

**AN ORDINANCE AMENDING SECTION 30-92 OF THE BRANSON MUNICIPAL CODE
PERTAINING TO ADMINISTRATIVE HEARING OFFICER - POWERS AND DUTIES.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE
CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Branson Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 2: That Chapter 30 – *Courts and Jails*; Article III. – *Administrative Hearing and Appeals*; Division 1. – *Generally*; Sec. 30-92. – *Administrative hearing officer – Powers and duties* of the Branson Municipal Code is hereby amended to read as follows:

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

Sec. 30-92. - Administrative hearing officer—Powers and duties.

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

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:

APPROVED AS TO FORM:

Hillary Briand
City Clerk



City Attorney