

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-06

AN EMERGENCY ORDINANCE REFERRING TO VOTERS AT THE NOVEMBER 6, 2018, SPECIAL ELECTION THE QUESTION OF WHETHER TO REDUCE THE SIZE OF THE BOARD OF TRUSTEES

WHEREAS, Colorado Revised Statutes, Section 31-4-301.5, allows the trustees of a statutory town to be reduced in number from 6 to 4 by a certain procedure;

WHEREAS, there have been vacancies on the Board since April 21, 2018, and there has been no public interest in filling them;

WHEREAS, the Board has determined by majority vote, as evidenced by adoption of this Ordinance, that a reduction in size of the Board would be in the interest of the Town;

WHEREAS, with the change, including the Mayor, the Town would operate with a Board of Trustees composed of 5 members;

WHEREAS, a reduction in the size of the Board requires voter approval; and

WHEREAS, the Town has called a special election to take place on November 6, 2018, as part of the state general election and to be coordinated with El Paso and Teller Counties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. At the November 6, 2018, special election, the following ballot question shall be submitted to the registered electors of the Town of Green Mountain Falls, Colorado:

Ballot question:

Shall the number of Town Trustees be reduced in number from six to four?

Yes _____

No _____

Section 2. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Green Mountain Falls, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

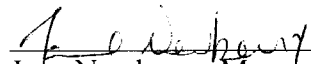
Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a

court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

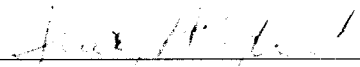
Section 4. Emergency Declared. The Board of Trustees hereby finds, determines and declares, pursuant to Section 2-33(a) of the Green Mountain Falls Municipal Code and C.R.S. § 31-16-105, that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace, or safety of the Town of Green Mountain Falls in order to meet election deadlines and to timely address the unfilled Board vacancies. This emergency ordinance is required to timely place the question of reducing the number of Town Trustees on the November 6, 2018, ballot.

Section 5. Upon an affirmative vote of ¾ of the members of the Board of Trustees, this Ordinance shall take effect as an emergency measure immediately upon its adoption.

ADOPTED AND ORDERED PUBLISHED the 17th day of July 2018.


Jane Newberry, Mayor

ATTEST:


Judy Egbert, Interim Town Clerk

APPROVED AS TO FORM:

Jeff Parker, Town Attorney



Published in the Pike Peaks Courier, _____ 2018.