

ORDINANCE NO. 3
Series 2018

AN ORDINANCE RELATING TO **TOWN OFFICERS, NAMELY COMMISSIONERS, OFFICERS**
WITHIN THE TOWN OF PITKIN, COLORADO

WHEREAS, Colorado Revised Statutes 31-15-101, et seq., authorizes a municipality to enact regulations that promote the health, safety and welfare, and improve order, comfort, and convenience of the municipality and inhabitants thereof; and

WHEREAS, Colorado Revised Statutes 31-15-201 authorizes a municipality to provide by ordinance for the appointment, term of office, removal, powers, duties, and compensation of all officers otherwise not provided for and of all employees;

WHEREAS, the Town of Pitkin has historically been served by voluntary commissioners, which are considered officers of the Town of Pitkin for the purposes of this ordinance; and

WHEREAS, the Town of Pitkin has historically appointed the following commissioners:
Environmental Health Agent, Ditches Commissioner, Streets Commissioner, Town Hall Commissioner;
and

WHEREAS, the manner of appointment, term of office, removal, powers, duties, and compensation of the various commissioners appear to have been established by tradition rather than an ordinance.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Pitkin, Colorado, as follows:

1. This Ordinance hereby repeals Resolution 2, Series 1991 – Parks and Recreation Commission.
2. The following Commissioner positions are hereby created:
 - a. **Environmental Health Agent?;**
 - b. Ditches Commissioner;
 - c. Streets Commissioner;
 - d. Parks and Recreation Commissioner;
 - d. Town Hall Commissioner; and
3. The Commissioner/Agent positions set forth in paragraph 1 shall be referred to collectively hereinafter as the "Commissioners."
4. The Commissioners shall be appointed (in even years) at the first regular meeting **following a regular municipal election** by majority vote of the Board of Trustees, or upon any vacancy of any commissioner position after public notice of at least 5 days or to a regular or special meeting for which the filling of the position of Commissioner is set on the agenda. The term of office shall be two years. ~~All commissioner positions are volunteer and will not be compensated.~~

5. ~~The Commissioners may be removed from office pursuant to the statutory terms set forth at C.R.S. 31-4-307, which reads as follows:~~

~~3-14-307. Removal of Officers causes notice. B~~by a majority vote of all members of the board of trustees, ~~the mayor, the clerk, the treasurer, any member of the board, or any other officer of the town may be removed from office.~~ No such removal shall be made without a charge in writing and an opportunity of hearing being given. ~~A municipal judge may be removed during his term of office only for cause set forth in C.R.S. 13-10-15(2)~~

6. The Environmental Health Agent

The Environmental Health Agent may be compensated for services provided in relation to OWTS permit issuance and OWTS inspections performed.

- A. The Environmental Health Commissioner's powers and duties shall include the following:

1. Maintain accurate and up-to-date records of the Onsite Wastewater Treatment Systems of all properties within Town limits.
2. Inform system owner(s) of the requirements of Regulation 43 and Pitkin's own OWTS Ordinance 2 Series 2018, regarding system inspection, pumping, repair, and environmental hazards.
3. Work in harmony with the Town Sanitarian on relatable issues and operate under the authority of the Town of Pitkin Environmental Health Board.
4. Maintain responsibility for the Town of Pitkin's Environmental Health computer, which is to be utilized for record-keeping and mailings related to this position.
5. Operate within the annual Environmental Health budget

- B. Communication Requirements

1. Mail inspection reminder letters in early spring of each year.
2. Provide a report to the Board of Trustees at each regular monthly meeting.

7. The Ditches Commissioner

- A. The Ditches Commissioner's **is an uncompensated position.** Powers and duties **of the Ditches Commissioner** shall include the following:

1. Maintaining an adequate flow of water in the Town's ditches for fire department usage and for town residents' irrigation use.
2. Remove debris from the various ditches, repairs damaged ditches and maintains the areas adjacent to the ditch by mowing and weed eating when necessary.
3. Work in harmony with the Streets Commissioner in related matters, such as culverts **and roadside maintenance.** The ditch commissioner also works with the

district water commissioner primarily when water calls are made by users with senior water rights.

4. Be knowledgeable of Ordinance 2005-2 – Ditch Obstructions.
5. Maintain responsibility for the Town’s weed eater and lawn mower, which are for Ditches Commissioner use.
6. Operate within the annual Ditches budget (provided as a line item within the Streets budget)

B. Seasonal Operation of Ditches

The seasonal operation of the ditch system usually begins in late April or May and concludes in late September or October, depending on spring and fall temperatures.

C. Control of Ditches

The water flow is controlled by a series of gates that are adjusted by the commissioner to provide the proper amount of water flow. The Commissioner work with the District Water Commissioners primarily during water calls made by users with senior water rights (WATER FLOW REFERENCE HERE)

D. Communication Requirements

1. Provide advance notice of significant maintenance **activities** and water calls to the Town Clerk for posting.
2. Provide a report to the Board of Trustees at each regular monthly meeting.

8. The Streets Commissioner

A. The Streets Commissioner’s **is an uncompensated position**. Powers and duties **of the Streets Commissioner** shall include the following:

1. Maintaining and repairing streets, culverts (~~in cooperation with the Ditches Commissioner~~), bridges, and road signage within town.
2. Inspecting streets and updating the Town of Pitkin’s street inventory by September 15th of each year. This is done in cooperation with the Town Clerk for Highway Users Tax Fund (HUTF) reporting purposes.
3. Maintain responsibility for Town’s supply of street cones, barricades, and object markers for snow plow drivers.
4. Work in harmony with the Ditches Commissioner in related matters, such as culverts **and roadside maintenance**.
5. **Manage snow-plowing operations within the Town of Pitkin.**
6. Operate within the annual Streets budget.

B. Communication Requirements

1. The Streets Commissioner will serve as the contact for both the County of Gunnison and the residents of the Town of Pitkin for snow-related issues in town.
2. The Streets Commissioner will notify residents of upcoming significant events including but not limited to: culvert repair/installation, mag-chloride application, surface repair, bridge maintenance, road closures, etc.
3. Provide a report to the Board of Trustees at each regular monthly meeting.

9. Parks and Recreation Commissioner

A. The Parks and Recreation Commissioner's ~~is an uncompensated position~~. Powers and duties **of the Parks and Recreation Commissioner** shall include the following:

1. Maintaining playground equipment, Town of Pitkin park grounds and recreation equipment. A list of Town recreation equipment will be kept by the Parks and Recreation Commissioner along with its use and care.
2. Procuring grants for new equipment either independently or with assistance and supervising the purchase and installation of equipment.
3. Operate within the annual Parks and Recreation Budget

B. Communication Requirements

1. Provide a report to the Board of Trustees at each regular monthly meeting.

10. The Town Hall Commissioner

A. The Town Hall Commissioner's ~~is an uncompensated position~~. Powers and duties **of the Town Hall Commissioner** shall include the following:

1. Promoting Pitkin's Town Hall through fundraisers and event scheduling
2. Preserving historically significant contents stored at Town Hall
3. Required cleaning and maintenance of main room, lower-level meeting room, and outhouses
4. Working in conjunction with the Colorado Historical Society to preserve the building in a manner that complies with the requirements of grants received
5. Schedule and budget for annual fire safety inspection
6. Maintain records and forms regarding rental or use of building
7. Maintain building keys and provide access as required
8. Ensure that propane levels are monitored regularly and service ordered as needed
9. Operate within the annual Town Hall budget

B. Communication Requirements

1. Provide a report to the Board of Trustees at each regular monthly meeting.
2. Act as liaison between the Town of Pitkin and the Colorado Historical Society in matters regarding Town Hall.

READ, ADOPTED AND ORDERED PUBLISHED THIS ____ day of ____ 2018.

Rachel New, Mayor

ATTEST:

Sara Gibb, Town Clerk