

ORDINANCE 1241
TOWN OF BERTHOUD

**AN ORDINANCE AMENDING RULES REGARDING MEMBERSHIP IN THE
TOWN OF BERTHOUD PLANNING COMMISSION**

WHEREAS the Town of Berthoud Planning Commission was created by Resolution 4-11 on March 8, 2011, in compliance with Section 31-23-202 of the Colorado Revised Statutes ("Statutes");

WHEREAS Section 31-23-203(4) of the Statutes authorizes the governing body of a municipality to provide by ordinance for the size, membership, designation of alternate membership, terms of members, removal of members pursuant to section 31-23-203(3) of the Statutes, and filling of vacancies of the municipality's planning commission as such is described in section 31-23-202 of the Statutes; and

WHEREAS the Board of Trustees of the Town of Berthoud desires to continue to exercise the authority granted by Section 31-23-203(4) of the Statutes by altering the membership structure of the Commission, effective for new appointments after the effective date of this Ordinance;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF BERTHOUD, COLORADO, THAT THE BERTHOUD MUNICIPAL CODE SHALL
BE AMENDED TO INCLUDE THE FOLLOWING SECTION 3.11 AS FOLLOWS:**

Section 3.11 – PLANNING COMMISSION MEMBERSHIP

Section 3.11-1. Membership rules for the Town of Berthoud Planning Commission set forth in Section 4.B(3) of Resolution 4-11, as well Ordinance 1145, and any other provision found in any other resolution or ordinance that is in conflict with this Ordinance or that relates to the same subject matter, are repealed.

Section 3.11-2. The Town of Berthoud Planning Commission, which will be referred to herein as the "Commission," shall be composed of seven members.

Section 3.11-3. All seven members of the Commission shall be citizens of the Town not currently serving on the Town Board of Trustees, and shall be selected by a majority vote of the Board of Trustees.

Section 3.11-4. All members of the Commission shall be bona fide residents of the municipality and, if any member ceases to reside in such municipality, his membership on the Commission shall automatically terminate.

Section 3.11-5. All members of the commission shall serve without compensation. The members shall hold no other municipal office.

Section 3.11-6. The term of each of the Members shall be three years or until his or her successor takes office. Reappointment to consecutive terms shall be permitted. Except as

otherwise provided herein, a member may serve only two consecutive terms. If at the end of an expiring term there are no applicants for the position, then the member may be appointed for an additional term without regard to the number of consecutive terms previously served by such member.

Section 3.11-7. Any member of the Commission who fails to attend four or more regular meetings of the Commission within a calendar year, or who fails to attend four regular meetings in any four-month period, shall be deemed to have resigned their position and shall be replaced without further hearing or process. Any member of the Commission may also be removed, after public hearings, by the Board of Trustees for inefficiency, neglect of duty, or malfeasance in office.

Section 3.11-8. Except as otherwise set forth in this Ordinance, vacancies occurring otherwise than through the expiration of term shall be filled for the remainder of the unexpired term by vote of the Board of Trustees after open advertisement of the vacancy and an adequate opportunity for submission of applications.

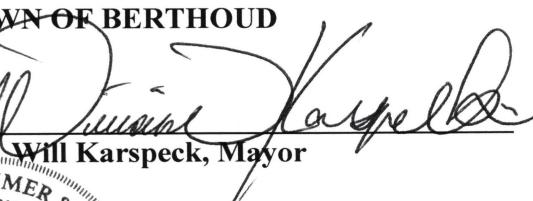
Section 3.11-9. All members of the Commission who were not appointed as Board of Trustee representatives and whose terms have not expired at the time when this Ordinance takes effect shall retain their memberships, which shall be deemed to have commenced on their actual, original commencement date.

EFFECTIVE DATE: This ordinance shall take effect immediately upon its adoption because immediate functioning of the Berthoud Planning Commission is necessary to the immediate preservation of the public peace, health, or safety of the citizens of Berthoud.

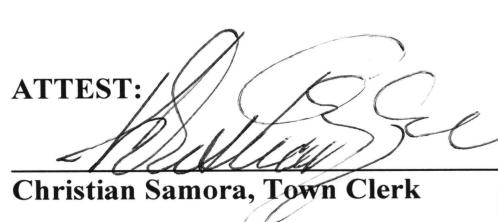
INTRODUCED, READ, PASSED, AND ADOPTED THIS 1st DAY OF May, 2018

TOWN OF BERTHOUD

BY:


Will Karspeck, Mayor

ATTEST:


Christian Samora, Town Clerk

