TOWN OF WINDSOR

ORDINANCE NO. 2019-1595

AN ORDINANCE AMENDING CHAPTER 2 AND CHAPTER 16 OF THE WINDSOR MUNICIPAL CODE WITH RESPECT TO THE REMOVAL OF MEMBERS OF CERTAIN BOARDS AND COMMISSIONS SERVING THE TOWN OF WINDSOR

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

WHEREAS, the Chapter 2 of the Windsor Municipal Code contains specific provisions for the establishment, composition and terms of office for certain advisory boards serving the Town; and

WHEREAS, the Town Board recently determined that the provisions for removal of members of advisory boards and commissions serving the Town should be consistent from board to board; and

WHEREAS, the removal of members of the Board of Adjustment/Board of Appeals, although not an advisory board, should be governed consistently with all other boards and commissions serving the Town; and

WHEREAS, the within Ordinance brings consistency of process to the removal of board and commission members across the full spectrum of boards and commissions serving the Town; and

WHEREAS, the Town Board wishes to promote fairness and consistency by the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Section 2-7-30 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

Sec. 2-7-30. - Membership; terms; qualifications; vacancies.

(a) The Planning Commission shall consist of eight (8) members who shall serve without pay. The Mayor shall appoint one (1) member from the Town Board as a nonvoting liaison member of the Planning Commission. This member's term shall be one (1) year, with eligibility for subsequent one-year terms for so long as he or she remains a member of the Town Board.
(b) The remaining seven (7) voting members of the Planning Commission shall be appointed as members at large by the Town Board. At-large members shall be appointed to serve a term of four (4) years.

(c) Members of the Planning Commission may be removed from office for inefficiency, neglect of duty or malfeasance, upon written notice and after public hearing held during a regular or special Town Board meeting. The removal of any Planning Commission member shall require the affirmative vote of a majority of the Town Board members participating in the public hearing.

(d) No voting member of the Planning Commission shall be eligible to serve on any other board or commission of the Town during that member's tenure on the Planning Commission.

(e) The Town Board shall make such appointments as necessary to fill the unexpired terms of vacancies which may occur on the Planning Commission, with the exception of any vacancy left by the nonvoting liaison member, which shall be filled by appointment by the Mayor.

Section 2. Section 16-6-10 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**Sec. 16-6-10. - Membership.**

(a) The Board of Adjustment shall consist of five (5) regular members and two (2) alternate members, to be appointed by the Town Board. Appointments to the Board of Adjustment shall be for terms of four (4) years. Members of the Board of Adjustment shall be residents of the Town and shall serve without pay. If any member ceases to reside in the Town, his or her membership shall immediately terminate. The initial appointment of alternate members to the Board of Adjustment shall be for staggered terms, the first appointment being for two (2) years, and the second appointment for four (4) years, with the terms of the alternate members being four (4) years thereafter. Alternate members of the Board of Adjustment shall serve in the absence of regular members.

(b) No member of the Board of Adjustment shall be eligible to serve on any other board or commission of the Town during that member's tenure on the Board of Adjustment.

(c) Members of the Board of Adjustment may be removed from office for inefficiency, neglect of duty or malfeasance, upon written notice and after public hearing held during a regular or special Town Board meeting. The removal of any Board of Adjustment member shall require the affirmative vote of a majority of the Town Board members participating in the public hearing.
(d) The Town Board shall make such appointments as necessary to fill the unexpired terms of vacancies which may occur on the Board of Adjustment, giving preference to alternate members when filling regular member vacancies.

Introduced, passed on first reading and ordered published this 14th day of October, 2019.

TOWN OF WINDSOR, COLORADO

Kristie Melendez, Mayor

ATTEST:

Krystal Eucker, Town Clerk

[Seal]

Introduced, passed on second reading and ordered published this 28th day of October, 2019.

TOWN OF WINDSOR, COLORADO

Kristie Melendez, Mayor

ATTEST:

Krystal Eucker, Town Clerk

[Seal]