

**TOWN OF FRASER
ORDINANCE NO. 476
Series 2020**

AN ORDINANCE AMENDING CHAPTER 2 ARTICLES 6, 10, 11 AND 12 OF THE FRASER
MUNICIPAL CODE REGARDING REMOVAL OF COMMISSION AND COMMITTEE
MEMBERS

WHEREAS, the Town Board has determined that unexcused absences by members of certain commissions and committees can interfere with efficient operations and should be grounds for removal of the member.

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

PART 1: AMENDMENT OF MUNICIPAL CODE

Chapter 2 (Administration), Articles 2 of the Fraser Municipal Code (herein sometimes referred to as the "Municipal Code") are hereby amended as follows [Note: additions are shown in **bold underlined** print; deletions are shown as ~~strikethrough~~ print]:

ARTICLE 6 - Planning Commission

Sec. 2-6-50. – Removal from Planning Commission

Members, other than the member representing the Board of Trustees, may be removed, after public hearing, by the Mayor for inefficiency, neglect of duty or malfeasance in office, or if such commissioner has missed three (3) consecutive meetings or three (3) meetings in a fiscal year unless such absences shall be excused by the Commission, and the Board of Trustees may remove the member representing it for the same reasons. The Mayor or the Board of Trustees, as the case may be, shall file a written statement of reasons for such removal. Vacancies occurring otherwise than through the expiration of the term shall be filled for the remainder of the unexpired term by the Mayor in the case of the member selected or appointed by him or her, and by the Board of Trustees in the case of the member appointed by it.

ARTICLE 10 - Water and Wastewater Committee

Sec. 2-10-50. – Removal from Water Wastewater Committee.

Members, other than a member currently serving on the Board of Trustees, may be removed by resolution of the Board of Trustees for inefficiency, neglect of duty or malfeasance in office, or if such member has missed three (3) consecutive meetings or three (3) meetings in a fiscal year unless such absences shall be excused by the Committee. The Mayor or the Board of Trustees, as the case may be, shall file a written statement of reasons for such removal for consideration by the Board of Trustees. Due to the nature of matters that may be considered by the Water and Wastewater Committee, members are expected to serve with discretion and shall be required to enter into confidentiality agreements with the Town.

ARTICLE 11 - Economic Development Advisory Committee

Sec. 2-11-70 – Resignation, removal, and vacancy from Committee.

(b) Members of the Committee may be removed, by resolution of the Board of Trustees for inefficiency, neglect of duty or malfeasance in office, or if such member has missed three (3) consecutive meetings or three (3) meetings in a fiscal year unless such absences shall be excused by the Committee. The Mayor or the Board of Trustees, as the case may be, shall file a written statement of reasons for such removal for consideration by the Board of Trustees. Due to the nature of matters that may be considered by the Committee, members are expected to serve with discretion and shall be required to enter into confidentiality agreements with the Town.

ARTICLE 12 - Public Art Committee

Sec. 2-12-70 – Resignation, removal, and vacancy from Committee.

(b) Members of the Committee may be removed, by resolution of the Board of Trustees for inefficiency, neglect of duty or malfeasance in office, or if such member has missed three (3) consecutive meetings or three (3) meetings in a fiscal year unless such absences shall be excused by the Committee. The Mayor or the Board of Trustees, as the case may be, shall file a written statement of reasons for such removal for consideration by the Board of Trustees.

PART 2: REPEAL. Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

PART 3: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 4: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 5: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES
AND SIGNED THIS ____ DAY OF _____, 2020.

Votes in favor: _____
Votes opposed: _____
Votes abstained: _____

BOARD OF TRUSTEES OF THE
TOWN OF FRASER, COLORADO

BY: _____
Philip Vandernail, Mayor

ATTEST:

(S E A L)

Antoinette McVeigh, Town Clerk

Published in the *Middle Park Times* on _____.