

TOWN OF GRAND LAKE, COLORADO

ORDINANCE NO. 09-2016

**AN ORDINANCE AMENDING CHAPTER 12 ARTICLE 1
OF THE GRAND LAKE MUNICIPAL CODE REGARDING
MEMBERSHIP OF THE PLANNING COMMISSION**

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado, pursuant to Colorado statute and the Town of Grand Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado;

WHEREAS, Colorado Revised Statutes §31-23-203 specifically authorizes the Town to provide by ordinance for the size, membership, designation of alternate membership, terms of members, removal of members, and filling of vacancies of its Planning Commission; and

WHEREAS, the Board of Trustees finds that the offices of Trustee of the Board of Trustees or Mayor, and member of the Planning Commission are incompatible offices and therefore believes that no person should serve on both the Board of Trustees and the Planning Commission simultaneously.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THAT:

Section 1.

Section 12-1-2 of the Grand Lake Municipal Code is hereby amended by adding the underlined language and deleting the strikethrough language as shown below:

The town planning commission shall consist of seven (7) members appointed by the mayor with the consent of the board of trustees, as follows: ~~The mayor, a member of the board of trustees selected by the mayor, an additional member of the board of trustees selected by the board of trustees. (The mayor and the trustee members shall be ex-officio members of the commission and shall serve during their respective official tenures.) The other four (4) members shall be appointed by the mayor with the consent of the board of trustees.~~—The term of each appointed member shall be six (6) years, or until his or her successor takes office, ~~except that the respective terms of the members first appointed shall be as follows: one member for a term of two (2) years, one member for a term of four (4) years, and two members for a term of six (6) years. The respective terms of the members first appointed shall be fixed and designated by the mayor at the time of appointment.~~ Members ~~other than the members representing the board of trustees~~ may be removed after hearing by the mayor for inefficiency, neglect of duty, or malfeasance in office. Vacancies occurring otherwise than through the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the mayor or the board

of trustees, as provided above. Members of the Commission shall not simultaneously be a Trustee or the Mayor for the Town of Grand Lake.

Section 2.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3.

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

READ, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE ON THIS 25th DAY OF JULY, 2016.

ATTEST:

TOWN OF GRAND LAKE, COLORADO

Katie Nicholls, Town Clerk

BY: _____
James C. Peterson, Mayor