

PEOPLE'S ORDINANCE NO. 5

SERIES 1986

AN ORDINANCE AMENDING CHAPTER 2 "PLANNING
COMMISSION" OF THE BRECKENRIDGE TOWN CODE

WHEREAS, the Town has determined that the existing rules and regulations concerning Planning Commission membership are outdated; and

WHEREAS, the Town has determined that the amendment of the rules and regulations of the Planning Commission is in the best interest of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

SECTION 1. AMENDMENT

Chapter 2 "Planning Commission" of the Breckenridge, Colorado, Town Code shall be amended to read as follows:

2-2-1: Establishing Planning Commission

Pursuant to the Breckenridge Home Rule Charter the Breckenridge Planning Commission, also known as "Planning Commission" or "Commission" is hereby established.

2-2-2: Membership Requirements - Appointment

The Planning Commission shall consist of seven (7) members who are residents and electors of the Town of Breckenridge, one (and only one) of whom shall be a member of the Town Council. Commission members shall be appointed by a majority vote of the Town Council.

2-2-3: Term of Office

The term of office for all Planning Commission members except for the Town Council member shall be four (4) years, to be staggered with three (3) to end on October 31st of alternating even-numbered years.

The term of office for the Town Council member shall be for a period of one (1) year to begin and end on October 31st each year.

2-2-4: Vacancies

Vacancies shall automatically occur upon the happening of one or more of the following events:

1. A term is completed.
2. A member ceases to be a resident and elector of the Town.
3. A member resigns.
4. A member misses three (3) consecutive regularly scheduled or duly advertised special meetings of the Commission, or five (5) regularly scheduled meetings in any twelve (12) month period of time. Provided, however, upon written

request by the Commission member to the Town Council within fifteen (15) days of missing said third or fifth meeting the Town Council, for good cause shown, may by majority vote, vote to allow the member to remain on the Commission upon such further terms and conditions as may be determined by the Town Council.

2-2-5: Removal

After six (6) months of service, any non-Council member of the Planning Commission may be removed by an affirmative vote by five (5) members of the Town Council, provided however that the Council may not remove more than three (3) non-Town Council members in any twelve (12) month period, except the Council may remove additional non-Council members upon a finding of misconduct in office.

If removed under this section, the Planning Commissioner shall be given written notice of such action within a three (3) day period. The removed Planning Commission member may appeal the Council's decision in writing within five (5) days after said notice, and if appealed, the Council shall set a hearing within fourteen (14) days of written notice of the appeal, at which time the issue shall be heard and a decision rendered.

The Town Council representative to the Planning Commission may be removed at any time by a majority vote of the entire Council.

2-2-6: Appointments to Fill Vacancies

Within thirty (30) days of any vacancy on the Commission, the Town Council by majority vote shall appoint a Town resident and elector to fill such vacancy for the unexpired term of the vacated position. Appointment shall be made only after solicitation of applications by advertisement in a newspaper of local circulation and review of all such applications by the Town Council.

2-2-7: Officers, Rules, Quorum

The Commission shall elect a Chairman and Vice-Chairman and such other officers as determined by Commission regulation from among its members during November of each year. Terms of all elected offices shall be for one year, with each office eligible for re-election.

The Commission shall adopt rules for the transaction of its business, and shall keep a record of attendance at its meetings and of resolutions, transactions, findings, and determinations showing the vote on each question requiring a vote. The record of the Commission shall be a public record.

A quorum shall consist of four members, and the affirmative vote of four members shall be necessary to transact any business before the Commission, except for administrative items (minutes, etc.) which shall require a majority vote of the quorum present.

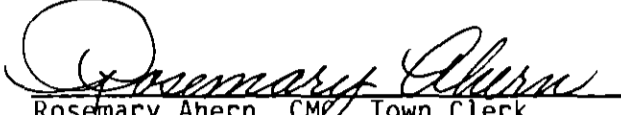
2-2-8: Functions, Powers, and Duties

The Commission shall have all the powers and duties of municipal planning commissions, boards of zoning adjustment, and boards of building appeals as now or hereafter set by law, the powers and duties set forth in this chapter, and such other powers and duties as may be established by the Council from time to time.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL ONLY this 11th day of March, 1986. A Public Hearing on the Ordinance shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado, on the 25th day of March, 1986, at 7:30 p.m. or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Rosemary Ahern, CMC, Town Clerk

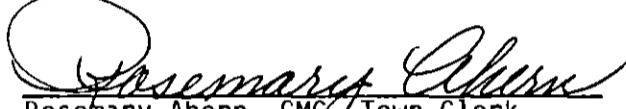

Stephen C. West, Mayor

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY this 25th day of March, 1986.

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

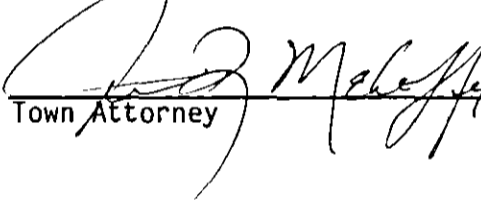
ATTEST:

TOWN OF BRECKENRIDGE


Rosemary Ahern, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

3-25-86
Date