

AN ORDINANCE ESTABLISHING FOUR-YEAR OVERLAPPING TERMS OF OFFICE FOR TRUSTEE; FOUR-YEAR TERMS OF OFFICE FOR THE MAYOR; AND VOTING POWER FOR THE MAYOR.

WHEREAS, the amendment to section 12 of Article XIV of the Colorado Constitution, adopted at the 1970 general election, repealed the two-year limitation on terms of municipal officers; and

WHEREAS, passage by the General Assembly in 1971 of H. B. 1212 authorizes a Board of Trustees by ordinance to provide four-year overlapping terms for trustees and four-year terms for the mayor; and

WHEREAS, the Board of Trustees desires to establish veto power for the mayor and four-year terms effective with the next regular election, now scheduled for April 3, 1984.

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

1. Four-year Terms for Trustees. At the next regular election, six trustees shall be elected. The three candidates receiving the highest number of votes shall be elected for four-year terms, and the three candidates for trustee receiving the next highest numbers of votes shall be elected for two-year terms. At the next subsequent regular election and at each regular election thereafter, three trustees shall be elected to serve four-year terms.

2. Four-year Terms for Mayor. At the next regular election, and at the regular election every four years thereafter, a mayor shall be elected to serve a four-year term.

3. Vacancies. The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board or in any other elected office, and the person so appointer shall hold office until the next regular election and until his successor is elected and qualified. 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. Where a vacancy or vacancies exist in the office of trustee and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms.

4. Voting Power of Mayor. The mayor will be prohibited from voting except in the case of a tie. The mayor will have veto power over any ordinance or resolution authorizing the expenditure of money, or over the town's entering any contract. The veto power must be exercised within 10 days of adoption of any ordinance, resolution or contract and thereafter, the town board shall have the power to override the mayor veto by two-thirds (2/3) vote of the town board in attendance at a meeting held for the purpose of voting to override the mayor's veto.

5. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed.

6. Emergency Clause. The Board of Trustees herewith find, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety, because the election and terms of office of the Board of Trustees and the Mayor to be elected at the April 3, 1984 election affects the public peace, health, and safety, and whereas in the opinion of the Board of Trustees an emergency exists, this ordinance shall take effect and be in force upon the expiration of five (5) days after publication.

PASSED, ADOPTED, SIGNED, AND APPROVED THIS 6th day of February, 1984.

TOWN OF ARRIBA, ARRIBA, COLORADO

ATTEST:

Dwight S. Schiffer
TOWN CLERK

Thomas J. Paul
MAYOR

(SEAL)