

ORDINANCE NO. 998

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, AMENDING TITLE 2 (“ADMINISTRATIVE AND PERSONNEL”) OF THE LANCASTER MUNICIPAL CODE BY AMENDING SECTIONS 2.08.060 AND 2.44.010 AND BY REPEALING EXISTING AND ADDING NEW SECTIONS 2.04.020, 2.04.040 AND 2.24.020, TO UPDATE AND REVISE MISCELLANEOUS ADMINISTRATIVE PROVISIONS

WHEREAS the City Council of the City of Lancaster finds and declares that several provisions in Title 2 of the Lancaster Municipal Code concerning administrative and procedural matters require updating and revision; and

WHEREAS the City Council further finds and declares that it is in the public interest to expedite the execution of certain agreements, hearing of certain appeals, and other matters;

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 2.04.020 of Chapter 2.04 (“City Council”) of Title 2 of the Lancaster Municipal Code is hereby repealed. A new Section 2.04.020 is hereby added as follows:

2.04.020 Selection of vice mayor. At the first meeting in April of every year, the mayor shall appoint one council member as vice mayor, subject to approval of a majority of the city council. The vice mayor shall serve at the pleasure of the mayor and may be removed from the appointed position at the discretion of the mayor, subject to approval of a majority of the city council. All vacancies for the position of vice mayor shall be filled in accordance with the appointment procedure set forth in this chapter.

SECTION 2. Section 2.04.040 of Chapter 2.04 (“City Council”) of Title 2 of the Lancaster Municipal Code is hereby repealed. A new Section 2.04.040 is hereby added as follows:

2.04.040 Vacancies.

A. A vacancy shall exist on the city council or in the office of the mayor, and shall be declared by the city council, upon the occurrence of any of the events enumerated in the provisions of the California Government Code pertaining to vacancies in public offices.

B. Within ninety (90) days of the city council declaring a vacancy on the city council pursuant to this section, the mayor, with the consent of the city council, shall fill such vacancy by appointment. The person appointed to fill a vacant council seat holds office until the end of the former council member's term, at which time it will be filled by election.

C. In the event the office of the mayor is declared by the city council to be vacant, the powers and duties of the mayor shall immediately and automatically transfer to and vest in the council member serving as the vice mayor pursuant to Section 2.04.020. The vice mayor shall appoint a person, subject to approval of a majority of the city council, who shall serve as a council member until the expiration of the mayor's term. The powers and duties of the mayor shall remain vested in the vice mayor until the next general municipal election, at which time the office of mayor will be filled by election. The person elected to the office of mayor shall hold the office for a full term.

D. To the extent consistent with the terms of the city's charter and this Section 2.04.040, provisions of the California Government Code pertaining to filling vacancies in public offices shall apply.

SECTION 3. Section 2.08.060 of Chapter 2.08 ("City Manager") of Title 2 of the Lancaster Municipal Code is hereby amended by adding the following:

S. Execute Contracts. It is and shall be the duty of the city manager to execute contracts, agreements, deeds, leases and other documents as authorized, delegated and/or instructed by the city council.

T. Promulgation of Regulations. The city manager or his/her designee is authorized to promulgate rules, regulations, policies and procedures to implement the provisions of this code.

SECTION 4. Section 2.24.020 of Chapter 2.24 ("Planning Commission") of Title 2 of the Lancaster Municipal Code is hereby repealed. A new Section 2.24.020 is hereby added as follows:

2.24.020 Administration. The planning commission is vested with the duty of making decisions on conditional use permits, tentative tract/parcel maps and other land use applications, advising city council on general plan amendments, zoning changes and zoning code amendments, and other duties as authorized, delegated and/or instructed by the city council.

SECTION 4. Section 2.44.010 of Chapter 2.44 ("Uniform Appeal Procedure") of Title 2 of the Lancaster Municipal Code is hereby amended by designating the existing provision as Subsection "A" and by adding a new Subsection "B," as follows:

2.24.010 Appeal to the City.

A. Whenever an applicant or an interested citizen of the city is entitled under this code or any other provision of law to appeal to the city council from an adverse determination in a matter made by a city official, board or commission and desires to so appeal, he shall, within ten (10) working days after the date of that adverse determination, submit a notice of appeal to the clerk of the city council. Members of the city council are specifically exempted from the requirement of submitting a notice of appeal and the other requirements of this chapter and they shall have the right to request the review of an act of any city official, board or commission within ten (10) working days of said act.

B. Notwithstanding any other provision of this code, the city council may, by resolution, designate an independent hearing officer to hear appeals of any decision, determination or order from which the right of appeal has been granted by this code or other provision of law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the \_\_\_\_\_ day of May, 2014, and placed upon its second reading and adopted at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by the vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss  
CITY OF LANCASTER             )

CERTIFICATION OF ORDINANCE  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of  
Lancaster, California, do hereby certify that this is a true and correct copy of the original  
Ordinance No. 998, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

(seal)