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ORDINANCE NO. 2026-004

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CASTLE ROCK MUNICIPAL CODE REGARDING BOARD AND COMMISSION MEMBERSHIP, ABSENCES, TERM LIMITS, AND MEETINGS

WHEREAS, Town Council desires to provide clarity and updates to the Castle Rock Municipal Code (the "Code") regarding Board and Commission membership, absences, term limits, and meetings; and

WHEREAS, the Town Council has determined that amendments to the Code are necessary to provide said clarity and updates.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. **Amendment**. Section 2.14.010 of the Castle Rock Municipal Code is amended to read as follows:

2.14.010 - Membership.

All Town boards and commissions and the Downtown Development Authority, except insofar as expressly modified elsewhere in this Code, the Charter, or State Statute, shall serve in accordance with the provisions of this Chapter 2.14 as follows:

A. The members of all Town boards and commissions (Board of Adjustment, Board of Building Appeals, Castle Rock Water Commission, Design Review Board, Election Commission, Historic Preservation Board, Parks and Recreation Commission, Planning Commission, Public Art Commission, Public Safety Commission, and Public Works Commission) and the members of the Downtown Development Authority Board shall be appointed by a majority vote of the members of Town Council present at the meeting.

B. Town Council will appoint members to fill the remainder of unexpired terms of all Town boards and commissions and the Downtown Development Authority in order to retain staggered terms.

C. The members of all Town boards and commissions and the Town Council member of the Downtown Development Authority Board shall serve at the pleasure of Town Council.

D. All members of Town boards and commissions and the Downtown Development Authority Board shall take an oath of office per Chapter 2.18 of this Code.

E. Any member of a Town board or commission may be removed with or without cause by an affirmative vote of a majority of the entire membership of Town

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Council. Removal of the members of the Downtown Development Authority shall be governed by Sections 31-25-805(2)(A) and 31-25-806(4), C.R.S., as amended.

F. ~~In appointing~~ THE members of ~~a~~ ALL Town boardS ~~or~~ AND commissionS~~,~~ ~~preference~~ shall ~~be given, first, to persons who~~ reside in the Town ~~and, second, to persons who reside outside of the Town, but within Douglas County~~. Discontinuance of residency shall terminate membership. The residency requirement shall not apply to:

1. Members of the Downtown Development Authority who are otherwise eligible to serve pursuant to Section 31-25-806(1), C.R.S.;

2. MEMBERS OF THE PUBLIC ART COMMISSION; PROVIDED THAT PREFERENCE SHALL BE GIVEN, FIRST, TO PERSONS WHO RESIDE IN THE TOWN AND, SECOND, TO PERSONS WHO RESIDE OUTSIDE OF THE TOWN, BUT WITHIN DOUGLAS COUNTY; AND

~~2.~~ 3. Any position on a Town board or commission that Town Council has expressly authorized by ordinance to be filled by a non-resident.

~~3.~~ 4. Any non-resident Town board or commission member serving as of ~~January 18, 2022~~, MARCH 5, 2026, will be allowed to serve out their current term.

G. All board and commission members shall serve without compensation.

Section 2. **Amendment**. Section 2.14.015 of the Castle Rock Municipal Code is amended to read as follows:

2.14.015 - Absences.

A. ~~Except for emergency absences, medical condition absences and absences resulting from military leave of less than two (2) continuous months, between June 1 to May 31 of the following year, a board or commission member shall not exceed the following unexcused absences:~~

~~1. A board or commission that schedules meetings twice monthly cannot exceed four (4) unexcused absences;~~

~~2. A board or commission that schedules meetings monthly cannot exceed three (3) unexcused absences; and~~

~~3. A board or commission that schedules quarterly meetings or as needed cannot exceed one (1) unexcused absence.~~

IN NO EVENT SHALL A BOARD OR COMMISSION MEMBER HAVE ABSENCES IN EXCESS OF 26% OF THE TOTAL MEETINGS HELD IN THE IMMEDIATELY PRECEDING TWELVE-MONTH PERIOD.

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~~B. The Town Manager or designee shall determine whether an absence is excused or unexcused.~~

~~C.~~ B. If a Town board or commission member exceeds the PERMITTED number of ~~unexcused~~ absences, the member shall be deemed to have resigned from the board or commission and the Town Council shall appoint a replacement.

~~D.~~ C. If a member of the Downtown Development Authority exceeds the number of ~~unexcused~~ absences permitted by subsection A of this section, such fact shall be considered cause for removal under Section 31-25-806(4), C.R.S.

Section 3. **Amendment**. Section 2.14.020 of the Castle Rock Municipal Code is amended to read as follows:

2.14.020 - Term limits.

A. Terms for Town board or commission members shall be ~~two (2)~~ THREE years with the following exceptions:

1. Downtown Development Authority:

a. MEMBER APPOINTED AS REPRESENTATIVE OF TOWN COUNCIL: ONE-YEAR TERM.

b. ALL OTHER MEMBERS: Four-year terms; AND

~~2. Election Commission: Three-year terms;~~

~~3. Board of Building Appeals: Three-year terms; and~~

~~4.~~ 2. Design Review Board:

a. Members appointed as representatives from other boards and commissions: One-year terms.

~~b. Members appointed as property owners within the Downtown Development Authority Boundary: Two-year terms.~~

B. No Town board or commission member shall serve more than ~~three (3)~~ TWO consecutive ~~two~~ THREE-year terms with the following exceptions:

~~1. Members of the Historic Preservation Board may serve four (4) consecutive two-year terms;~~

~~2. Members of the Election Commission may serve two (2) consecutive three -year terms;~~

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~~3. Members of the Board of Building Appeals may serve two (2) consecutive three-year terms; and~~

1. MEMBERS OF THE DESIGN REVIEW BOARD APPOINTED AS REPRESENTATIVES FROM OTHER BOARDS AND COMMISSIONS MAY SERVE UP TO FOUR CONSECUTIVE ONE-YEAR TERMS.

~~4.~~ 2. Members of the Downtown Development Authority Board are not subject to the term limitation requirements of this section.

Section 4. **Amendment**. Section 2.14.030 of the Castle Rock Municipal Code is amended to read as follows:

2.14.030 - Town board and commission meeting conduct.

A. For each Town board or commission:

1. A chair and vice-chair will be elected from the members at the first meeting at the beginning of the term year to serve a one-year term. The chair shall be the executive officer and shall preside over all meetings, sign documents on behalf of the board or commission, call special meetings as needed and see that all actions of the board or commission are properly taken. The vice-chair will assume the duties of the chair in the chair's absence. Both the chair and vice chair will retain their voting rights at all meetings. In the absence of the chair and vice-chair, the members in attendance at such meeting may designate a chair pro-tem to preside over the meeting. Regular meetings may be cancelled by the chair or the Town Manager or designee.

2. A majority of the membership shall constitute a quorum. A quorum is required in order for the board or commission to conduct a meeting.

3. If a quorum is present, an affirmative vote of a majority of the members in attendance is required for any formal action to be taken. In the event that a quorum is not present, a meeting may nevertheless be continued by an affirmative vote of a majority of the members in attendance.

4. A tie vote shall be deemed a denial of the motion or recommended action.

5. Strict adherence to the Town Charter and Code, the rules, regulations, and policies adopted pursuant thereto, and any applicable federal or state laws, rules, regulations, or policies shall be required.

6. All meetings at which public business is discussed or formal action is taken shall be open to the public and noticed in compliance with the Colorado Open Meetings Law, Section 24-6-402, C.R.S.

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7. Special meetings may be called by the chair, any two members of the board or commission, or the Town Manager or designee and must adhere to the same noticing requirements as a regular meeting.

8. Executive sessions may be conducted for any reason permitted by the Colorado Open Meetings Law, Section 24-6-402, C.R.S.

9. Robert's Rules of Order shall govern any procedural matter not addressed in the bylaws; provided, however, that the failure of a board or commission to follow Robert's Rules of Order shall not invalidate an otherwise lawful action.

10. A recording of minutes and votes are required for each meeting and shall be archived, along with any agenda packets and executed documents, using the Town archival software.

11. Town staff is available to serve as a liaison and to offer assistance.

12. Each member must adhere to the Town Code of Conduct as set forth in Chapter 2.05 of the Code.

B. ~~Notwithstanding any provision of this section to the contrary, the Town Council shall have the sole authority to adopt, and amend from time to time, by resolution, rules and procedures governing t~~ The remote attendance and participation of board and commission members and the general public by telephone or other electronic means, subject to reasonable qualifications and limitations, SHALL NOT BE PERMITTED; PROVIDED, HOWEVER, THAT THE TOWN COUNCIL MAY, BY RESOLUTION, ADOPT A FORMAL POLICY GOVERNING THE ABILITY OF A SPECIFIC BOARD OR COMMISSION TO ALLOW THE REMOTE ATTENDANCE AND PARTICIPATION OF ITS MEMBERS.

Section 5. **Amendment**. Section 2.16.080 of the Castle Rock Municipal Code is amended to read as follows:

2.16.080 - Meetings.

The Planning Commission shall hold regular public meetings~~, not less than once per calendar month~~ AS NEEDED.

Section 6. **Amendment**. Subsections 15.30.090.B and D of the Castle Rock Municipal Code are amended to read as follows:

15.30.090 - Board of Building Appeals.

B. Membership. The Board shall consist of five ~~(5) qualified electors of the Town~~ MEMBERS. To the extent practicable, four members shall be persons qualified by experience and training to pass on matters pertaining to building construction.

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D. Meetings. The Board shall hold REGULAR PUBLIC meetings ~~at regularly scheduled intervals, but shall meet at a minimum four times a year~~ AS NEEDED.

Section 7. **Amendment**. Subsection 15.64.030.B of the Castle Rock Municipal Code is amended to read as follows:

15.64.030 - Historic Preservation Board established.

B. Meetings. The Board shall hold REGULAR PUBLIC meetings ~~at regularly scheduled intervals, but shall meet at minimum four times a year~~ AS NEEDED.

Section 8. **Severability.** If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. **Safety Clause.** The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 20th day of January, 2026, by the Town Council of the Town of Castle Rock, Colorado, by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 3rd day of February, 2026, by the Town Council of the Town of Castle Rock, Colorado, by a vote of 7 for and 0 against.

DS

ATTEST:

DocuSigned by:
298A8A4EDEE34AF...
Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK

DocuSigned by:
A7938A42F3A848A...
Jason Gray, Mayor

Approved as to form:

DocuSigned by:
F7347F32A6794D1...
Michael J. Hyman, Town Attorney

Approved as to content:

DocuSigned by:
1BB5457CFF75414...
David L. Corliss, Town Manager