

**TOWN OF RED CLIFF, COLORADO  
ORDINANCE 1, SERIES 2016**

**AN ORDINANCE AMENDING SECTION 2-2-140 OF THE TOWN OF RED CLIFF MUNICIPAL CODE TO FIX THE COMPENSATION TO BE RECEIVED BY THE MAYOR AND MEMBERS OF THE BOARD OF TRUSTEES FOR THEIR SERVICES.**

**WHEREAS**, the Town of Red Cliff (“Town”) is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law;

**WHEREAS**, § 31-4-403 of the Colorado Revised Statutes provides that no member of the governing body of any city or town shall receive compensation for his or her services as such member except as provided by law;

**WHEREAS**, the Town has a population of two thousand or less and is, therefore, a statutory “town” as that term is defined in § 31-1-101(13) of the Colorado Revised Statutes;

**WHEREAS**, § 31-4-301(4) of the Colorado Revised Statutes provides that mayors and members of the board of trustees of statutory towns shall receive such compensation as fixed by ordinance;

**WHEREAS**, § 31-4-405 of the Colorado Revised Statutes provides that the emoluments or salary of any member of the governing body of a statutory municipality, including the mayor and trustees, shall not be increased or diminished during the term for which he or she has been elected or appointed;

**WHEREAS**, the Board has determined that it would be appropriate, proper and in the best interests of good governance and the citizens of the Town to establish a new compensation scheme for the Mayor and members of the Board to better reflect existing budgetary constraints while still ensuring that the compensation for these elected officials is sufficient to encourage participation in Town government by the citizens of the Town;

**WHEREAS**, new terms for the Mayor and four members of the Board will begin in April 2016;

**WHEREAS**, the terms for which two members of the Board were elected or appointed do not conclude until April 2018;

**WHEREAS**, pursuant to § 31-4-405 of the Colorado Revised Statutes, the compensation for the two members of the Board whose terms do not expire until April 2018 cannot be increased or diminished during the terms for which they were elected or appointed; and,

**WHEREAS**, the Board has determined that it would be appropriate, proper and in the best interests of good governance and the citizens of the Town to fix by ordinance the compensation for the Mayor and the four members of the Board whose terms will begin April 2016 and fix by ordinance the compensation for the two members of the Board whose terms will begin on April 2018 as set forth below.

**NOW, THEREFORE, THE TOWN OF RED CLIFF ORDAINS:**

Section 1: Section 140 of Article 2 of Chapter 2 of the Town of Red Cliff Municipal Code is amended to state in its entirety:

**Sec 2-2-140 Salaries of elected officials.**

(a) Effective April 19, 2016, the Mayor shall receive compensation for his or her services at a rate of \$250 per month.

(b) Any member of the Board of Trustees whose term in office for which he or she was elected or appointed begins on April 19, 2016 shall receive compensation for his or her services at a rate of \$150 per month.

(c) Any member of the Board of Trustees whose term in office for which he or she was elected or appointed does not conclude until April 17, 2018 shall receive compensation for his or her services at a rate of \$200 per month.

(d) The compensation for the Mayor and members of the Board of Trustees established by this section shall not be increased or diminished during the term in office for which he or she was been elected or appointed.

Section 2: Findings. The Board hereby finds, determines and declares that this Ordinance is necessary and proper to protect the public peace, health, safety and welfare of the Town and its inhabitants.

Section 3: Severability. If any section, paragraph, clause, provision or part of this Ordinance is for any reason held to be invalid or unenforceable, the remainder of this Ordinance shall continue in full force and effect, it being the intent of the Board that this Ordinance would have been adopted even if such invalid or unenforceable matter had not been included therein. It is further declared that if any section, provision or part of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance and the application thereof to other persons shall not be affected thereby.

Section 4: Effective Date. This Ordinance will become effective thirty days after publication thereof following final passage.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING AND ORDERED POSTED IN FULL THIS 2ND DAY OF FEBRUARY 2016. A public hearing on the SECOND READING of this Ordinance will be held at the regular meeting of the Board of Trustees of the Town of Red Cliff on the 16th day of February 2016 at 7:00 p.m. in the Town Hall of the Town of Red Cliff.



TOWN OF RED CLIFF, COLORADO

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Anuschka Bales, Mayor Pro-Tem

ATTEST:

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Barb Smith, Town Clerk

ORDINANCE 1, SERIES 2016

ADOPTED AND ORDERED PUBLISHED on this 16th day of February, 2016.



TOWN OF RED CLIFF, COLORADO

A handwritten signature in black ink, appearing to read "MSB", is written over a horizontal line.

M. Scott Burgess, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Barb Smith", is written over a horizontal line.

Barb Smith, Town Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael J. Heaphy", is written over a horizontal line.

Michael J. Heaphy, Town Attorney