

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER URBAN
COUNCIL BILL NO. 03
ORDINANCE NO. 1664
Series 2019

TITLE: AN ORDINANCE AMENDING SECTIONS 2-53 AND 11-52.5 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING APPOINTEES TO THE BOARDS AND COMMISSIONS AND THE LIQUOR LICENSING AUTHORITY

WHEREAS, the City of Wheat Ridge (the "City") is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and § 31-23-101, C.R.S., the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare and therefore has adopted the Wheat Ridge Code of Laws (the "Code"); and

WHEREAS, the Council previously enacted Code § 2-53, concerning the appointments to City Boards and Commissions, and Code § 11-52.5, establishing its local liquor licensing authority (the "Authority") and providing for the appointment of members thereto; and

WHEREAS, the Council now wishes to amend the Code to permit the appointment of non-district members to the Authority and confirming the preference for district representation upon re-appointment for all boards, commissions and the Authority.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Subsection 2-53(c) of the Wheat Ridge Code of Laws concerning appointment of board and commission members is hereby amended as follows:

Sec. 2-53. Qualifications of members; appointment and term; removal; vacancies.

- (c) Members of boards and commissions shall serve terms of three (3) years, and such members may be reappointed to serve additional three-year terms of office. All appointments to all boards and commissions shall be made to achieve equal representation from each council district to each board or commission. If, after reasonable advertisement, no applications are received from residents within the relevant council district for a vacancy on any board or commission, the council may appoint any otherwise qualified resident. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER'S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE

APPLIED FOR THAT SEAT ON THE BOARD OR COMMISSION. Except as provided HEREIN AND in subsection (e) hereof, all members of boards or commissions presently serving shall be entitled to complete the terms for which they were appointed and shall be subject to reappointment at the discretion of city council.

Section 2. Subsection 11-52.5(b) of the Wheat Ridge Code of Laws concerning Authority members' appointments is hereby amended as follows:

Sec. 11-52.5. - Liquor licensing authority established.

(b) The licensing authority for the City of Wheat Ridge shall consist of eight (8) qualified electors of the city, two (2) from each of the four (4) council districts of the city, who shall be appointed by the city council. IF, AFTER REASONABLE ADVERTISEMENT, NO APPLICATIONS ARE RECEIVED FROM RESIDENTS WITHIN THE RELEVANT COUNCIL DISTRICT FOR A VACANCY ON THE LIQUOR LICENSING AUTHORITY, THE COUNCIL MAY APPOINT ANY OTHERWISE QUALIFIED RESIDENT. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER'S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE APPLIED FOR THAT SEAT ON THE LIQUOR LICENSING AUTHORITY. In order to stagger the terms of the licensing authority members, one of the first two (2) members REPRESENTING ~~from~~ each council district shall be appointed for a three-year term and one shall be appointed for a two-year term. The length of term for the first licensing authority members shall be determined by lot. Except in the event that a member is appointed to fill a vacancy as provided in subsection (j), all subsequent appointments shall be for three-year terms.

Section 3. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall take effect upon adoption and signature by the Mayor and City Clerk, as permitted by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 0 on this 25th day of February, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for March 25, 2019, rescheduled to April 8, 2019, continued to April 22, 2019, at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 6 to 0 on this 11th day of March, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for March 25, 2019, rescheduled to April 8, 2019, continued to April 22, 2019, at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 22nd day of April, 2019.

SIGNED by the Mayor on this 22nd day of April, 2019.


ATTEST:



Bud Starker, Mayor



Janelle Shaver, City Clerk

Approved as to Form:


Gerald E. Dahl, City Attorney

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