



**CITY OF MONTROSE**  
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**CITIZEN INFORMATION FOR QUASI-JUDICIAL AND LEGISLATIVE CITY COUNCIL PROCEEDINGS**

City Council decisions may be either quasi-judicial or legislative. Quasi-judicial and legislative proceedings function differently and must adhere to different procedures and accomplish various functions of our local government. The information discussed below helps explain quasi-judicial and legislative proceedings and when they may be used.

**I. QUASI-JUDICIAL PROCEEDINGS**

City Council acts in a quasi-judicial manner when they function similar to a judge in court and must apply facts to a statute, code, regulation, etc. City Council is not creating new policy in a quasi-judicial proceeding.

A quasi-judicial proceeding requires advanced notice and a reasonable opportunity for interested persons to be heard. The City will collect any written public comment (often through letters and emails) submitted prior to a public hearing to be included in the record.

Council members should not receive any information relating to a pending quasi-judicial matter outside a public hearing or the official record. To ensure fairness and that everyone has an opportunity to be heard, Council cannot consider any information received outside of the record (referred to as “*ex parte* communication”).

Members of the public that wish to speak to council on a quasi-judicial decision must address Council at the appropriate time. A public member may attend a hearing and speak when the matter is opened to public comment. If a member is not able to attend the hearing, a member can submit thoughts or concerns in written form to City staff ahead of the hearing so that it may be received by Council and included in the public record.

Some very common examples of quasi-judicial matters are site-specific land use decisions, such as zoning, variances, and special use permits.

**II. LEGISLATIVE PROCEEDINGS**

City Council engages in a legislative proceeding when it operates as a policy-making body. Council may gather information at public hearings, from City staff, or other sources to deliberate and legislatively implement a policy by enacting an ordinance. Council members are free to discuss legislative matter with the public at any time.

An example of a legislative matter is Council enacting an ordinance regarding dogs at-large to be enforced throughout the City.

*For more information about the City, please see our website at <https://www.cityofmontrose.org/> and the City Council page at <https://www.cityofmontrose.org/>.*