

Local Government Law chronology, Fall 2005. Professor Herrington.

The nature of municipal corporations

States and local governments

The states

Local governments

Top-down vs. bottom-up

General purpose vs. special purpose

The vertical distribution of power problem

Frug: The City as a Legal Concept

Briffault: Our Localism, Part II: Localism and Legal Theory

Ford: Beyond Borders: A Partial Response to Richard Briffault

Strickfaden v. Greencreek Highway Dist.

Clemens v. Pinehurst Water Dist.

Powers

Local government in the American constitutional order

Local government as agent of the state

Hunter v. City of Pittsburgh

Gimillion v. Lightfoot

Rogers v. Brockette

The American polis: local government as autonomous, democratic polity

Avery v. Midland County

City of Pheonix v. Kolodziejski

Holt Civic Club v. city of Tuscaloosa

Milliken v. Bradley

Village of Belle Terre v. Boraas

Local government as quasi-proprietary firm

Ball v. James

Kessler v. Grand Central District Mgmt. Assoc., Inc.

I.C. §§ 50-301 *et seq.*: Municipal Corporations—Powers

Harrell v. City of Lewiston: estoppel, and municipal powers generally

Local police powers

Idaho Constitution art. XII, § 2

Foster's, Inc. v. Boise City

Condie v. Mansor

Gumprecht v. Coeur d'Alene

Blaha v. Bd. of Cmmrs. of Ada County

Legislative control

State-local relations

The conflict between plenary state power and local autonomy

State constitutional limitations on state supremacy

The prohibition on special commissions

Specht v. City of Sioux Falls
Determining the scope of local power
From Dillon's Rule to home rule
Arlington County v. White
State of Utah v. Hutchinson
Home rule
Defining "home rule"
Home rule powers: initiative and immunity
Home rule: the legal forms
The initiative function (home rule as "sword")
Kalodimos v. Village of Morton Grove
Preemption
Goodell v. Humboldt County
Study aid to questions of local power and state-local conflicts
Caesar v. State: Dillon's Rule
State v. Clark: constitution as direct grant of state power
Big Sky Paramedics, LLC v. Sagle Fire Dist.
Brewster v. Pocatello

Officers and employees

I.C. tit. 50
Ch. 6: Mayor
Ch. 7: Council
Ch. 8: Council-Manager Plan
I.C. §§ 31-701 to 31-710: Board of County Commissioners
Conflicts of interest
Simmons v. Moscow
Personnel issues
Constitutional rights of public employees
Police Assoc. of New Orleans v. City of New Orleans
Rathert v. Village of Peotone
Rutan v. Republican Party of Illinois
Civil service protections and privatization
Konno v. County of Hawai'i
Civil Svc. Cmmn. of the City of New Orleans v. City of New Orleans
Wade v. Byles
I.C. §§ 59-701 *et seq.*: Ethics in Government
I.C. §§ 59-201 to 59-204: Prohibitions Against Contracts with Officers

Open meetings, open records

Open meetings: I.C. §§ 67-2340 to 67-2347: Miscellaneous Provisions
Open records: I.C. §§ 9-337 to 9-347: Claim and Delivery of Personal Property
Ordinances: I.C. §§ 50-901 *et seq.*: Passage of Ordinances

Zoning and land use

The Idaho Local Planning Act
LPA Guide
I.C. §§ 67-6501 *et seq.*
Zoning hearings and quasi-judicial matters
Village of Euclid v. Ambler Realty Co.
Dawson Enterprises v. Blaine County
Bone v. Lewiston
Cooper v. Board of County Cmmrs. of Ada County
Wetzel: Cooper

Takings issues

Nollan v. California Coastal Commission
Lucas v. South Carolina Coastal Council
Dolan v. City of Tigard
Eminent domain
I.C. §§ 7-701 *et seq.*: Eminent Domain
Kelo v. City of New London

Annexation

I.C. § 50-222: Annexation by Cities

Regional governments and sprawl

Regional governance structures
Regional special districts
Hoogasian v. Regional Transportation Authority
Seto v. Tri-County Metropolitan Transportation District of Oregon
State ex rel. Angel Fire Home and Land Owners Assoc.
Creating a multi-purpose regional structure
Cunningham v. Municipality of Metropolitan Seattle
Moving toward consolidation?
State ex rel. Tomasic v. Unified Government of Wyandotte County
Interstate compacts
Eastern Paralyzed Veterans Assoc., Inc. v. City of Camden
Local governments and sprawl
Home Builders and Contractors Assoc. of Brevard v. Dept. of Community Affairs
Oregon's Urban Growth Boundary
Residents of Rosemont v. Metro

Taxation

Feil v. Coeur d'Alene
City of Pocatello v. Peterson
Asson v. Burley

Public contracts

I.C. § 67-2805: Procurement of Public Works Construction

I.C. tit. 54, ch. 19: Public Works Contractors

Torts, liability, and claims

I.C. §§ 6-901 *et seq.*: Tort Claims against Governmental Entities

Carson v. Genesee