

**TOWN OF LYONS
COLORADO**

ORDINANCE 1121

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO AMENDING CERTAIN
SECTIONS OF CHAPTER 2, ARTICLE 2 OF THE LYONS MUNICIPAL CODE
CONCERNING BOARD MEETINGS AND PROCEDURES**

WHEREAS, pursuant to Sections 31-15-401 and 31-23-301, C.R.S., the Town of Lyons ("the Town") has broad authority to exercise its police powers to promote and protect the health, safety and welfare of the community and its residents; and

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Town previously adopted regulations in Chapter 2, Article 2 of of the Lyons Municipal Code ("LMC") concerning the meetings of the Town of Lyons Board of Trustees (the "Board") and related procedures; and

WHEREAS, it is necessary to update the LMC to better reflect advancement in technology and the current-day practices of the Board and the Town; and

WHEREAS, The Lyons Board of Trustees desire to amend the Lyons Municipal Code as set forth in this Ordinance and as particularly described in the attached "**Exhibit A**," and determines that such amendments promote the health, safety and welfare of the citizens of and visitors to the Town of Lyons.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. Recitals Incorporated. The recitals set forth above are hereby incorporated by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Chapter 2, Article 2, Section 110 of the Lyons Municipal Code is hereby amended as follows:

Sec. 2-2-110. - Board meetings.

- (a) Regular meetings. The Board of Trustees shall hold regular meetings on the first and third Mondays of each month at the hour of 7:00 p.m. or at such other hour as necessary; provided, however, that, when the day fixed for any regular meeting of the Board of Trustees falls upon a day designated by law as a legal or national holiday, such meeting shall be

held at the same hour on the next succeeding day that is not a holiday. Regular meetings of the Board of Trustees may be immediately preceded by a public workshop or study session, beginning at 5:30 p.m. or at such other hour as necessary, at which the Board of Trustees may discuss certain matters of Town business but may not take formal action. Notwithstanding the foregoing, the Mayor with the consent of the Board of Trustees shall have the discretion to cancel the public workshop when deemed appropriate to do so. All regular meetings of the Board of Trustees will be held in the Town Hall or other designated place of the Town.

- (b) Special meetings. Special Meetings of the Board of Trustees shall be called by the Town Clerk on the written request of the Mayor, or Mayor Pro Tem if the Mayor is absent, or if any two members of the Board of Trustees request a special meeting. The notice shall be provided twenty-four (24) hours in advance of the meeting to each Board member and shall be delivered either personally or electronically. The notice shall state the date and hour of the meeting and the purpose for which such meeting is called, and no other business requiring formal action of the Board shall be transacted t, except as is stated in the notice. The Mayor, the Mayor Pro Tem if the Mayor is absent, or any two members of the Board of Trustees, may also call a special meeting for the purposes of a workshop pursuant to the notice requirements of this Subsection.

Section 3. Chapter 2, Article 2, Section 150 of the Lyons Municipal Code is hereby amended as follows:

Sec. 2-2-150. - Adoption of ordinances and resolutions.

- (a) No ordinance shall be passed finally on the date it is introduced, except ordinances calling for special elections or necessary to the immediate preservation of the public health or safety and containing the reasons making the same necessary in a separate section. In all other cases, an ordinance shall be introduced and read at one (1) regular or special meeting of the Board of Trustees and, if the ordinance is passed on the first reading, the ordinance shall be read and again voted upon at the next regular meeting of the Board of Trustees. If the ordinance receives the required vote on its second reading, the same shall be duly adopted. If the entire text of the proposed ordinance has been submitted to the Board of Trustees, only the title of the ordinance need to be read upon first or second reading.
- (b) Vote required. The affirmative vote of a majority of all members of the Board of Trustees shall be required for passage or adoption of all ordinances, all resolutions, and orders for the appropriation of money and

all appointments of officers. The affirmative vote of three-fourths ($\frac{3}{4}$) of the members of the Board, which shall be established as six (6) members, shall be required for passage or adoption of an ordinance as an emergency measure. Unless otherwise provided by state statute or ordinance, all other actions upon which a vote is taken shall require the concurrence of a majority of those present if a quorum exists. A roll call vote shall be taken on the adoption of every ordinance and every resolution authorizing the expenditure of money or the entering into of any contract.

Section 4. Chapter 2, Article 2, Section 170 of the Lyons Municipal Code is hereby amended as follows:

Sec. 2-2-170. - Matters referred to boards, commissions, committees, or subcommittees.

Any question pending before the Board of Trustees may be referred to an appropriate board, commission, committee, or subcommittee for its consideration and report. When a question has been referred, the board, commission, committee, or subcommittee shall provide a written or oral report on such question with its recommendation at a meeting of the Board of Trustees after a recommendation has been determined.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 6. Repeal. All other ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed, provided that such repeal shall not repeal any repealer clauses in such ordinances nor revive any ordinance thereby.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after publication and otherwise in accordance with Section 2-2-160 of the Lyons Municipal Code.

Section 8. Codification Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Sections 2, 3, and 4 of this Ordinance within the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 21st DAY OF March, 2022.

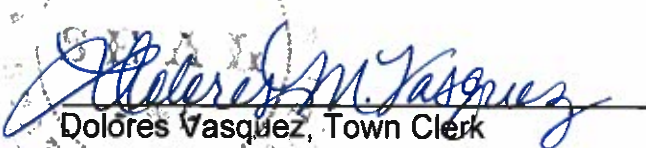

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 4th DAY OF April, 2022.

TOWN OF LYONS, COLORADO



Nicholas Angelo, Mayor

ATTEST:



Dolores Vasquez, Town Clerk

Attachments

Exhibit A- Redline of Ordinance

Exhibit B – Clean Copy of Ordinance

Exhibit A

Division 2 – Board Meetings and Procedures

Sec. 2-2-110. - Board meetings.

- (a) Regular meetings. The Board of Trustees shall hold regular meetings on the first and third Mondays of each month at the hour of 7:00 p.m. or at such other hour as necessary; provided, however, that, when the day fixed for any regular meeting of the Board of Trustees falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day that is not a holiday. Regular meetings of the Board of Trustees may be immediately preceded by a public workshop or study session, beginning at 5:30 p.m. or at such other hour as necessary, at which the Board of Trustees may discuss certain matters of Town business but may not take formal action. Notwithstanding the foregoing, the Mayor with the consent of the Board of Trustees shall have the discretion to cancel the public workshop when deemed appropriate to do so. All regular meetings of the Board of Trustees will be held in the Town Hall or other designated place of the Town.
- (b) Special meetings. The Mayor, the Mayor Pro Tem if the Mayor is absent, or a majority of the Board of Trustees ~~(as evidenced by each member's signature of such majority on the written notice described below)~~ may call a special meeting of the Board of Trustees at any time upon ~~written~~ notice to each Board member, either delivered personally ~~or~~ or electronically ~~left at his or her residence~~, at least twenty-four (24) hours before the meeting. The notice shall state the date and hour of the meeting and the purpose for which such meeting is called, and no other business requiring formal action of the Board shall be transacted thereat, except ~~such as~~ is stated in the notice. The Mayor, the Mayor Pro Tem if the Mayor is absent, or a majority of the Board of Trustees, may also call a special meeting for the purposes of a workshop pursuant to the notice requirements of this Subsection.

updates and a written or oral report on such question with its recommendation at the next meeting at a meeting of the Board of Trustees after a recommendation has been determined.

Exhibit B

Division 2 – Board Meetings and Procedures

Sec. 2-2-110. - Board meetings.

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- (b) Special meetings. The Mayor, the Mayor Pro Tem (if the Mayor is absent), or a majority of the Board of Trustees ~~(as evidenced by each member's signature of such majority on the written notice described below)~~ may call a special meeting of the Board of Trustees at any time upon written notice to each Board member, either delivered personally or by e-mail or electronically left at his or her residence, at least twenty-four (24) hours before the meeting. The notice shall state the date and hour of the meeting and the purpose for which such meeting is called, and no other business requiring formal action of the Board shall be transacted thereat, except such as is stated in the notice. The Mayor, the Mayor Pro Tem, if the Mayor is absent, or a majority of the Board of Trustees, may also call a special meeting for the purposes of a workshop pursuant to the notice requirements of this Subsection.

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- (a) No ordinance shall be passed finally on the date it is introduced, except ordinances calling for special elections or necessary to the immediate preservation of the public health or safety and containing the reasons making the same necessary in a separate section. In all other cases, an ordinance shall be introduced and read at one (1) regular or special meeting of the Board of Trustees and, if the ordinance is passed on the first reading, the ordinance shall be read and again voted upon at the next regular meeting of the Board of Trustees. If the ordinance receives the required vote on its second reading, the same shall be duly adopted. If the entire text of the proposed ordinance has been submitted to the Board of Trustees, only the title of the ordinance need needs to be read upon a first or second reading.
- (b) Vote required. The affirmative vote of a majority of all members of the Board of Trustees shall be required for passage or adoption of all ordinances, all resolutions, and orders for the appropriation of money and all appointments of officers. The affirmative vote of three-fourths (¾) of the members of the Board, which shall be established as six (6) members, shall be required for passage or adoption of an ordinance as an emergency measure. Unless otherwise provided by state statute or ordinance, all other actions upon which a vote is taken shall require the concurrence of a majority of those present if a quorum exists. A roll call vote shall be taken on the adoption of every ordinance and every resolution authorizing the expenditure of money or the entering into of any contract.

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Sec. 2-2-170. - Matters referred to boards, commissions, committees, or subcommittees.

Any question pending before the Board of Trustees may be referred to an appropriate board, commission, committee, or to a special subcommittee for its consideration and report. When a question has been referred to a board, commission, committee, or subcommittee such committee shall provide regular updates and a written or oral report on such question with its

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~~recommendation at the next meeting~~ at a meeting of the Board of Trustees after
a recommendation has been determined.

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