

Title 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.02 Town Council and Mayor
- 2.04 Town Offices Generally
- 2.06 Town Officers and Employees
- 2.08 Procedure for Hearings
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Chapter 2.02

TOWN COUNCIL AND MAYOR

Sections:

- 2.02.010 Town Council-Term.
- 2.02.020 Mayor-Term.
- 2.02.030 Town Council, Mayor-Vacancies.

2.02.010 Town Council-Term. In order to establish an orderly transition from the existing terms of office it is hereby established and ordained that during the next regular election the three council members obtaining the highest number of votes shall be seated for four-year terms, each for a four-year term. The three additional council members elected at the next annual election, receiving the three least number of votes shall be seated on the Town Council and hold office for a period of two years and that time the three new additions to the Town Council shall be open for election. Those persons elected in the 1982 election to fill the three vacancies shall commence serving four-year terms. It being the intent and purpose of this Section to establish overlapping terms of office for all council members with three council members being elected during any two-year election, after the 1980 general election. (Ord. 47 1979)

2.02.020 Mayor-Term. The office of Mayor shall be for two years from the date of election. (Ord. 47 1979)

2.02.030 Town Council, Mayor-Vacancies. A. The Town Council shall have the power, by appointment, to fill all vacancies in the Council, including the office of Mayor, and the person so appointed shall hold his office until the next regular election and until his successor is elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person

creating the vacancy was to extend beyond said next regular election, the person elected to fill the vacancy at said election shall be elected for the remainder of the unexpired term only.

Where a vacancy or vacancies exist in the office of Councilperson, and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three (3) candidates for Councilperson receiving the highest number of votes shall be elected to four-year (4) terms and the candidate or candidates receiving the highest number of votes, in descending order, shall be elected to fill the unexpired term or terms.

B. The Town Council shall also have the power to fill a vacancy on the Council, including the Office of Mayor, by ordering a special election, subject to the requirements of the Colorado Municipal Election Code, to fill the vacancy until the next regular election and until a successor has been elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person creating the vacancy was to extend beyond said next regular election, the person elected to fill the vacancy shall be elected for the unexpired term only.

C. If a vacancy in the Council, including the Office of Mayor, is not filled by appointment or an election is not ordered within sixty (60) days after the vacancy occurs, the Town Council shall order a special election, subject to the requirements of the Colorado Municipal Election Code, to be held as soon as practicable to fill the vacancy until the next regular election and until his successor has been elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term only.

Chapter 2.04

TOWN OFFICES GENERALLY

Sections:

- 2.04.010 Town Officers-Appointment.
- 2.04.020 Town Officers-Oath.
- 2.04.030 Town Officers-Surety Bond Required.
- 2.04.040 Town Officers-Vacancy.
- 2.04.050 Administrative Functions-Mayor.
- 2.04.060 Town Administrator-Duties.
- 2.04.070 Town Clerk-Duties.
- 2.04.080 Town Treasurer-Duties.
- 2.04.090 Town Attorney-Duties.
- 2.04.100 Town Officers-Removal.

2.04.010 Town Officers-Appointment. The Town Council shall appoint the following Town officers: Town Clerk, Town Treasurer and Town Attorney. The Town Council may also appoint a Town Administrator as an officer. The appointment of said Town officers shall be for a period established at the time of appointment, but in no event shall continue beyond thirty (30) days after compliance with Section 31-4-401, C.R.S., as amended, by members of the succeeding Board of Trustees.

The Town Council may enter into a written contract with any Town officer. Such contract shall be supplemental to the provision of this Section. The provisions of this Section shall supersede any such contract when in conflict.

(Ord. 2 §1 1947; Amended Ord. 78 Part IV, §4.1 1993)

2.04.020 Town Officers-Oath. Each of the officers appointed under Section 2.04.010 of this Chapter before entering upon the duties of such office, shall take an oath of affirmation, administered by the Municipal Judge, Town Clerk, or other person who is designated by the Town Council, or who is authorized by law to administer such oaths, to support the Constitution of the United States, the Constitution of Colorado and the laws of the State of Colorado and the Town of Dinosaur, and faithfully perform the duties of his/her office.

(Ord. 2 §4 1947; Amended Ord. 78 Part IV, §4.2 1993)

2.04.030 Town Officers-Surety Bond Required. (a) Each of the following officers shall execute a bond with sureties approved by the Town Council in the following amounts:

Mayor	\$5,000.00
Town Clerk	\$5,000.00

Town Treasurer \$5,000.00

Said bond shall be conditioned upon the faithful discharge of the duties of their office and for the care and disposition of municipal funds in their hands. The cost of said bond shall be paid by the Town of Dinosaur.

(b) The Town Council shall declare vacant the office of any person appointed to office who fails to give a bond when required within ten (10) days after notification of appointment, and shall proceed to appoint another person as in other cases of vacancy. In the event the official bond of an officer, after taking and approval thereof, becomes insufficient by reason of the death or insolvency of any of the sureties thereon, the Town Council shall require the officer to procure additional sureties or to give a new bond and may designate the time when such additional sureties or new bond shall be furnished, which shall not be less than ten (10) days. In the event the additional sureties or new bond is not furnished within the time so designated, the office shall be declared vacant, and the vacancy shall be filled by appointment as provided by law.

(Ord. 78 Part IV, §4.3 1993)

2.04.040 Town Officers-Vacancy. The Town Council has the power by appointment, to fill all vacancies in any appointed Town office, and the person so appointed shall have his/her office until the next regular election and until members of the Town Council have complied with Section 31-4-401, C.R.S., as amended.

(Ord. 78 Part IV, §4.4 1993)

2.04.050 Administrative Functions--Mayor. The Mayor, under the authority and direction of the Town Council, shall be responsible for the efficient administration of the affairs of the Town, unless otherwise expressly provided for in the Dinosaur Municipal Code. Except as otherwise provided herein, the Mayor shall be responsible for the administration of this Title, pursuant to the authority and direction of the Town Council.

The Mayor shall report to the Council, at each regular meeting of the Town Council, all significant administrative decisions made and actions taken by him since the last regular meeting of the Council. Specifically, the Mayor shall report to the Council all decisions made by him concerning personnel matters and shall discuss with the Town Council any personnel decisions contemplated by him.

2.04.060 Town Administrator-Duties. The Town Administrator shall be the chief executive officer of the Town. (Ord. 61 §II, 1983)

A. Supervision Received. The Town Administrator shall work under the general guidance and direction of the Mayor and Town Council.

B. Supervision Exercised. The Town Administrator shall exercise supervision over all Town employees.

C. Essential Duties and Responsibilities. The Town Administrator shall be responsible to the Town Council for the efficient administration of all affairs of the Town placed in his charge, and to that end he shall have the power and duty to:

1. Enforce the laws and ordinances of the Town;
2. Appoint, suspend, transfer, and remove all employees of the Town except as otherwise provided herein, or by State statute, subject to the personnel regulations of the Town, if any be adopted by the Town Council;
3. Make appointments on the basis of executive and administrative ability, and of the training and experience of such appointees in the work which they are to perform;
4. In cooperation with the Town Clerk and Town Council, prepare a proposed budget annually and submit it to the Council, and be responsible for the administration of the budget after its adoption;
5. Prepare and submit to the Council as of the end of the fiscal year a complete report on finances and administrative activities of the Town for the preceding year, and upon request of the Council make written or verbal reports at any time concerning the affairs of the Town under his supervision;
6. Keep the Council advised of the financial condition and future needs of the Town, and make such recommendations to the Council as he may deem necessary or expedient;
7. Exercise, supervision and control over all executive and administrative departments, and recommend to the Council any proposal he thinks advisable to establish consolidate or abolish administrative departments;
8. Enforce all terms and conditions imposed in favor of the Town or its inhabitants in any contract or public utility franchise, and upon knowledge of any violation thereof, report same to the Council for such action and proceedings as may be necessary to enforce the same;
9. Attend Council and Planning Commission (if such entity exists) meetings and participate in discussions in an advisory capacity;

10. Be responsible for engineering, architectural, maintenance, construction and work equipment services required by the Town; and
11. Perform such others duties as may prescribed by Ordinance, or by the Town Council.

(Ord 61 §IV, 1983)

2.04.070 Town Clerk-Duties. The Town Clerk shall have the power, duty and responsibility to:

A. Supervision Received. The Town Clerk works under the general guidance and direction of the Mayor, the Town Council and/or the Town Administrator, if appointed.

B. Supervision Exercised. The Town Clerk shall exercise supervision over any deputy town clerks and all other clerical staff.

C. Essential Duties and Responsibilities.

1. Attend all meetings, including informal study sessions, of the Town Council and make a true and accurate record of all the proceedings, rules and ordinances made and passed by the Board of Trustees;
2. Serve as custodian of the Town's official Book of Ordinances, serves as custodian of other Town records as designated by the Town Council, serve as custodian of the Town's seal, and affix the Town seal to such documents as the law or the Board of Trustees requires;
3. Administer all applicable provisions of the Colorado Municipal Election Code or Sections 31-10-101, *et. seq.*, C.R.S. as amended, or the Uniform Election Code, Sections 1-1-101, *et. seq.*, C.R.S., as amended, and the Colorado Fair Campaign Practices Act, Sections 1-45-101, *et. seq.*, C.R.S., as amended;
4. Collect monies, taxes, revenues, and other funds due and owing to the Town of Dinosaur;
5. Keep a separate account of each fund or appropriation and the debits and credits belong thereto;
6. Give each person paying money into the treasury a receipt therefor specifying the date of payment and upon which account paid;

7. Countersign warrants or checks drawn upon the treasury and signed by the Treasurer or Mayor. Said check or warrant shall state the particular fund or appropriation to which the same is chargeable and the person to whom payable;
8. Maintain all financial and statistical reports;
9. Assist and advise the Town Council and members of the public;
10. Maintain effective working relationships with other personnel;
11. Issue all Town licenses as provided by law;
12. Act as Clerk to the Town Council;
13. Maintain employment records for all Town officers and employees indicating the accumulation and use of vacation time, sick leave, other leave, overtime and compensatory time-off, if any;
14. Assist in the preparation of the annual budget;
15. Maintain all other records, unless otherwise provided by ordinance, and perform such other duties as prescribed by the Town Council and applicable law; and
16. Staff the Town office from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday.
17. Shall perform such other duties as deemed appropriate by the Town Council and as provided by applicable law.

(Ord. 78, Part IV, §4.5 1993)

D. Qualifications. The Town Clerk shall be a high school graduate with suitable municipal or private sector office experience. The Town Clerk must have the ability to make sound decisions and be capable of maintaining and filing records in a proper manner at all times. The Town Clerk shall have a broad working knowledge of municipal government, or agree to obtain such knowledge soon after being appointed. (Ord 78, Part IV, §4.6 1993; Amended Ord. 91 §1 1998)

Section 2.04.080 Town Treasurer-Duties.

- A. Supervision Received. The Town Treasurer works under the general guidance and direction of the Mayor, Town Council, and/or Town Administrator, if one has been appointed.

- B. Supervision Exercised. The Town Treasurer exercises supervision over all staff members performing financial duties and responsibilities.

- C. Essential Duties and Responsibilities. The Town Treasurer shall have the power, duty and responsibility to:
 - 1. Attend all regular meetings of the Town Council and present a Treasurer's Report and report of accounts payable at such meetings;

 - 2. Be responsible for the establishment, control, and maintenance of a system of accounts for the Town, as provided by law. Such books and accounts shall always be subject to inspection by any member of the Town Council;

 - 3. Receive all moneys, taxes, revenues and other funds collected by the Town Clerk and credit such receipts or deposits to the appropriate fund or account established by the Town budget, as approved by the Town Council in compliance with State law;

 - 4. Deposit all funds and moneys collected by the Town Clerk in his/her name as Treasurer in local financial institutions and other investments as authorized by the laws of the State of Colorado and the Town Council;

 - 5. Keep in her/her office a book, to be called the General Ledger, in which shall be entered at the date of presentation thereof and without any interval or blank line between any such entry and the one preceding it, every Town order, warrant, or other certificate of such Town at any time for payment, whether the same is paid at the time of presentation or not, the number and date of such order, warrant, or certificate, the amount, the date of presentation, the name or the person presenting the same, and the particular fund, if any, upon which the order was drawn. The General Ledger shall be open at all reasonable hours to inspection and examination of any person desiring to inspect or examine the same;

 - 6. Serve as the Town's investment officer pursuant to the directions of the Town Council;

7. Render an accounting to the Town Council at each regular meeting of the Council, showing the state of the treasury at the date of such accounting and the balance of moneys in the treasury. He/she shall also accompany such accounting with a statement of all moneys received into the treasury and on what account during the preceding month, together with all warranted redeemed or checks paid by him/her. Warrants with any vouchers, and all checks paid, shall be appropriately filed in the Treasurer's records. He/she shall return all warrants returned by him/her stamped or marked "paid". He/she shall keep a register of all warrants and checks paid, and shall describe such warrants and checks paid, and shall describe such warrants and checks and show the date, amount, number, the fund or account from which paid, and the name of the person to whom and when paid;
8. Shall quarterly make out and file in the Town's records a full and detailed account of all such receipts and expenditures and all of his/her transactions as Treasurer during the preceding fiscal year and shall show in such account the state of the treasury at the close of the fiscal year on December 31, which accounting he/she shall immediately cause to be posted in a public place in the Treasurer's office;
9. Countersign warrants and checks drawn upon the treasury and signed by the Town Clerk or Mayor. Said check or warrant shall state the particular fund or appropriation to which the same is chargeable and the person to whom payable;
10. Keep the Town Council and the public informed and advised as to the Town's financial condition;
11. Assist with the preparation of the Town's annual budget;
12. Maintain an effective working relationship with the public and other personnel;
13. Perform such other duties as deemed appropriate by the Town Council and as provided by applicable law;
14. Staff the Town office from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday; and
15. Shall perform such other duties as deemed appropriate by the Town Council and as provided by applicable law.

(Ord. 78 Part IV, §4.7 1993)

D. Qualifications. The Town Treasurer shall have at a minimum a high school education supplemented by courses in bookkeeping and experience in maintaining financial and statistical records. If the Town Treasurer, when appointed, does not have significant experience in municipal accounting, the Town Treasurer shall, upon direction by the Town Council, complete an advanced course in municipal accounting. (Ord. 78 Part IV §4.8 1993; Amended Ord. 91 §2 1998)

2.04.090 Town Attorney-Duties. The duties of the Town Attorney shall be as follows:

A. Act as legal advisor to, and be attorney and counsel for, the Town Council, and shall be responsible solely to the Council. He/she shall advise any Town officer or department head of the Town in matters relating to his/her official duties when so requested by the Town Council;

B. Shall prosecute ordinance violations and shall represent the Town in cases before the Municipal Court, as requested by the Town Council;

C. Shall prepare and review all ordinances, contracts, bonds, and other written instruments which are submitted to him/her by the Council and shall promptly give his/her opinion as to the legal consequences thereof;

D. Shall call to the attention of the Council all matters of law, and changes or developments therein, affecting the Town;

E. Shall perform such other duties as may be prescribed for him/her by the Council.

(Ord. 78 Part IV, §4.9 1993)

F. Qualifications. The Town Attorney shall be a graduate of a duly accredited law school, shall be licensed to practice law in the State of Colorado and shall have substantial experience in the field of local government law. (Ord. 78 Part IV, §4.10 1993)

2.04.100 Removal or Suspension of Town Officers. A. By a majority vote of all members of the Town Council, the Town Administrator, the Town Clerk, Town Treasurer, and Town Attorney may be suspended or removed from office. No such suspension or removal shall occur without a charge in writing and an opportunity of a hearing being given, unless an officer ceases to reside within the limits of the Town when such residence is required.

B. Removal or suspension of Town officers only, shall be for cause in accordance with Colorado law.

C. A hearing on the removal or suspension of a Town officer shall be conducted by the Town Council or by one or more hearing officers who have not personally determined the factual issues in controversy and have no personal financial interest in the outcome of the hearing. In its sole discretion, the Council may, but need not, appoint an employee of the Town or other person possessing qualifications acceptable to the Council as a hearing officer to hear and receive evidence and render a decision on the law and facts.

D. At such hearing the Town Council or hearing officer shall have the authority to administer oaths and affirmations; sign and issue subpoenas; rule upon offers of proof; compel testimony; receive evidence; dispose of motions relating to discovery and production of relevant documents and things for inspection, copying, or photographing; regulate the course of the hearing; set the time and place for continued hearings; fix the time for filing of briefs and other documents; direct the parties to appear and confer to consider simplification of issues, admissions of facts, or documents to avoid unnecessary proof; limit the number of witnesses and issue appropriate orders to control the subsequent course of the proceeding; dispose of motions; and control decorum and conduct of the proceeding.

E. All testimony at a hearing on the removal or suspension of a Town officer shall be taken under oath or by affirmation. However, the hearing need not be conducted according to the technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the type of evidence on which responsible parties are accustomed to rely on in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions in courts of this State. Irrelevant or unduly repetitious evidence shall be excluded.

F. The burden of proof shall be upon the Town to establish by a preponderance of the evidence that the charges, or any one of them, lodged against the Town officer are true, and that they constitute adequate grounds for removal or suspension.

G. Each party at a removal or suspension hearing shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;

5. To rebut the evidence against him/her;
6. To represent himself/herself or to be represented by anyone of his choice who is lawfully permitted to do so.

H. A record of the entire proceeding shall be made by tape recording, or by any other means of permanent recording determined to be appropriate by the Town Council or the hearing officer.

(Ord. 78 Part XII, §12.1 1993)

Chapter 2.06

TOWN OFFICERS AND EMPLOYEES

Sections:

- 2.06.010 Personnel Handbook.
- 2.06.020 Employee Job Description.
- 2.06.030 Contract Officers and Employees.
- 2.06.040 Town Officers and Employees-Salaries and Hourly Rates.
- 2.06.050 Officers and Employees Work Periods.
- 2.06.060 Town Marshal.

2.06.010 Personnel Handbook. The Town Council shall promulgate from time to time by resolution a Personnel Handbook and all Town officers and employees shall be subject to the provisions of such Handbook.

2.06.020 Employee Job Description. A. The Town Council shall promulgate a written job description for each classification. Said description shall contain the title of the position, a definition of the position, the duties and responsibilities of the position and required qualifications for the position. A job description may also, in the discretion of the Town Council, contain the rate of pay or a salary range for such position.

B. Job descriptions and/or job titles may be revised or altered as needed by the Town Council, by resolution, when it is felt that the duties currently being performed are considerably different from those indicated on the current description. All job title (classification) changes must be accompanied by complete job descriptions before they become effective.

(Ord. 78 Part V, § 5.2 1993)

2.06.030 Contract Officers and Employees. The Town Council may enter into a written contract with any individual officer or employee. Such contract shall be supplemental to the provisions of this Title. The provisions of this Title 2 shall supersede any such employment contract when in conflict.

2.06.040 Town Officers and Employees-Wages and Salaries. The Town Council shall by ordinance or resolution establish the wages and salaries for all officers and employees of the Town. In considering wage and salary changes, the Town Council shall consider the level or responsibility of the position, meritorious service, longevity, fiscal and economic conditions, as well as comparable salaries in the private and public sector. Any changes in wages and salaries shall be by ordinance or resolution enacted by the Town Council. Salary changes may be approved by the Town Council as part of the approval of the Town's annual budget. (Ord. 2 §3 1947; Amended Ord. 78, Part IX §9.1 1993)

2.06.050 Officers and Employees Work Periods.

A. Work Schedules for Non-Exempt Employees. Work schedules for employees shall be established by the Town Council. Such work schedule shall be established in accordance with custom and the needs of the Town and may include longer work weeks, different hours and different work days. Except as otherwise established by the Council, the work week for full-time employees shall consist of at least forty (40) hours within a seven (7) day period running from 12:01 a.m. to midnight on the following Saturday. (Ord. 78, Part VIII §8.1 1993)

B. Work Schedules for Officers, Professional and Exempt Employees. Full time officers, professional, administrative, and other exempt employees who are ineligible for overtime compensation or compensatory time-off, shall work a minimum of thirty-five (35) hours per week or such additional amount as is necessary, in the opinion of the Town Council, to perform his/her duties in a complete and satisfactory manner. Such officers or employees shall receive no additional compensation or compensatory time-off for work in excess of thirty-five (35) hours per week, in excess of a regular work day/shift, or no holidays. (Ord. 78, Part VIII §8.2 1993)

2.06.060 Town Marshal.

A. Marshal's Department Created. Pursuant to Section 31-4-306, C.R.S., there is hereby created a Marshal's Department of the Town of Dinosaur which shall consist of the Town Marshal and as many deputies as may from time to time be determined necessary by the Town Council for the safety and good order of the Town. (Ord. 94 §1 1998; Amended Ord. 99 §1 2000)

B. Marshal-Appointment, Tenure, Powers and Duties.

1. The Town Marshal shall be appointed by the Town Council and shall serve at the pleasure of, and under the supervision, direction and control of the Town Council and/or the Town Administrator. Such position shall be deemed an "employee" position, not a Town "officer" position. The Marshal may be removed or discharged in accordance with the Town's personnel policies.
2. The Marshall shall, in such capacity, and by name and title, be vested with all powers and duties set forth in Section 31-4-306, C.R.S., as the same may be amended from time to time, and as otherwise provided under the laws of the State of Colorado.

(Ord. 94 §2 1998; Amended Ord. 99 §2 2000)

C. Marshal-Oath and Bond. The Marshal shall, upon entering upon his duties, take such oath as may be required by the statutes of the State of Colorado or as otherwise determined

by the Town Council, and shall provide such security bond as may be required by the Town Council or the Town's personnel policies. (Ord. 94 §3 1998; Amended Ord. 99 §3 2000)

D. Reports. The Marshall shall render such reports of the activities of the Marshal's Department as may be required from time to time by the Town Council, and shall keep the records of his/her Department open to inspection by the Town Council at any times, unless otherwise provided by the laws of the State of Colorado. (Ord. 94 §4 1998; Amended Ord. 99 §4 2000)

E. Deputies. Deputy Marshals shall be appointed by the Town Council following recommendations from the Marshal. Such deputies shall be removed or discharged in the manner provided by the Town's personnel policies. Deputies shall be under the direct control and supervision of the Marshal, who may adopt further personnel policies so long as such policies are not inconsistent with the Town's general personnel policies. The Town Council shall be advised of any such policies promulgated by the Marshal, and shall have the power to amend or set them aside. (Ord. 99 §5 2000)

F. Rules and Regulations. The Marshal's Department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be established by the Town Marshal with the approval of the Town Council, or as otherwise promulgated by the Town Council or by the laws of the State of Colorado. (Ord. 94 §6 1998; Amended Ord. 99 §6 2000)

Chapter 2.08

PROCEDURE FOR HEARINGS

Sections:

2.08.010	Purpose and Applicability.
2.08.020	Quasi-Judicial Hearings.
2.08.030	Rules of Procedure.
2.08.040	Rights of Participants.
2.08.050	Order of Procedure.
2.08.060	Appointment of Hearing Officer.
2.08.070	Deliberation and Notice of Decision.
2.08.080	Judicial Enforcement and Review.

2.08.010 Purpose and Applicability. The purpose of this Chapter is to provide a uniform, consistent, and expeditious method of procedure for the conduct of all quasi-judicial hearings held before the Town Council; any board, commission, official or employee of the Town; or any hearing officer appointed to hear and receive evidence and render a decision on the law and facts. The provisions of this Chapter shall be applied uniformly in all applicable hearings. Provided, however, the rules contained in this Chapter may be supplemented by the adoption of further rules of procedure by the hearing body, official, employee, or hearing officer, not inconsistent therewith. All rules adopted to supplement the provisions of this Chapter by any board, commission, official, employee, or hearing officer, shall be reduced to writing and copies thereof shall be made available to the public.

2.08.020 Quasi-judicial Hearings. The provisions of this Chapter shall be applicable only to those hearings where the Town Council, board, commission, official, employee, or duly-appointed hearing officer is called upon to exercise powers of a judicial or quasi-judicial nature which shall include, but not be limited to, the following:

- A. Hearings before the Town Council upon application for the issuance of, or renewal of, or hearings for the suspension or revocation of, a liquor or fermented malt beverage license.
- B. Hearings before any board, commission, or official appealing the issuance, suspension, or revocation of other licenses issued by the Town, where such an appeal is otherwise authorized, and which requires an evidentiary hearing to determine such appeal.
- C. All land use and development hearings conducted pursuant to Title 14 of the Dinosaur Municipal Code.
- D. Personnel hearings.
- E. Appeals from any decision of the Building Official.

F. All appeals from the decisions of any Town official, board, or commission, where such an appeal is otherwise authorized, and which requires an evidentiary hearing to determine such appeal.

2.08.030 Rules of Procedure. All quasi-judicial hearings shall be conducted under procedures designed to ensure all interested parties due process of law and shall, in all cases, provide for the following:

A. The board, commission, official, employee, or duly-appointed hearing officer conducting the hearing shall have authority to administer oaths and affirmations; rule upon offers of proof; compel testimony; receive evidence; dispose of motions relating to discovery and production of relevant documents and things for inspection, copying, or photocopying; regulate the course of the hearing; fix the time for filing of briefs and other documents; direct the parties to appear and confer to consider simplification of issues, admissions of facts, or documents to avoid unnecessary proof, and limitation of the number of witnesses; issue appropriate orders to control the subsequent course of the proceedings; dispose of motions; and control the decorum and conduct of the proceeding.

B. Any Town board, commission, official, employee, or duly-appointed hearing officer conducting a quasi-judicial hearing shall have the power to issue subpoenas compelling testimony or the production of documents. Pursuant to Section 13-10-112(2), C.R.S., as amended, the Dinosaur Municipal Judge shall have the power to enforce said subpoenas.

C. All testimony may be taken under oath or by affirmation in the discretion of the board, commission, official, employee or hearing officer conducting the hearing.

D. The hearing need not be conducted according to the technical rules relating to evidence and witnesses.

E. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding, unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this State.

F. Any relevant evidence shall be admitted if it is the type of evidence on which responsible parties are accustomed to rely on in the conduct of serious affairs, regardless of the existence of any common law, statute, or court rules which might make improper the admission of such evidence. Evidence which is reasonably reliable and calculated to aid the hearing body, official, or officer, in reaching an accurate determination of the issues involved may be considered.

G. Irrelevant and unduly repetitious evidence shall be excluded.

H. The board, commission, official, employee, or hearing officer conducting the hearing shall be permitted at the hearing to continue the hearing, for good cause, to another date, time, and place. In such an event, no advertised public notice of such continued hearing shall be required.

I. In reaching a decision, official notice may be taken, whether before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this State, or of official records of the Town, and ordinances, rules, and regulations of the Town. Interested parties present at the hearing shall be informed of the matters to be noticed and these matters shall be noted in the record, referred to therein, or appended thereto.

Interested parties shall be given a reasonable opportunity, upon request, to refute the officially noticed matters by evidence or by written or oral presentation of authority.

J. All hearings shall be open to the public unless otherwise authorized or permitted by applicable law.

K. A record of the entire proceedings shall be made by tape recording, or any other means of permanent recording determined to be appropriate by the Town board, commission, official, employee, or duly-appointed hearing officer conducting the hearing.

2.08.040 Rights of Participants. Each interested party participating in a quasi-judicial hearing shall have these rights, among others:

- A. To call and examine witnesses on any matter relevant to the issues of the hearing.
- B. To introduce documentary and physical evidence.
- C. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing.
- D. To rebut the evidence presented.
- E. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

2.08.050 Order of Procedure. In all quasi-judicial hearings, the following order of procedure shall be followed, unless otherwise determined by the body or person conducting the hearing:

- A. Presentation of those documents showing the regularity of the commencement of the proceedings and the form of the public notice given, if required.

B. Presentation of evidence by the applicant, petitioner, appealing party, or complainant.

C. Presentation of evidence in support of the applicant, petitioner, appealing party, or complainant by any other person.

D. Presentation of evidence from any person opposing the application, petition, appeal, or complaint.

E. Presentation of evidence in rebuttal to the matters presented by the opposing party.

F. All documents or other items of physical evidence shall be marked as exhibits with such identifying symbols as may be necessary to determine the exhibit referred to by any witness or other person.

2.08.060 Appointment of Hearing Officer. In any hearing upon application for the issuance of, or renewal of, or hearing for the suspension or revocation of, a liquor or fermented malt beverage license; any personnel hearing; and any other hearing when it is necessary to avoid a conflict of interest, the Town council, commission, official, or employee called upon to render a decision may appoint one or more hearing officers who have not determined the factual issues in controversy and have no personal financial interest in the outcome of the hearing to conduct the required hearing. The hearing officer shall hear and receive evidence and render a decision on the applicable law and the facts. The hearing officer shall have all the authority possessed by the Town Council, commission, official, or employee to render decisions, except, if required by applicable law, only the Town Council, commission, official, or employee possessing the authority, shall take formal action on the matters at issue, following issuance of the hearing officer's decision on the law and facts.

2.08.070 Deliberation and Notice of Decision. If the final decision or formal action is required to be made by a Town board or commission, no decision or formal action shall be effective, except upon a vote of the members of said board or commission, conducted in an open session thereof, which shall be duly recorded in the minutes of the Town board or commission. No member of a board or commission who did not hear the evidence or has not read the entire record of proceedings shall vote or take part in the factual determination. The Town council, commission, official, employee, or duly-appointed hearing officer may issue an oral decision immediately upon conclusion of the evidentiary hearing. If no decision is issued at the hearing, said decision shall be rendered in writing within the time limits provided by applicable law. If no specific time limit is provided, the decision shall be rendered no later than twenty (20) days following the conclusion of the hearing. Said written decision shall contain findings of fact and conclusions of law, setting forth the grounds of the decision, based on the evidence presented at the hearing. Copies of the written decision shall be delivered to the applicant, petitioner, appellant, complainant, and other interested parties requesting the same unless otherwise prohibited by applicable law.

2.08.080 Judicial Enforcement and Review. Any party aggrieved by any decision rendered by the hearing body, official, employee, or duly-appointed hearing officer in any quasi-judicial hearing, may apply to have said decision reviewed by a court of competent jurisdiction, in accordance with the provisions of the Colorado Rules of Civil Procedure, and any other applicable law. Said appeal shall be filed with the court within thirty (30) days following the issuance of the final decision or the formal action.

Chapter 2.10

PROCUREMENT CODE

Sections:

- 2.10.010 Purpose and Scope.
- 2.10.020 Definitions.
- 2.10.030 Powers and Duties of Purchasing Agent.
- 2.10.040 Methods and Procedures for Source Selection.
- 2.10.050 Purchasing Authority and Process.
- 2.10.060 Local Preference.
- 2.10.070 Division of Contracts Prohibited.
- 2.10.080 Recurring Purchases.
- 2.10.090 Disposition of Surplus Personal Property.

2.10.010 Purpose and Scope. The purpose of this Chapter is to set forth the procedures that the Town will follow in purchasing equipment, materials, vehicles, and other tangible personal property and obtaining professional and consulting services.

2.10.020 Definitions. As used in this Chapter, the following definitions shall apply.

A. Bid blanks means forms to be completed, which may also state requirements for additional written information, in connection with the submission of sealed competitive bids.

B. Invitation for bids means all documents, whether attached or incorporated by reference, utilized for soliciting bids.

C. Local equipment means equipment such as tools, vehicles, excavators, graders, and other equipment that is primarily stored and located in Moffat or Rio Blanco Counties, Colorado.

D. Local goods means goods, materials or supplies that are harvested, mined, produced, manufactured, sold, distributed, or assembled in Moffat or Rio Blanco Counties, Colorado.

E. Local services means labor or services provided by residents of Moffat or Rio Blanco Counties, Colorado.

F. Lowest qualified bidder means the bidder with the lowest price and the highest qualifications, based on the following criteria: (1) the ability, capacity and skill of the bidder to perform under the contract or furnish the supplies required; (2) whether the bidder can perform the contract or furnish the supplies promptly or within the time specified, without delay or interference; (3) the character, integrity, reputation, judgment, experience, and efficiency of the

bidder; (4) the quality of performance on previous contracts, if any; (5) previous and existing compliance by the bidder with laws, ordinances, and regulations relating to the contract or service; (6) sufficiency of financial resources and ability of the bidder to perform the contract or furnish the supplies; (7) the ability of the bidder to provide future maintenance and service; (8) the extent to which the bidder commits to using local goods, local equipment, and local services when practical and efficient to do so; and (9) the response to the invitation for bids.

G. Purchasing Agent means the Town Administrator or such other person as may be authorized by the Town Council to act as Purchasing Agent for any particular transaction.

2.10.030 Powers and Duties of Purchasing Agent.

A. The Town Council hereby authorizes the Purchasing Agent to exercise purchasing authority subject to the provisions of this Chapter. The Purchasing Agent may delegate purchasing duties to members of the Town staff under his supervision and direction. The Town Council hereby delegates authority to the Purchasing Agent to execute contracts, work orders, notices to proceed, and other documents in connection with procurements authorized in accordance with this Chapter.

B. The Purchasing Agent's general duties and powers are as follows:

1. Procure for the Town the highest quality in supplies and services at the least reasonable expense to the Town.
2. Consolidate purchases in bulk quantities when practical to maximize economic benefit to the Town. Quantities purchased should represent a reasonable balance based on transportation costs, quantity discount, price, budget, cost, and storage capabilities.
3. Endeavor to obtain as full and open competition as is practical for all purchases and sales.
4. Enforce the terms and conditions of contracts and purchase orders with all vendors and suppliers, and to declare vendors who default on their quotations or contracts as noncompliant bidders who may be disqualified from receiving any business from the Town for a stated period of time.
5. Secure all applicable federal and state tax exemptions for the Town on purchases and contracts.
6. Apply for and obtain such grants as may be available to defray the costs of purchases and contracts.

7. Coordinate with the finance department to secure the maximum efficiency in budgeting and accounting.
8. Consult with professionals such as attorneys and engineers hired in conformance with this Chapter to draft and review contracts, plans, specifications, and other documents and to supervise work in connection with procurements.

2.10.040 Methods and Procedures for Source Selection. Subject to the provisions of Section 2.10.040(B), below, the following methods may be applied for procurement.

A. Sole Source Procurement. Procurements may be made without competition when the Purchasing Agent reasonably determines, after conducting a good faith review of available sources, that there is only one viable and reasonable source within the relevant supply area for the required supply, service or construction item. The Purchasing Agent shall conduct negotiations, as appropriate, as to price, delivery, and terms.

B. Emergency Procurement. Notwithstanding any other provisions of this Chapter, the Purchasing Agent may make or authorize others to make emergency procurement of supplies, services or construction items when there exists a threat to public health, safety or welfare and when the purchase cannot reasonably be delayed for review by the Town Council. All emergency procurements shall not exceed the sum of \$10,000 in any single fiscal year; provided that the Town Council may increase this limitation at any time by resolution for the current and/or future fiscal years, subject to all budgeting and appropriation requirements. The Purchasing Agent shall encourage competition for emergency procurements to the extent practicable under the circumstances, but strict compliance with any other procurement method described in this section not be required. All emergency procurements shall be reported to the Town Council at the next available meeting.

C. Open Market. Open market purchases involve an informal evaluation of price, quality, convenience and service from any source and the exercise of sound decision-making by the Purchasing Agent based on such information.

D. Comparative Pricing. For purchases based on comparative pricing, the Purchasing Agent shall solicit quotes from no fewer than three (3) vendors/suppliers, unless it is impracticable under the circumstances to obtain three (3) quotes. Quotes may be solicited orally or in writing at the discretion of the Purchasing Agent.

E. Requests for Proposals (RFPs). RFPs shall be in writing and shall be distributed to a minimum of three (3) firms or individuals to be selected by the Purchasing Agent. The Purchasing Agent shall also have the discretion to solicit RFPs by advertising in a newspaper or other publication, by posting the RFP in a public place, or by posting the RFP on a website, listserve, or by other electronic means. The RFP may, but does not need to be, directed to the public at large.

F. Competitive Bidding.

1. Notice to Bidders. An invitation for bids shall be published by any one or more of the following methods: (a) advertisement in a local newspaper of general circulation as defined by Section 1.04.010 at least twice; (b) posting on the Town's official website; and/or (c) posting at Town Hall and all other official public posting sites as determined by the Board of Trustees for the posting of public meeting notices. The notice shall be published at least ten (10) days prior to the date for bid opening, which deadline shall apply to the second publication if newspaper advertisement is utilized. The notice shall include a general description of the materials and/or services to be procured; the place where bid blanks and specifications may be obtained; the closing date and time for acceptance of bids; a statement that all bids shall be submitted to the Town Clerk; the time and place for opening bids; the need for bonding, if applicable; and the reservation by the Town of the right to reject any and all bids. In addition to the formal publication requirements described above, the Purchasing Agent shall have the authority to give informal notice of the invitation for bids to such potential vendors as the Purchasing Agent deems appropriate.
2. Bid Requirements. To be considered as a qualifying bid, each bid shall comply with the following:
 - a. Bids shall be in writing and signed by an authorized representative of the bidder, enclosed in a sealed envelope, and filed with the Town Clerk by the deadline stated in the invitation for bids. Bids shall include all information required by the bid blanks and specifications.
 - b. Only one (1) bid may be submitted per bidder. If a bidder submits multiple bids, then all bids of that bidder shall be rejected; provided, however, a bidder may withdraw a bid up until twenty-four (24) hours prior to the bid opening and, once withdrawn, may submit a new bid.
3. Withdrawal/Correction of Bids. Bids may be withdrawn up to twenty-four (24) hours prior to expiration of the deadline for submitting bids. An otherwise low bidder shall be permitted to correct a material mistake in his or her bid, including price, when the intended bid is obvious from the bid document or is otherwise supported by proof that has evidentiary value as determined by the Purchasing Agent. A low bidder shall not be permitted to correct a bid for mistakes or errors in judgment.

4. Waiver of Informalities in Bids. The Purchasing Agent may waive informalities in a bid if (a) the item is only a matter of form or is an immaterial variation from the exact requirements of the invitation for bids; (b) the item being waived has trivial or no effect on price, quality, quantity, delivery, or performance, and (c) such a waiver would not affect the relative standing of bidders or otherwise prejudice other bidders.
5. Bid Opening Procedure. At the time and place specified in the notice for bids, the Purchasing Agent shall open the sealed bids in public. The Purchasing Agent shall announce the names of those who have bid and the amounts of the bids and shall state whether any bids submitted have been withdrawn. As the bids are opened, such details as the Purchasing Agent deems appropriate shall be read and copied on a bid tally record, which shall be open for public inspection. The person recording the bids shall sign the tally sheet.
6. Bid Evaluation; Award. The Purchasing Agent shall perform a review and analysis of all tabulated bids. Evaluation criteria include price, quantity and/or quality offered, qualifications of the bidder, and capacity to fulfill all requirements of the contract. All awards shall be made by the Board of Trustees by written notice to the bidder. Alternate bids may be awarded whenever deemed necessary by the Town. The Town need not award a bid to the lowest responsive and responsible bidder, but rather the bid shall be awarded to the bidder who, in the sole discretion of the awarding authority, provides the best overall value to the Town based on the evaluation criteria described in this Chapter.
7. Rejection of Bids. The Purchasing Agent may reject all or any part of a bid (unless the bid expressly excludes the ability to partially accept the bid) when it is determined to be in the best interest of the Town, or if the vendor or contractor is in default on the payment of taxes, license fees, or other sums due to the Town.
8. Nonresponsive Vendor. Any vendor/bidder who fails to comply with the terms of an awarded contract, quote or purchase order, or the required specifications contained in the bid, may be declared a nonresponsive bidder/vendor by the Purchasing Agent.
9. Bonding; Conditions. For a contract awarded based on a bonded competitive bid, the successful bidder shall be required at the time the contract is executed to deliver to the Town a contractor's performance bond, a labor and material payment bond, or other surety acceptable to the Town in the amount of one hundred percent (100%) of the contract price. Such contractor shall promptly perform all work required by the

contract on behalf of the Town and shall promptly pay all amounts lawfully due to all persons supplying or furnishing labor or materials used or performed in the prosecution of the work provide for in such contract. Further, the contractor shall indemnify and hold the Town harmless for all payments or liabilities arising from the execution of the terms of the contract.

2.10.050 Purchasing Authority and Process.

The purchasing authority and process required for all types and amounts of procurements shall be as follows, provided that all monetary limits set forth in this Section are maximum ceilings, and nothing shall prohibit the Purchasing Agent from utilizing a higher level process than required by this Section or from requesting Board consideration of a purchase when not required.

For purposes of this Section, the “Estimated Contract Amount” shall be cumulative with respect to all contracts with a given vendor in a calendar year that are awarded by any means other than RFP, competitive bid. By way of illustration, if a vendor has previously been awarded a construction contract for \$50,000 in a calendar year under the comparative pricing method, then such vendor shall not be eligible to be awarded another construction contract in that year unless the Town utilizes the RFP, competitive bid, or bonded competitive bid process for such new contract.

A. Equipment.

1. Authority. The Town Council must approve all awards of contracts for acquisition of new or replacement of equipment that exceed \$10,000.
2. Required Procedures.

Estimated Contract Amount	Process
Less than \$5,000	Open market
\$5,000 to \$50,000	Comparative pricing or RFP
Greater than \$50,000	Competitive bid

B. Change Orders.

The Town Administrator shall have authority to approve and execute written change orders with respect to any procurement authorized by this Chapter; provided that the aggregate sum of all change orders for a given contract shall not exceed \$10,000 without approval by the Town Council. However, the Town Council shall have the authority to supersede this provision and to dictate more restrictive or less restrictive authority to the Town Administrator to approve and execute change orders by including specific provisions to such effect in any original contract approved by the Council.

If a contract was approved through competitive bidding, and if one or more change orders will increase the total contract price by more than 50% of the original contract price, then the Council may, in its sole discretion, require that the change order be treated as a separate contract subject to new bidding in accordance with this Chapter.

Additionally, or in the alternative, the Board may require that the contracted vendor solicit new competitive bids from subcontractors and/or suppliers prior to approving any change order.

C. Materials, Supplies, Nonprofessional and Technical Services.

1. Authority. The Town Council must approve all awards of contracts for materials, supplies, and for nonprofessional or technical services (including IT services) that exceed \$10,000.
2. Required Procedures.

Estimated Contract Amount	Process
Less than \$5,000	Open market
\$5,000 or more but less than \$50,000	Comparative pricing or RFP
\$50,000 or more	Competitive bid

D. Professional Services.

1. Authority. Except for appointed positions as addressed in subsection (3), below, the Board of Trustees must approve all awards of contracts for professional services anticipated to exceed \$10,000 per year for any single vendor.
2. Required Procedures.

Estimated Contract Amount	Process
Less than \$5,000	Open market
\$5,000 or more but less than \$50,000	Comparative pricing or RFP
\$50,000 or more	Competitive bid

3. Appointed Positions.

The Town Council shall be responsible to approve the retention of any outside professional to serve as an appointed official for the Town, including but not limited to the Town Attorney, Town Engineer, Town

Planner, and Town Building Official, utilizing whatever method or procedure the Town Council deems appropriate in its sole discretion. Notwithstanding any written proposal, rate sheet, or agreement to the contrary, all such persons shall serve at the pleasure of the Town Council on such terms as the Council may decide in its discretion and may be removed from office at any time, with or without cause. No professional serving in such an appointed position shall be entitled to any guaranteed minimum or maximum compensation, and the prospective rates and fees for future work of such professionals shall be subject to review by the Town Council at any time the Council deems appropriate. If an appointed position becomes vacant, then the Town Administrator shall have the authority to retain professionals to provide interim services in accordance with his authority under subsections (1) and (2), above. Because no professional retained to serve as an appointed official shall have any right or expectation of continued appointment, the terms of compensation for such an appointment shall, to the fullest extent permitted by law, be deemed not to be a “sole source government contract” within the meaning of Article XXVIII of the Colorado Constitution. The Town Council shall have the discretion to determine when potential work by an outside professional would fall outside the scope of his or her duties as an appointed official such that other procedures in this Chapter would apply.

E. Utilities and Utility Equipment. The Purchasing Agent shall have the authority to secure utility services, including necessary equipment therefore, using a sole source procedure.

F. Real Property (including land with or without existing improvements, easements, rights of way, and water rights). Acquisition of real property interests shall be made by sole source or open market procedures; provided that all such acquisitions in excess of \$10,000 shall require authorization by the Town Council.

2.10.060 Local Preference. It is the goal of the Town to utilize local equipment, local goods, and local services in order to provide employment opportunities to area residence when it is feasible and efficient to do so as determined by the Purchasing Agent in his discretion.

2.10.070 Division of Contracts Prohibited. No contracts or purchases shall be divided to avoid the procedural requirements of this Chapter.

2.10.080 Recurring Purchases. Quotes obtained for routine purchases of supplies, equipment or materials under open market, comparative pricing, or RFP procedures may be deemed valid for a period of two (2) years from the date of the quote. The Purchasing Agent is not required to obtain revised quotes for such items during the two-year period, provided that the vendor is informed of the Town’s intention to make repeated purchases at the time of the initial purchase.

2.10.090 Disposition of Surplus Personal Property. The Purchasing Agent has the power to declare personal property (materials, supplies, and/or equipment) of the Town surplus or obsolete. In the event the Purchasing Agent desires to divest the Town of surplus or obsolete personal property, he or she shall first establish a reasonable estimate of the value of the property. If the estimated value of any one item, or if the aggregate value of all items to be offered at a given time, is one thousand dollars (\$1,000.00) or more, the Purchasing Agent shall obtain the approval of Town Council to offer the property for sale. All sales of personal property with an estimated value of one thousand dollars (\$1,000.00) or more shall be offered for sale by advertising for sealed bids in a newspaper of general circulation in the Town, unless otherwise approved by Town Council. The Purchasing Agent shall oversee the opening, review, and award of the sealed bids. In the event no bids are received on an item, the Purchasing Agent shall so inform Town Council, who will direct whether to re-offer the item for sale at a later time, or whether to otherwise dispose of the item.

As an alternative, the Purchasing Agent may elect to dispose of such property through an advertised public auction.

If the estimated value of the property is less than one thousand dollars (\$1,000.00) the Purchasing Agent may use his or her discretion to offer the item for sale (through public bid or private means), to donate the item, or to dispose of the item.

In the event of disposal the Purchasing Agent is to use his or her best efforts to recycle all or part of the item, as appropriate. The Purchasing Agent shall report to the Town Council the manner and terms of all dispositions of surplus property.

Chapter 2.14

PLANNING AND ZONING COMMISSION

Sections:

- 2.14.010 Created.
- 2.14.020 Membership—Term--Vacancy.
- 2.14.030 Residence Requirement—Compensation.
- 2.14.040 Terms--Election of Officers.
- 2.14.050 Powers and Duties.
- 2.14.060 Additional Duties.
- 2.14.070 Master Plan Preparation.

2.14.010 Created. Pursuant to the authority conferred by Article 23, Chapter 31, Colorado Revised Statutes, as amended, there is created a Planning Commission and Zoning Commission for the Town. The members of the Planning Commission shall also serve, and are appointed as the Zoning Commission.

2.14.020 Membership—Term--Vacancy. A. The Town Planning Commission shall have five (5) members, consisting of the Mayor and a member of the Board of Trustees as ex officio members, and three (3) persons appointed by the Mayor. The term of each member shall be for a period of four (4) years or until his successor takes office; except for the terms of those members of the public appointed to the Commission, the term of one (1) member shall be for a period of two (2) years, the term of one (1) member shall be for a period of three (3) years, and the term of one (1) member shall be for a period of four (4) years. A term shall be deemed to end on the fifteenth (15th) day of May of the appropriate year. The terms of the appointees shall be fixed and designated by the Mayor at the time of appointment. All appointed members of the Commission shall be eligible for reappointment by the Mayor. Nothing contained herein shall in any way constitute removal of existing members of the Planning Commission at the time of enactment of the Ordinance codified in this Chapter.

B. In the event of a vacancy in the office of any member of the Planning Commission by reason of death, resignation or removal, the Mayor shall declare a vacancy in office and shall appoint some qualified person, in the concurrence of the Board of Trustees, for the remainder of such term. In the event any appointed member is guilty of misconduct, neglect of duty, or malfeasance in office, the Mayor, after public hearing, shall have the right to remove such member from office and to appoint some other qualified person to such office for the remainder of such term.

2.14.030 Residence Requirement--Compensation. All members of the Planning and Zoning Commission shall be bona fide residents of the Town, and if any member ceases to reside in the Town, his membership shall immediately terminate. All members of the Commission shall serve as such without compensation, and the appointed members shall hold no other municipal office, except for that member who is a member of the Zoning Board of Adjustment of the Town.

2.14.040 Terms--Election of Officers. The Planning and Zoning Commission shall elect its chairman from its members and create and fill such other of its offices as it may determine. The term of the chairman shall be for one (1) year, with eligibility for reelection. The Commission shall hold at least one (1) regular meeting in each month. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be a public record.

2.14.050 Powers and Duties. The Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the Town. The Commission may also, with the consent of the Board, contract with Town planners, engineers and architects and other consultants for such services as it may require. The expenditures of the Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Board which shall provide the funds, equipment and accommodations necessary for the Commission's work.

2.14.060 Additional Duties. The Commission shall have all the powers and perform each and all of the duties specified by Chapter 31, Article 23, Colorado Revised Statutes, as amended, together with any other duties or authority which may hereafter be conferred upon them by the laws of the State. The performance of such duties and the exercise of such authority is to be subject to each and all of the limitations expressed in such legislative enactment or enactments.

2.14.070 Master Plan Preparation. In the preparation of a master plan, the Planning Commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the municipality with due regard to its relations to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality and its environs, which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development; including among other things, adequate provision for traffic, the promotion of safety from fire, flood, water and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.