

ORDINANCE NO. 09-08

INTRODUCED BY:

Councilperson Dooley

Councilperson Clark

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH PROVIDING
FOR FOUR-YEAR STAGGERED TERMS OF OFFICE FOR
MAYOR, CITY COUNCIL MEMBERS, CITY TREASURER AND CITY CLERK,
ESTABLISHING COMMENCEMENT OF SUCH TERMS,
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Castle Pines North (the "City") is a statutory municipality incorporated and organized pursuant to the provisions of C.R.S. §§ 31-2-101, et seq.; and

WHEREAS, pursuant to C.R.S. § 31-4-105, the terms of office for elected officers of the City are currently established as two-year terms which commence at the first meeting of the City Council following the election results; and

WHEREAS, C.R.S. § 31-4-107(3) provides that the City Council may, by ordinance, provide for four-year overlapping terms for elected officers, including Council members, Mayor, City Clerk, and City Treasurer; and

WHEREAS, C.R.S. 31-4-107(3) further provides that an ordinance to establish four-year terms of office must be enacted at least one hundred eighty (180) days prior to the next regular election; and

WHEREAS, the City Council desires to establish four-year overlapping terms of office for the elected offices of Council member, Mayor, City Treasurer and City Clerk; and

WHEREAS, the City Council further desires to alter the date on which terms of office commence in accordance with C.R.S. § 31-4-105.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines North, Colorado:

Section 1. Terms of Elected Officers. In accordance with C.R.S. § 31-4-107(3), commencing with the November 3, 2009 regular election and every regular election thereafter, the term of office of Mayor, Council member, City Treasurer and City Clerk shall be four years, in accordance with and subject to the following:

- a. The office of Mayor shall be elected to a four-year term.

- b. The office of City Treasurer and the office of City Clerk shall be a four-year term.
- c. At the November 3, 2009 regular election, the City Council candidate receiving the most votes in each City Council Ward shall be elected to a four-year term.
- d. At the November 3, 2009 regular election, the City Council candidate receiving the second most votes in each City Council Ward shall be elected to a two-year term, and at the November 1, 2011 regular election and every four years thereafter, such City Council office shall be a four-year term.

Section 2. Commencement of Terms of Office. Commencing with the November 3, 2009 regular election and every regular election thereafter, and in accordance with C.R.S. § 31-4-105, the terms of office for City elected officers shall commence on the first Monday after the first Tuesday in January following their election.

Section 3. Intent. It is the intent of this Ordinance to implement the four-year staggered terms of elected office provided by Section 31-4-107(3) of the Colorado Revised Statutes for all elected City offices, with one City Council office in each City Council Ward filled by election for a four-year term every two years.

Section 4. Emergency Declared. The City Council hereby determines that this Ordinance is necessary to the immediate preservation of the public health and safety as it allows the City to establish four-year staggered terms of office and thereby create stability in governance through compliance with the statutory requirement to enact such legislation at least one hundred eighty (180) days in advance of the regular election.

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


Section 6. Repeal of Previous Ordinances. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

INTRODUCED, READ, AND PASSED, ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 9th day of April, 2009.

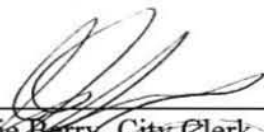
READ, AND PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 23rd day of April, 2009.

CITY OF CASTLE PINES NORTH:


Maureen A. Shul, Mayor

ATTEST:

Approved as to form:



Jamie Berry, City Clerk

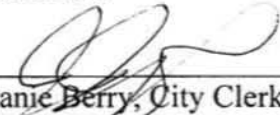


Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines North City Council on April 9, 2009; published in full in the *Douglas County News-Press*; and finally passed and adopted by the City Council on April 23, 2009 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on May 7, 2009.

ATTEST:



Jamie Berry, City Clerk