

Chapter 1.32

Chapter 1.35

COUNCIL TERM LIMITS

EMINENT DOMAIN

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1.32.010 Intent.

The intent of this chapter is to clarify the provisions of Section 401 of the Charter of the City of Newport Beach pertaining to term limits for the office of City Council. Provisions of this chapter are a clarification and declaration of existing charter provisions. (Ord. 2009-22 § 1 (part), 2009)

1.32.020 Effect of Serving Partial Term.

A. Effect of Leaving Office Prior to Serving a Four-Year Term. Any person elected to a four-year term on the City Council who assumes office upon certification of the election results by the City Clerk is deemed to have served his or her full term of office for the purposes of determining eligibility to serve subsequent terms under Charter Section 401. If a council member leaves office prior to the last day of that term for any reason, he or she shall be deemed to have served a full four-year term of office.

B. Effect of Completing a Partial Vacated Term. Any person elected or appointed to serve less than four years of the remaining portion of a term of office vacated or otherwise left vacant by a member of the City Council shall remain eligible to serve two additional consecutive four-year terms of office on the City Council.

C. Effect of Serving Two Consecutive Terms. No person who serves two consecutive four-year terms on the City Council shall be eligible to stand for election to another term on the City Council until the consecutive nature of that member's service has been broken by being out of office one four-year term. (Ord. 2009-22 § 1 (part), 2009)

1.35.010 Definitions.

As used in this chapter, the following terms shall have the following ascribed meanings:

"City-affiliated agency" means the City of Newport Beach and/or any other entity possessing the power of eminent domain, the governing board of which is solely composed of, or is solely appointed by, the members of the City Council of the City of Newport Beach.

"Owner" means the owner of the fee title interest in the property to be acquired, as shown on the last equalized assessment roll, or other more current proof of vesting the City may have.

"Property" means any interest in real or personal property otherwise subject to acquisition through the use of eminent domain. (Ord. 2006-12 § 1 (part), 2006)

1.35.020 Limitations on Use of Eminent Domain.

The City of Newport Beach and/or any City-affiliated agency shall not exercise the power of eminent domain to acquire any property from the owner of the property, without the owner's consent, for the sole purpose of transferring the property to another person to further private economic development. (Ord. 2006-12 § 1 (part), 2006)