

TOWN OF RED CLIFF, COLORADO

ORDINANCE 3, SERIES 2013

AN ORDINANCE AMENDING ARTICLE 4 OF CHAPTER 2 OF THE TOWN OF RED CLIFF MUNICIPAL CODE TO RESTATE AND CLARIFY VARIOUS PROVISIONS RELATED TO THE TOWN'S OFFICERS AND EMPLOYEES.

WHEREAS, the Town of Red Cliff 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; and,

WHEREAS, the Town of Red Cliff, by virtue of its status, may adopt ordinances relative to local municipal matters as are necessary to effectuate the purposes and intent of the powers granted to municipalities.

NOW THEREFORE, THE TOWN OF RED CLIFF ORDAINS:

Section 1: Section 130 of Article 2 of Chapter 2 of the Town of Red Cliff Municipal Code ("Code") is deleted.

Section 2: Section 10 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-10. Appointment of Town Clerk.

The Board of Trustees at its first regular meeting in each new calendar year shall appoint some qualified person as Town Clerk for a term to last until the first regular meeting in the next calendar year. In case a vacancy should occur in the office of Town Clerk, the Board of Trustees shall appoint a Town Clerk for the unexpired term.

Section 3: Section 40 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-40. Appointment of Town Treasurer.

The Board of Trustees at its first regular meeting in each new calendar year shall appoint some qualified person as Town Treasurer for a term to last until the first regular meeting in the next calendar year. In case a vacancy should occur in the office of Town Treasurer, the Board of Trustees shall appoint a Town Treasurer for the unexpired term.

Section 4: Section 50 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-50. Town Treasurer oath and bond.

Before entering upon the duties of the office, the Town Treasurer shall take an oath of office and furnish a surety bond in the amount of twenty-five thousand dollars (\$25,000.00), conditioned upon the faithful discharge of his or her duties as Town Treasurer and that when he or she shall vacate such office he or she will turn over and deliver to his or her successor all monies, books papers, property or other things belonging to the Town and remaining in his or her charge as Town Treasurer.

Section 5: Subsection (4) of Section 60 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-60. Town Treasurer duties.

(4) He or she shall perform such other duties, keep all records and make all other reports as may prescribed for or be required of him or her by law or by the Board of Trustees.

Section 6: Section 70 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-70. Appointment of Town Attorney.

The Board of Trustees at its first regular meeting in each new calendar year shall appoint some qualified attorney at law as the Town Attorney for a term to last until the first regular meeting in the next calendar year. In case a vacancy should occur in the office of Town Attorney, the Board of Trustees shall appoint a Town Attorney for the unexpired term.

Section 7: Subsection (4) of Section 80 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-80. Town Attorney duties.

(4) He or she shall perform such other duties as may be prescribed for him or her by law or by the Board of Trustees.

Section 8: Section 90 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-90. Appointment of Town Administrator.

The Board of Trustees at its first regular meeting in each new calendar year shall appoint some qualified person as Town Administrator for a term to last until the first regular meeting in the next calendar year. In case a vacancy should occur in the office of Town Administrator, the Board of Trustees shall appoint a Town Administrator for the unexpired term.

Section 9: Section 100 of Article 4 of Chapter 2 of the Code is amended to state in its entirety:

Sec. 2-4-100. Administrative relations.

The Town Administrator shall be the chief administrative officer of the Town. The Board of Trustees shall deal with the administrative functions of the Town through the Town Administrator. Neither the Board of Trustees nor any individual member thereof shall give direction or orders to any subordinate of the Town Administrator except through the Town Administrator himself or herself.

Section 10: A new Section 110 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-110. Town Administrator powers and duties.

The Town Administrator shall be responsible to the Board of Trustees for the efficient administration of all affairs of the Town placed in his or her charge. The Town Administrator shall have the power, duty and responsibility to do the following:

(1) Provide direction for the enforcement of the laws and ordinances of the Town and the statutes of the State as they may be applicable to the Town.

(2) Subject to the provisions of this Code, the ordinances of the Town and the

applicable statutes of the State, appoint or hire all employees of the Town.

(3) Subject to the provisions of this Code, the ordinances of the Town and the applicable statutes of the State, remove, discharge, suspend, demote or discipline any employee of the Town.

(4) Administer any personnel policies and regulations adopted by the Board of Trustees.

(5) Prepare annually a proposed budget and submit the same to the Board of Trustees for its approval and be responsible for the administration of the budget subsequent to its adoption.

(6) Prepare and submit to the Board of Trustees at the end of each fiscal year a complete written report on the finances and administrative activities of the Town during the next preceding year and, from time to time when necessary, or upon the request of the Board of Trustees, make a written or verbal report concerning the finances, affairs and administration of the Town.

(7) Exercise supervision and control of and over all executive and administrative departments of the Town and to recommend to the Board of Trustees any proposal he or she may deem advisable or necessary to establish, consolidate or abolish any such administrative department.

(8) Enforce all terms and conditions of any contract to which the Town is a party and, upon knowledge of any breach or violation thereof, promptly report the same to the Board of Trustees for such action as may be deemed necessary.

(9) Attend all meetings of the Board of Trustees and participate therein in any advisory capacity and make such recommendations to the Board of Trustees as he or she may deem necessary or expedient.

(10) Be responsible for the establishment of control and maintenance of a system of accounts for the Town as may be required by the Board of Trustees, the same to comply with generally accepted principles and procedures of governmental accounting.

(11) Act as the purchasing agent for the Town.

(12) Review, assess the completeness of and provide reports to the Board of Trustees concerning all applications for development, subdivisions, special use permits, annexations and other community development matters.

(13) Serve as the principal public relations, public information and intergovernmental affairs officer of the Town.

(14) Administer and oversee the Town's marketing, advertising, media and public relations efforts.

(15) Act as the Town's liaison with the business community and oversee the coordination and management of Town-sponsored events and other special events in the Town.

(16) Oversee professional and consulting service agreements entered into by the Town.

(17) Develop and supervise grant applications and awards.

(18) Perform such other duties as may be prescribed for him or her by law or by the Board of Trustees.

Section 11: A new section 120 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-120. Absence of Town Administrator.

The Board of Trustees may appoint or designate an acting Town Administrator during any period of vacancy in the office or during the absence of the Town Administrator. Such acting Town Administrator shall have the responsibilities, duties, functions and authority of the Town

Administrator.

Section 12: A new section 130 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-130. Appointment of same person to different offices.

The Board of Trustees may in its discretion appoint the same person to serve as Town Clerk, Town Treasurer and/or Town Administrator.

Section 13: A new section 140 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-140. Compensation.

The Board of Trustees shall prescribe by ordinance or resolution the compensation or fees the Town Clerk, Town Treasurer, Town Attorney and Town Administrator are entitled to receive for their services.

Section 14: A new section 150 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-150. Personnel policies.

The Board of Trustees may adopt by ordinance or resolution a thorough employee manual establishing personnel policies and regulations for employees and officers of the Town. Such manual may contain provisions for employee classification, pay administration, employment practices, employee conduct, disciplinary actions, employee leave, fringe benefits and such other standard personnel provisions as may be adopted by the Board of Trustees. The Town Administrator shall administer all such personnel policies and regulations adopted by the Board of Trustees.

Section 15: A new section 160 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-160. Removal of appointees from office.

The Town Clerk, Town Treasurer, Town Attorney or Town Administrator may be removed from office or suspended for a specific time with or without compensation by a vote of four (4) members of the Board of Trustees whenever such officer shall be found guilty of a dereliction or violation of his or duties, conduct unbecoming an officer or incompetency after a hearing before the Board of Trustees.

Section 16: A new section 170 is added to Article 4 of Chapter 2 of the Code to provide in its entirety:

Sec. 2-4-170. Statutory duties of Board of Trustees.

Nothing herein contained shall be construed as an abrogation or nullification of the duties, powers, functions and responsibilities imposed upon the Board of Trustees by the applicable statutes of the State or any applicable provision of the State Constitution.

Section 17: Division 2 of Article 4 of Chapter 2 of the Code is deleted.

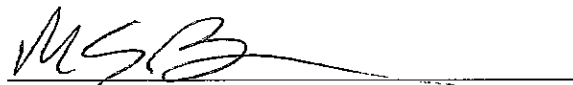
Section 18: Severability. If any section, provision or part of this Ordinance is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid 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 19: Effective Date. This Ordinance shall become effective thirty (30) days after publication thereof.

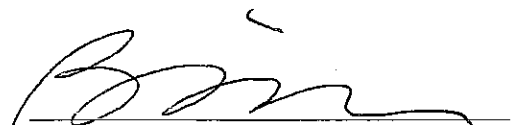
INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING AND ORDERED POSTED IN FULL THIS 4th DAY OF June, 2013. A public hearing on the SECOND READING of this Ordinance shall be held at the regular meeting of the Board of Trustees of the Town of Red Cliff, Colorado, on the 18th day of June, 2013 at 7:00 p.m. in the Town Hall of the Town of Red Cliff, Colorado.

TOWN OF RED CLIFF, COLORADO

ATTEST:



Scott Burgess, Mayor



Barb Smith, Town Clerk

ADOPTED AND ORDERED PUBLISHED on this 18th day of June, 2013.

TOWN OF RED CLIFF, COLORADO

ATTEST:




Scott Burgess, Mayor



Barb Smith, Town Clerk

APPROVED AS TO FORM:



Michael J. Heaphy, Town Attorney