

HOW TO DRAFT AN ORDINANCE

<u>Task</u>	<u>Responsible Party</u>	<u>Involved Parties</u>	<u>Activity</u>	<u>Action</u>	<u>Narrative</u>
Introduce Concept	Anyone: Citizen, Staff, Supervisor, etc.	Anyone: Citizen, Staff, Supervisor, etc.	Bring an Idea to the attention of a Department Head	Department Head to prepare staff report to Standing Committee	Anyone can have an idea deserving of consideration for becoming a County Ordinance. This is probably the most liberal step in this process and simply recognizes where things can begin. Department Heads should be the catalyst for the process.
Concept REVIEW	Standing Committee	Staff, Corp. Counsel, Admin. Coord.	Discussion	Authorize or reject project	The policymakers of the County should consider whether or not they even wish to consider an issue before significant investment of staff time and effort occur. Corporation Counsel should be consulted to see if regulation is authorized by the state
Research Concept	Department Head	Staff	Research and Discussion	Prepare outline and calendar	Individual Departments are best suited to lay the groundwork for development of an ordinance. Typically our staff knows by their experience where to look for solid resource material and state of the art information.
Prepare Initial Draft	Department Head	Staff / Corp. Counsel	Prepare written Draft	Submit to Corp. Counsel	
Prepare Legislative Draft	Corp. Counsel	Corp. Counsel	Prepare written Draft in uniform format	Distribute for Internal Review	Corporation Counsel is responsible for putting together legislation for the consideration of the County Board and must be involved at the onset. This would include editorial authority over the draft. Counsel must be satisfied as to the lawfulness of the proposed ordinance.
Conduct Internal REVIEW	Corp. Counsel	Staff, Corp. Counsel, Admin. Coord., Standing Committees	Review and accept written comment	Submit to Corp. Counsel for revision	Anyone within the County structure who has a reasonable expectation of involvement in the application of the ordinance should be invited to offer written comment.
Prepare Revised Draft	Corp. Counsel	Corp. Counsel	Incorporate appropriate changes	Distribute to Standing Committee	
Conduct Standing Committee REVIEW	Standing Committee Chair	Staff, Corp. Counsel, Admin. Coord.	Review and Comment	Submit to Corp. Counsel for revision	At this point in the process the Standing Committee should have a substantial product to consider. External review process should be decided upon at this step.
Prepare Revised Draft	Corp. Counsel	Corp. Counsel	Incorporate appropriate changes	Incorporate appropriate changes Distribute for External Review	

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Conduct External REVIEW	Department Head	Staff, Corp. Counsel	Public Hearing, Presentation to Town Boards, Etc	Submit comment to Corp. Counsel for revision consideration	External review is optional under most circumstances. The extent of this review should be determined by the standing committee and may differ from proposal to proposal. External presentation should not be occurring before this point in the process.
Prepare Revised Draft	Corp. Counsel	Corp. Counsel	Incorporate appropriate changes	Incorporate appropriate changes / Submit to Standing Committee	
Submit for Board REVIEW	Standing Committee	Staff, Corp. Counsel, Admin. Coord.	Review and Comment	Recommend to Board or Reject	
Enact	Board of Supervisors	Staff, Corp. Counsel, Admin. Coord.	Offer amendment(s) / vote	Modify, Approve or reject	

Notes:

- 1) Coordination and communication between responsible and involved parties is key to the success of this process.
- 2) Tasks should not be interpreted as single events. It may take several standing committee meetings to complete the standing committee review task, for example.
- 3) This process involves 5 review tasks. We need to be careful to recognize that review activities can become an infinite activity never bringing the process to closure.
- 4) We should anticipate an expedited form of this process for the review of existing ordinances in anticipation of codification.