

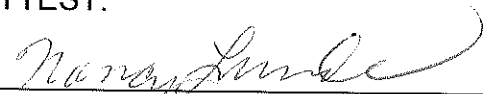
SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its final adoption.



PAUL PAINTNER, Mayor

ATTEST:



NANCY LUNDE, City Auditor

First Reading 3-6-17

Second Reading 4-3-17

Final Passage and Adoption 4-3-17

Publication none