



Types of City Government

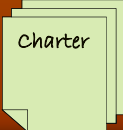


12th Annual Riley Fletcher
Basic Municipal Law Seminar
Presented by:
Christy Drake-Adams

General Law



Home Rule



Home Rule v. General Law

A home rule city may do anything authorized by its charter that is not specifically prohibited or preempted by state or federal law.

A general law city has no charter and may only exercise those powers that are expressly granted or necessarily implied by state or federal law.

Examples of Differences

- Annexation
- Initiative and Referendum
- Streets

Nuisance

Issue	Home Rule	Type A	Type B	Type C
General Nuisance Authority	May define and abate in city limits and up to 5,000 feet outside city limits LGC 217.042	May regulate and abate nuisances LGC 217.002	May regulate and prevent nuisances and charge expense to landowner LGC 217.022	See powers of Type A or Type B depending on population
Dangerous Buildings	LGC 214.001	LGC 214.001	LGC 214.001	LGC 214.001
Dangerous Buildings: Assess Costs	LGC 214.0015	LGC 214.0015	LGC 214.0015	LGC 214.0015
Rendering Plants	LGC 215.003	LGC 215.003	LGC 215.003	LGC 215.003
Sewers	Health & Safety 342.002	Health & Safety 342.002	Health & Safety 342.002	Health & Safety 342.002
Weeds	Health & Safety 342.004; abate without notice 342.008	Health & Safety 342.004; abate without notice 342.008	Health & Safety 342.004; abate without notice 342.008	Health & Safety 342.004; abate without notice 342.008
Stagnant Water	Health & Safety 342.001	Health & Safety 342.001	Health & Safety 342.001	Health & Safety 342.001
Dumping Trash, dead animals	No specific statutory authority	Health & Safety 342.021	Same as Type A	Same as Type A if population over 200
Dangerous Dogs	Health & Safety 822.047	Health & Safety 822.047	Health & Safety 822.047	Health & Safety 822.047
Junked Vehicles	Transportation 683.0711	Transportation 683.0711	Transportation 683.0711	Transportation 683.0711
Health Authority		Health & Safety 122.005		
Cost of Cleaning Nuisance Charged to Property Owner	Health & Safety 342.006; obtain lien 342.007	Health & Safety 342.006; obtain lien 342.007	Health & Safety 342.006; obtain lien 342.007	Health & Safety 342.006; obtain lien 342.007
Juvenile Curfew		LGC 341.905; 351.903	LGC 341.905; 351.903	LGC 341.905; 351.903

Questions?
