



Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: September 5, 2023

Re: Amending Chapter 21 of the City Code Relating to Notice

Executive Summary

The Citizens Police Review Board requested that the City Council amend Sec. 21-45 of the City Code to change the rule of construction related to notice. If passed, this ordinance will change this rule of construction so that a mailed notice shall be presumed to be given five (5) business days after it is mailed. This ordinance shall not impact notices which are hand delivered.

Discussion

City Code Sec. 21-45 establishes a rule of construction with regard to notice. Currently, it states: "Notice shall be considered given when it is hand delivered or three (3) business days after it is mailed." This rule of construction is significant because it impacts the determination of whether or not a complaint or appeal is timely filed. If a complaint or appeal is untimely filed, the Citizens Police Review Board will not have jurisdiction to review the appeal.

Because the Police Department's practice is to mail letters to the complainants, the Board unanimously voted to recommend that the City Council amend this rule of construction to increase the number of business days from three (3) to five (5). The Board based its recommendation on the United States Postal Service's delivery time standards for first class mail, which is now up to five (5) business days.

Fiscal Impact

Short-Term Impact: none

Long-Term Impact: none

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Secondary, Tertiary Impact: Tertiary

[Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Secondary, Tertiary Impact: Tertiary



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Legislative History

Date	Action
08/07/2023	REP42-23: Correspondence from the Citizens Police Review Board regarding Notice of Appeals.
07/12/2023	The Citizens Police Review Board unanimously passed a motion to recommend that the City Council amend Section 21-45 to increase the number of business days from three to five.

Suggested Council Action

Passage of the ordinance.