

ORDINANCE 93-4

TOWN OF OPHIR, COLORADO

AN ORDINANCE ESTABLISHING THE "OPHIR VALLEY ENVIRONMENTAL COMMISSION."

WHEREAS the Town of Ophir's Master Plan states that it is the policy of the Town of Ophir to develop a plan to determine open space policy and establish priorities for open space acquisition; and,

WHEREAS, the Town of Ophir's Master Plan states that it is the goal of the Town of Ophir to ensure the protection and encourage the restoration of the natural environment and continued health of both the human and wildlife environment for the area within and surrounding the Town of Ophir; and,

WHEREAS, the General Assembly desires that the major responsibility for the environmental concerns of the residents and property owners, both in the Town of Ophir and the greater Ophir Valley, be vested in an appointed Ophir Valley Environmental Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, STATE OF COLORADO, AS FOLLOWS:

SECTION ONE CREATION OF THE 'OPHIR VALLEY ENVIRONMENTAL COMMISSION'

There is hereby created the 'Ophir Valley Environmental Commission,' which shall also be know as, "O.V.E.C.," with the standards, powers, and duties as set forth in this ordinance.

SECTION TWO MEMBERSHIP

A. Composition

The O.V.E.C. shall consist of _____ regular members and _____ alternate members.

1. *Alternates shall be called upon to serve when members are not able to attend a regularly scheduled meeting or when a O.V.E.C. member has been disqualified to serve on a particular matter due to conflict of interest.*

2. *Temporary alternate positions may be appointed by the General Assembly when requested by the Chairperson to fill in for members granted a temporary leave of absence. Temporary alternates will serve in third (3rd) and fourth (4th) alternate positions.*

B. Terms

All appointments, including vacancies, shall be made by the General Assembly. Members shall be appointed for one year terms. Three seats shall be filled in July and two seats shall be filled in January.

Vacancies occurring otherwise than through the expiration of terms shall be filled by appointments to fill unexpired terms. Upon resignation of a member, the General Assembly shall appoint a new member after advertising notice of the vacancy in accordance with State and Local legal notice publication laws.

C. Removal

Members shall serve during good behavior and efficiency, and may be removed after public hearing before the General Assembly on grounds of insufficiency, neglect of duty, inability to properly perform required duties, or intentional disregard of duties. Three (3) unexcused absences of a member from properly-noticed meetings of the O.V.E.C. shall constitute good cause for removal on the grounds of neglect of duty.

D. Membership Qualifications

[All / 3] Members of the O.V.E.C. shall be qualified electors of the Town for *at least one (1) year* prior to the time of appointment. Members shall be selected without respect to party affiliations. *[3 members may be appointed who reside or own property in the greater ophir valley]*

B. Compensation Members shall serve without compensation, except reasonable out-of-pocket expenses.

SECTION THREE POWERS AND DUTIES

A. The O.V.E.C. shall promote environmental enhancement and reclamation in the Ophir Valley, which may include, but is not limited to, the following:

1. The preservation or conservation of sites, wild and scenic places, open space, and vistas of scientific, historic, aesthetic, or other public interests;
2. The promotion of primitive recreational opportunities, such as: hiking, backpacking, camping, cross country skiing, horseback riding, birdwatching, and other compatible non-motorized recreational activities;
3. The discouragement or restriction of vehicle access and use in areas deemed to have great natural values or potential for natural values;
4. The reintroduction of fish and wildlife and the protection of existing wildlife and wildlife habitats;
5. The preservation of worthy historical buildings and structures; or,
6. The promotion of cleanup and reclamation of all toxic and dangerous mining and milling sites.

B. The O.V.E.C. may contact, and establish relationships with, appropriate Federal, State, and Local Governmental agencies, non-profit agencies, or private individuals or institutions which may have funding or expertise that can be used to promote the goals of the O.V.E.C.

C. Make recommendations to the General Assembly for the acquisition of interests in lands and the appropriation of funds for specific projects or operating budgets.

D. The O.V.E.C. shall establish its organizational form and meeting schedule at its first meeting. All meetings shall be properly noticed. The O.V.E.C. shall report to the General Assembly as a Staff Report at the regular General Assembly meetings.