

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER STITES
Council Bill No. 06
Ordinance No. 1511
Series 2012

TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS, CHAPTER 2, SECTION 2-53 (b) REGARDING MEMBERSHIP OF BOARDS AND COMMISSIONS AND SECTION 2-53 (f) CONCERNING THE ADMINISTERING OF OATHS TO BOARD AND COMMISSION MEMBERS

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

WHEREAS, the Council has previously exercised these powers by the adoption of Chapter 2, Article III of the Wheat Ridge Code of Laws ("Code") concerning City boards and commissions; and

WHEREAS, Code Sec. 2-53 (b) specifically provides that there shall be eight (8) regular members on all City boards and commission; and

WHEREAS, the Council has determined that particular boards or commissions may function properly with less than eight (8) members; and

WHEREAS, Code Sec. 2-53 (f) specifically provides that upon appointment to a City board or commission, the appointee shall take an oath of office administered by the Mayor at a regularly scheduled Council meeting; and

WHEREAS, to provide for greater flexibility, the Council has determined that it is beneficial for the Mayor or his designee to be permitted to give such oaths either at a regularly scheduled Council meeting or in the office of the City Clerk.

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

Section 1. Code Sec. 2-53 (b) is hereby amended as follows:

All boards and commissions shall consist of eight (8) regular members, UNLESS A DIFFERENT NUMBER IS PROVIDED BY ORDINANCE, to be appointed by a majority vote of the members of the city council. Regular members of all boards and commissions shall have equal voting strength of their respective board or commission, and shall be authorized to attend, participate in, and vote at their respective board or commission meetings. The attendance of A MAJORITY OF THE MEMBERS OF THE BOARD OR COMMISSION ~~five (5) regular members~~ shall constitute a quorum of FOR the transaction of business at each meeting of such boards and

commissions, and, except as provided herein in subsection (d), the affirmative vote of a simple majority OF THE MEMBERS PRESENT shall be required to adopt any motion or make or ratify any decision of the board or commission.

Section 2. Code Sec. 2-53 (f) is hereby amended as follows:

Upon appointment to a city board or commission, the member shall be provided a packet of materials prepared by the department which works with that board or commission, to enable the member to better carry out his function and duties. The materials shall include, without limitation, copies of the rules or bylaws of the board or commission, all relevant ordinances and/or charter provisions, and any other materials deemed relevant by staff or city council. Upon assuming his place as a member of a board or commission, each member shall take an oath, administered by the mayor OR HIS DESIGNEE at a regularly scheduled council meeting OR IN THE OFFICE OF THE CITY CLERK, thereby swearing or affirming to uphold the Constitution of the United States and the state, and the charter and ordinances of the city.

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 fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 14th day of May, 2012, 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 June 11, 2012 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 11th day of June, 2012.

SIGNED by the Mayor on this 12th day of June, 2012.



Jerry DiTullio, Mayor

ATTEST:

Janelle Shaver
Janelle Shaver, City Clerk



First Publication: May 4, 2012
Second Publication: June 14, 2012
Wheat Ridge Transcript
Effective Date: June 29, 2012

Approved as to Form

Gerald E. Dahl
Gerald E. Dahl, City Attorney