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2 **AN ORDINANCE AMENDING SECTION 30-92 OF THE BRANSON MUNICIPAL CODE**
3 **PERTAINING TO ADMINISTRATIVE HEARING OFFICER - POWERS AND DUTIES.**
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6 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE**
7 **CITY OF BRANSON, MISSOURI, AS FOLLOWS:**
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9 Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the
10 provisions of this ordinance shall become and be made a part of the Branson
11 Municipal Code, and the sections of this ordinance may be renumbered to
12 accomplish such intention.
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14 Section 2: That Chapter 30 – *Courts and Jails*; Article III. – *Administrative Hearing and*
15 *Appeals*; Division 1. – *Generally*; Sec. 30-92. – *Administrative hearing officer –*
16 *Powers and duties* of the Branson Municipal Code is hereby amended to read as
17 follows:
18

19 **CHAPTER 30 – COURTS AND JAILS**
20 **ARTICLE III. – ADMINISTRATIVE HEARING AND APPEALS**
21 **DIVISION 1. - GENERALLY**
22

23 **Sec. 30-92. - Administrative hearing officer—Powers and duties.**
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- 25 (a) One or more administrative hearing officers shall be appointed by the city administrator **and**
26 **documented in a memorandum filed in the city clerk’s office.**
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- 28 (b) An administrative hearing officer(s) shall have all powers necessary to conduct fair and
29 impartial hearings including, but not limited to, the power to:
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- 31 (1) Conduct administrative hearings and issue decisions in conformance with this Code.
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 - 33 (2) Administer oaths and affirmations.
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 - 35 (3) Hear testimony.
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 - 37 (4) Preserve and authenticate the record of the hearing, all exhibits and evidence introduced
38 at the hearing.
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 - 40 (5) Regulate the course of the hearing in accordance with this chapter and other applicable
41 law.
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 - 43 (6) Issue a final order which includes findings of fact and conclusions of law.
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 - 45 (7) Direct the refunding of appeal fees.

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NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Section 4: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 5: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

Read, this first time on this _____ day of _____, 20__.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this _____ day of _____, 20__.

Larry D. Milton
Mayor

ATTEST:

Hillary Briand
City Clerk

APPROVED AS TO FORM:



City Attorney