

# **City Charter - Preserve**

## [Article 8: Contracts](#)

### **Sec. 8. Preserve land designation.**

To establish a mountain and desert preservation heritage for present and future citizens of the city, the council may designate as preserve land any land owned by the city which is suitable for mountain or desert preservation. The council shall designate preserve land by resolution. Land purchased directly with the proceeds of a tax specifically authorized by the electors for purchase of preserve land shall be deemed designated as preserve land upon the city's acquisition. Land that may be designated as preserve land is any land owned by the city in fee title and any other real property interest which gives the city possession or use of land or power to cause land to be left in its natural condition.

### **Sec. 9. Permanent designation.**

A preserve land designation shall be perpetual unless that designation is removed as provided in this charter.

### **Sec. 10. Encumbrance of preserve land.**

The city shall not convey ownership or grant any easement, lease, lien or other real property interest in any land designated as preserve land.

### **Sec. 11. Removal of preserve land designation.**

The council may remove the preserve designation from any parcel of land less than one (1) acre in area. Such removal shall be limited to a maximum of six (6) parcels within any one (1) calendar year. Such removal shall not become effective until sixty (60) days after an affirmative vote of two-thirds (2/3) of all members of the council and after resolution of any referendum concerning such removal. Removal of the preserve designation from any other parcel of land shall require approval by an affirmative vote of two-thirds (2/3) of all members of the council, but shall not become effective unless submitted by the council to the electors and approved by vote of the majority of votes cast at the election.

## [Article 12: Franchise and Public Utilities](#)

### **Sec. 1. Franchises.**

A person desiring to obtain a franchise to operate a public utility from this city shall present the franchise desired to the city council of the city and it shall be filed among its records. If the council deems the granting of the franchise beneficial to the city, it shall pass a resolution stating

that fact, and shall submit the question to the qualified voters, as to whether or not the franchise shall be granted, at the following regular election held in the city or at a special election called for that purpose.

The proposed franchise shall be published prior to the election as required by state law or ordinance.

If a majority of the votes cast are in favor of granting the franchise, the council shall grant the franchise only in the form filed and published.

A franchise shall not be granted for a longer term than twenty-five (25) years.

Before calling any such election, the estimated expense of publication and election thereof (to be determined by the council) shall be first deposited by the applicant for such franchise with the city clerk.