

ORDINANCE NO. 294

AN ORDINANCE TO PROVIDE FOR, CREATE, AND ESTABLISH THE TOWN OF RICO PLANNING COMMISSION FOR THE PURPOSES UNDER AND AS PROVIDED BY COLORADO STATUTES, ESTABLISHING THE MEMBERSHIP OF THE PLANNING COMMISSION, THEIR DUTIES AND POWERS AND REPEALING ORDINANCE NO. 230.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Rico that the following shall be the Enabling Ordinance for the Town of Rico Planning Commission.

**Section 1: Purposes:** For the purpose of promotion the health, safety, morals, and general welfare of the inhabitants of the Town of Rico, Colorado and to establish, make and enact comprehensive plans for the present and future growth of the Town of Rico, Colorado, the Board of Trustees of the Town of Rico, Colorado, hereby creates and establishes the Town of Rico Planning Commission as herein provided.

**Section 2: Name:** The legal name of the said Planning Commission shall be: "TOWN OF RICO PLANNING COMMISSION," hereinafter referred to as the "Commission."

**Section 3: Powers and Duties:** The Commission shall function, and operate, and perform all the duties and obligations, and shall have all of the powers and authority, as provided under, by and through Colorado Revised Statutes 31-23-201 et seq. as amended, and the Town of Rico Rules and Procedures for Boards and Commission.

**Section 4: Personnel of the Commission:**

A. Membership - The Commission shall consist of five members: the Mayor and a Trustee of the Town of Rico, Colorado, as Ex Officio members, and three persons who shall be appointed by the Mayor of the Town. All members of the Commission shall be bonafide residents of the Town of Rico, Colorado, and if any member of the Commission ceases to reside in the Town his membership on the Commission shall immediately terminate.

B. Selection of Members and Term of Office - The Trustee member of the Commission shall be selected by the Town Board. The term of office of said Ex Officio members shall correspond to their terms as Mayor and Trustee respectively. The term of each member of the Commission appointed by the Mayor shall be for two years commencing on January 1st of the year following the regular election for Mayor.

C. Conflict of Interest - No member of the Commission shall make any presentation before the Commission in behalf of any subdivision, zoning amendment, plat change, or development project in which the member has a pecuniary interest unless said

member shall first declare his interest and remove himself from the Commission during such presentation and related discussion. No member of the Commission shall vote upon any matter in which said member may have a pecuniary interest, or on any question concerning said member's own conduct.

#### **Section 5: Officers of the Commission**

A. Election - The Commission shall elect a chairman from among the members appointed by the Mayor or the Board of Trustees. Said officers shall be elected at the first regular meeting of the year except that successors shall be elected at the first regular meeting following resignation or removal of any officer from the Commission.

B. Chairman - The Chairman shall have the same rights and privileges of making motions and voting as all other members of the Commission.

#### **Section 6: Meetings**

A. Regular Meetings - The Commission shall meet in regular session each month at a time and place to be designated by the Commission and publicly posted at the Rico Town Hall and at any other public location deemed appropriate by the Commission. The Commission may establish more than one regular meeting per month.

B. Special Meetings - Special meetings may be called by the Commission upon the request of the chairman or any three members of the Commission, but each member shall be given a minimum of 24 hours notice prior to such meeting. Notice of any special meeting shall be publicly posted at the Rico Town Hall, and at any other public location deemed appropriate by the Commission, at least 24 hours prior to such special meeting.

#### **Section 7: Consultation with Municipal Officers and Employees**

A. Town Attorney - With prior approval of the Board of Trustees or the Mayor, the town attorney shall, when requested by the Commission, attend any meeting of the Commission. With the prior approval of the Board of Trustees or the Mayor, any member of the Commission may call upon the town attorney for an oral or written opinion relating to any question of law involving matters of planning or zoning.

**Section 8: Severability:** This ordinance is hereby declared to be severable, and in the event any section hereof is declared unconstitutional, it shall not effect the vailidity of any other section or sections.

**Section 9: Effective Date:** The provisions of this Ordinance shall be in effect on the 16th day of September, 1993, and thereafter until repealed.

READ, PASSED, APPROVED, AND ADOPTED by the Board of Trustees  
of the Town of Rico, Colorado, this 16th day of August, 1993.

ATTEST:

Linda Yellowman  
Town Clerk

TOWN OF RICO:

Gene Folsom  
Mayor