

AS REVISED AFTER WORKSESSION – MAY 23

Additions To The Ordinance As Reviewed at Worksession Are Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

COUNCIL BILL NO. 18

Series 2017

AN ORDINANCE CONCERNING TERM LIMITS FOR MEMBERS OF THE TOWN OF BRECKENRIDGE PLANNING COMMISSION, **AND** THE TOWN OF BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION, ~~AND THE TOWN OF BRECKENRIDGE LIQUOR AND MARIJUANA LICENSING AUTHORITY~~

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Chapter 2 of Title 2 of the Breckenridge Town Code, concerning the Town of Breckenridge Planning Commission, is amended by the addition of the following new Section 2-2-3-1, which shall read as follows:

2-2-3-1: TERM LIMITS:

A. In order to allow for more direct citizen participation in Town government, no member of the planning commission shall serve more than three (3) consecutive four-year terms in office, and no member of the planning commission shall be reappointed to the commission if he or she has already completed three (3) consecutive four-year terms in office. Time served on the commission resulting from an appointment made by the Town Council to fill a vacancy on the commission does not count in determining compliance with the limitation of this Section A.

B. The current members of the commission who are in office when Section A is adopted shall be subject to Section A when their current terms of office expire. No member of the commission may be reappointed if such action would violate Section A. Section A shall not be applied to shorten the term of any member of the planning commission.

C. A person who is term-limited under Section A may not be appointed to the planning commission until four (4) years have expired following the end of term of office that resulted in the person being term-limited.

D. A person who is term-limited under Section A may ~~not~~ be appointed to fill a vacancy and serve out the remainder of the term of office of a member of the commission ~~until~~ **even though** four (4) years have **not** expired following the end of term of office that resulted in the person being term-limited.

Section 2. Effective January 1, 2018 Section 2-4-3 of the Breckenridge Town Code, concerning the Town of Breckenridge Open Space Advisory Commission, is amended to read as follows:

2-4-3: TERM OF OFFICE; TERM LIMITS; VACANCIES

A. The term of the members of the commission shall be four (4) years. In the event that a vacancy shall occur during the term of any appointed member, a successor shall be appointed by the town council to serve the unexpired portion of the term. Any appointment made to fill a vacancy on the commission shall be made in compliance with the requirements of section 9.4 of the town charter.

B. In order to allow for more direct citizen participation in Town government, no member of the commission shall serve more than two (2) consecutive four-year terms in office, and no member of the commission shall be reappointed to the commission if he or she has already completed two (2) consecutive four-year terms in office. Time served on the commission resulting from an appointment made by the Town Council to fill a vacancy on the commission does not count in determining compliance with the limitation of this Section B.

C. The current members of the commission who are in office on January 1, 2018 shall be subject to Section B when their current terms of office expire. Section B shall not be applied to shorten the term of any member of the commission. In 2018 and 2019 no person shall be reappointed to the commission who has at that time served eight (8) or more consecutive years on the commission.

D. A person who is term-limited under Section B may not be appointed to the commission until four (4) years have expired following the end of term of office that resulted in the person being term-limited.

E. A person who is term-limited under Section B of this Section may ~~not~~ be appointed to serve out the remainder of another person's term of office on the commission ~~until~~ even though four (4) years have not have expired following the end of term of office that resulted in the person being term-limited.

F. In the event that a vacancy shall occur during the term of any appointed member of the commission, a successor shall be appointed by the town council to serve the unexpired portion of the term. Any appointment made to fill a vacancy on the commission shall be made in compliance with the requirements of section 9.4 of the town charter.

~~Section 3. Chapter 5 of Title 2 of the Breckenridge Town Code, concerning the Town of Breckenridge Liquor and Marijuana Licensing Authority, is amended by the addition of the following new Section 2-5-4-1, which shall read as follows:~~

~~2-5-4-1: TERM LIMITS:~~

~~A. In order to allow for more direct citizen participation in Town government, no member of the authority shall serve more than two (2) consecutive four year terms in office, and no member of the authority shall be reappointed to the authority if he or she has already completed two (2) consecutive four year terms in office. Time served on the authority resulting from an appointment made by the Town Council to fill a vacancy on the authority does not count in determining compliance with the limitation of this Section A.~~

~~B. The current members of the authority who are in office when Section A is adopted shall be subject to Section A when their current terms of office expire. No member of the authority may be reappointed if such action would violate Section A. Section A shall not be applied to shorten the term of any member of the authority.~~

~~C. A person who is term-limited under Section A may not be appointed to the authority until four (4) years have expired following the end of term of office that resulted in the person being term-limited.~~

~~D. A person who is term-limited under Section A may not be appointed to fill a vacancy and serve out the remainder of the term of office of a member of the authority until four (4) years have expired following the end of term of office that resulted in the person being term-limited.~~

Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. This ordinance shall be published as provided by Section 5.9 of the Breckenridge Town Charter. Section 2 of this ordinance shall become effective January 1, 2018. All other provisions of this ordinance shall become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 23rd day of May, 2017. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 13th day of June, 2017, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By: _____/s/_____
Eric S. Mamula, Mayor

ATTEST:

_____/s/_____
Helen Cospolich, CMC,
Town Clerk