Who Decides Here?

Trace local powers from a drainage problem to a public decision

9-12.GOV.47 "Understand the structure, powers, and lawmaking process of local government (county, city, special district) by analyzing the relationships between state and local governments and the roles of regional authorities, governing boards…"

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline limits set by state law, circle each local governing body, and number the steps used to pass Bellford's ordinance so you can trace who has power to act.

When Rain Crosses Borders

1. After heavy rain, water rushes from Bellford's streets onto a county road and into a drainage channel. Residents want fewer flooded intersections, but no single local government controls the whole route. Bellford is a city within a county, and a drainage district serves parts of both Bellford and nearby towns. In this imagined state, state law gives each local government specific powers. Bellford may set land-use rules within city limits. The county maintains county roads. The drainage district maintains its channels. Each government must stay within the powers state law gives it.

2. Bellford's city council considers an ordinance requiring new parking lots to hold some rainwater on site. The council first publishes the proposal, then holds a public hearing, and finally votes on the ordinance. If a majority approves it, the rule applies to covered lots inside Bellford, not to lots outside the city. Meanwhile, the county commission reviews a plan to improve drainage beside the county road. Commissioners can vote to fund work on that road, but they cannot change Bellford's parking-lot rule. City and county officials share information because a change upstream may affect flooding downstream.

3. The drainage district's governing board proposes clearing the channel and repairing a blocked culvert. State law allows the board to charge a drainage fee after a public hearing, but the board cannot rewrite Bellford's ordinance. A regional authority brings city, county, and district representatives together to compare their plans. It can recommend a shared schedule so road and channel work do not interfere with each other. Its recommendations do not become law by themselves, and it cannot impose land-use rules on the county or the towns. Solving the flooding problem takes coordination without giving any one body every power.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why can Bellford set a parking-lot rule while the county commission cannot change that rule?

2. How does Bellford turn its parking-lot proposal into an ordinance, and where would the rule apply?

3. The blocked culvert and the flooded county road need repairs. Which governing body can act on each, and what action can each take?

4. How can the regional authority help the local governments without making a new law?

3 YOUR TURN

Your own words

A developer proposes a new parking lot inside Bellford beside the county road, and its runoff would enter the district's channel. Write four or five sentences explaining how at least three local bodies could respond, including one lawmaking step and one specific limit on a body's power.

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PART 1 · READ AND MARK

Underline limits set by state law, circle each local governing body, and number the steps used to pass Bellford's ordinance so you can trace who has power to act. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why can Bellford set a parking-lot rule while the county commission cannot change that rule?	**State law gives Bellford land-use authority inside city limits. The county commission can fund work on the county road, but it cannot change the city's ordinance.**
2	How does Bellford turn its parking-lot proposal into an ordinance, and where would the rule apply?	**The council publishes the proposal, holds a public hearing, and votes. If a majority approves it, the rule applies to covered lots inside Bellford.**
3	The blocked culvert and the flooded county road need repairs. Which governing body can act on each, and what action can each take?	**The drainage district board can repair the blocked culvert. The county commission can vote to fund drainage work beside the county road.**
4	How can the regional authority help the local governments without making a new law?	**It can bring representatives together and recommend a shared work schedule. Its recommendations do not become law by themselves.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Bellford's city council could apply its parking-lot ordinance to the proposed lot. If the council wanted to change that ordinance, it would publish a proposal, hold a public hearing, and vote. The county commission could consider funding drainage work beside the county road. The drainage district board could plan maintenance for the channel receiving the runoff, but it could not rewrite Bellford's ordinance. The regional authority could recommend a schedule that keeps the road and channel work from interfering with each other.

Accept equivalent explanations that keep city land-use authority, county road responsibilities, and district channel responsibilities distinct. For the open task, the stated limit must be one supported by the passage.