INTERNATIONAL MUNICIPAL LAWYERS ASSOCIATION



Work Session: **Special Work Session, Sept. 19, 2006**

Title: **IMLA's Model Ordinance Service: A Valuable Tool – How to Best Use it!**

by

Presenter: Ray G. Bollhauer

Presenter's Title: Staff Attorney

Presenter's Office: American Legal Publishing

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IMLA's Model Ordinance Service: A Valuable Tool – How to Best Use it!

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History of Model Ordinance Service:

NIMLO = IMLA (the National Institute of Municipal Law Officers, "NIMLO," changed its name to the International Municipal Lawyers Association, "IMLA," in 1996; the binders of the Model Ordinance Service still say NIMLO).

The IMLA (NIMLO) Model Ordinance Service replaces the former NIMLO Model Ordinance Service that was last published in 1981, and the Draft NIMLO Model Ordinances that NIMLO produced between 1990 and 1991. The first installment of new Model Ordinance Service was published in September of 1994. The current version is on the 12th edition (as of August, 2006).

The Service is a collection of model ordinances, editor's comments, annotations, and drafting guidelines covering a variety of current local government topics.

In the past, IMLA staff attorneys drafted the model ordinances working in conjunction with legal experts from the United States and Canada who specialize in the particular local government issues covered by the ordinances. More recently, IMLA Sections and Departments can submit a model ordinance to be added to the code in lieu of an annual report .

IMLA members receive a paper copy of the Model Ordinance Service. It is updated annually with new and/or revised model ordinances and commentaries that cover a variety of local government law topics. A CD-ROM version in Folio is available for an additional fee.

If you have questions regarding the substance of a particular ordinance or commentary, please contact the IMLA legal staff at (202) 466-5424. If you have a question regarding your subscription to the Service, or would like to order an additional printed version of the Service or subscribe to the CD-ROM version of the Service, please contact American Legal Publishing Corporation at 1-800-445-5588.

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Paper Copy of Model Ordinance Service:

Updates are issued annually. New topics are added and existing code sections are updated.

Contents: Installment List - states when various chapters and articles were added to the code.

Chapter 1: General Provisions

Chapter 2: Administration
- Article 2-1 City Council Organization and Procedure
- Article 2-2 Administrative Code
- Article 2-3 Emergency and Disaster Planning and Response

Chapter 3: Amusements and Recreation
- Article 3-1 Amusement Devices and Arcades

Chapter 4: Animals and Fowl
- Article 4-1 Animal Control
- Article 4-2 Dangerous Dogs

Chapter 5: Buildings and Construction
- Article 5-1 Nuisance Abatement

Chapter 6: Business Licenses and Regulations
- Article 6-1 Street Vendors
- Article 6-2 Sexually Oriented Business Regulation

Chapter 7: Cable and Telecommunications
- Article 7-1 Cable Television Ordinance
- Article 7A-1 Cable Television Franchise Agreement
- Article 7-2 Telecommunications

Chapter 8: Contracts and Procurement

Chapter 9: Ethics

Chapter 10: Floodplain Management

Chapter 11: Health and Safety
- Article 11-1 Handbills
- Article 11-2 Smoking
- Article 11-3 False Alarms
- Article 11-4 Noise (Part I): Reasonable Person Standard
- Article 11-5 Noise (Part II): Decibel Standard

Chapter 12: Human Rights

Chapter 13: Morals, Public Peace and Conduct
- Article 13-1 Nighttime Juvenile Curfew
- Article 13-2 Solicitors and Peddlers
- Article 13-3 Aggressive Solicitation
- Article 13-4 Inhalation, Possession and Sale of Substances
- Article 13-5 Graffiti
- Article 13-6 Parades and Public Assemblies
- Article 13-7 Firearms
- Article 13-8 Residential Picketing
- Article 13-9 Laser Pointers

Chapter 14: Personnel
- Article 14-1 Family and Medical Leave
- Article 14-2 Retirement Plan
- Article 14-3 Sexual Harassment
- Article 14-4 Substance Abuse Testing
- Article 14-5 Policy on Employee Use of E-Mail and Internet

Chapter 15: Public Facilities and Infrastructure
- Article 15-1 Gas and/or Electric Service Franchise

Chapter 16: Sales and Purchases

Chapter 17: Sanitation and Solid Waste
- Article 17-1 Recycling

Chapter 18: Streets and Sidewalks
- Article 18-1 Newsracks

Chapter 19: Taxation and Finance

Chapter 20: Vehicles and Traffic
- Article 20-1 Cruising
- Article 20-2 Residential Parking Permits
- Article 20-3 Parking Enforcement

Chapter 21: Water, Energy, and Public Utilities

Chapter 22: Zoning and Planning
- Article 22-1 Impact Fees
- Article 22-2 Zoning
- Article 22-3 Temporary Signs
- Article 22-4 Antennas
- Article 22-5 Wireless Telecommunications Towers and Facilities
- Article 22-6 Historic Preservation

Index
Editor's Notes - each chapter is followed by Editor's Commentary and Drafting Notes.

CD (Folio) Version of Model Ordinance Service:

Every word is indexed (not just key words).

Recommendation: Start with a narrow search and broaden it as needed.

Can print and copy/paste or export from Folio into word processing programs such as MS Word or WordPerfect.

Demonstration:

TYPES OF SEARCHES:

1) One word or number (dog dog*)

2) Multiple words:
   - and - used to find multiple words in the same paragraph/record (you do not actually have to type the word *and*, it is assumed when you type two words without a connector between them) (dog* cat*)
   - or - used to find either of two words
   - not - used to find a specific word but not if another specific word is present in the same paragraph/record (dog* not cat*)
   - " " - to find an exact phrase ("e-mail" "Age of 18 years")

3) Proximity search: ("18 years" @5)
   - finds two specific words within a certain distance (i.e. within 5 words of each other)

4) Synonym search: (garbage$)
   - finds synonyms of the word in addition to the word itself

5) Various endings:

   stem % (go% going, gone, went)

   single unknown character ? (Licen?e = License or Licence)

   numerous characters * (Council* = council, council's, councilmember)

TABLE OF CONTENTS:
After doing a search, you can view the Table of Contents. To expand the levels, click on the + signs. The numbers in front of each level represent the number of times your search word is present in that level.

Trail Option - gives a summary of your searches and commands

SHADOW FILE (customized by the user; secures integrity of main data):

Highlighter (highlight text in various colors)

Notes (appear as yellow post-it notes)

Bookmark (set a bookmark to return to your place in the code at a later date)

Jump Links (green, underlined text that will jump you to the referred to section by double-clicking on it)

Other resources for model ordinances include websites with municipal codes (e.g. www.amlegal.com under Library).

Conference Papers CD:

Attendees of the Spring and Fall Conferences receive the presentation papers on CD in the Folio program. The same search techniques apply as with the Model Ordinance CD. The CD contains all of the papers beginning with the 1999 Annual Conference in Toronto.

The CD also contains featured articles from the *Municipal Lawyer*.