

Ordinance 8 - 2020

AN ORDINANCE OF THE TOWN OF WELLINGTON, COLORADO, ADDING A NEW SECTION TO WELLINGTON MUNICIPAL CODE PROVIDING FOR VIRTUAL MEETINGS IN THE EVENT OF A DECLARED EMERGENCY AND PROVIDING FOR ITS ADOPTION AS AN EMERGENCY ORDINANCE.

WHEREAS, the Board of Trustees finds that this ordinance is necessary and proper for the health, safety, and welfare of the Town of Wellington and the inhabitants thereof;

WHEREAS, this ordinance is not inconsistent with the laws of the State of Colorado; and

WHEREAS, given the current circumstances and pursuant to C.R.S. § 31- 16-105, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO, as follows:

Section 1:

The following is hereby added to the Municipal Code of the Town of Wellington:

Sec. 2-2-85. Virtual Meetings.

- (a) In the event the Board of Trustees, or any other Board or Commission of the Town (as identified in this Chapter 2 of the Town Code), is unable to conduct its regular meeting at the day, hour, and place, including as fixed by Section 2-2-60 (Regular Meetings) or at a special meeting pursuant to Section 2-2-70, because meeting in-person would not be prudent due to a public health emergency or other unforeseen circumstances affecting the Town, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum participation.

Meetings of the Board of Trustees or other Town Boards or Commissions by telephone, electronically, or other means may be held subject to the following conditions:

- (1) All statutorily required notices under the open meeting act have been given,
- (2) The Town Administrator or the Mayor determines that meeting in person would not be prudent because of a public health emergency or other unforeseen circumstances affecting the Town;
- (3) All members of the Board of Trustees (or Board or Commission) can hear one another or otherwise communicate with one another and can hear or read all discussion, comment, and testimony in a manner designed to provide maximum notice and participation and the meeting link is established at least 10 minutes before the meeting is called to order or in the event of any recess before the meeting is called back to order. ;
- (4) At least one member for the Board of Trustees (or Board or Commission) or an officer appointed by the Board or Commission is present at the physical meeting location, unless the nature of the emergency makes attendance impractical or inadvisable as determined by the Mayor or Mayor Pro-Tem, in which case notice of such shall be given with the statutorily required meeting notice.

(5) Members of the public are able on a real time basis to hear or read all discussion, testimony and votes, and are able to participate in the meeting through public comment.

(6) All votes are conducted by roll call; and

(7) Minutes of the meeting conducted by telephone, electronically, or other means are taken and promptly recorded, and such records are open to public inspection; and

(b) In the event the Board of Trustees (or other Board or Commission) will conduct a virtual meeting pursuant to this Section, the Town Clerk shall provide public notice of the following:

(1) The declaration of emergency as a result of public health emergency or similar unforeseen circumstance:

(2) That a meeting will be conducted by telephone, electronically, or other means;

(3) The right of the public to monitor the meeting by telephone, electronically, or other means; and

(4) The means by which the public can monitor the meeting by telephone, electronically, or other means.

(c) The Town shall initiate the meeting by telephone, electronically, or other means not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall make one attempt to re-initiate the connection.

Notwithstanding the foregoing, no quasi-judicial matters shall be considered at any virtual meeting convened under this section.

Section 2:

In accordance with C.R.S. § 31-16-105, the Board of Trustees hereby determines that this Ordinance is necessary for the immediate preservation of the public peace, health or safety. As an emergency ordinance, this Ordinance shall take effect upon adoption, shall be authenticated and shall be numbered and recorded in the official records of the Town as required by C.R.S. § 31-16-105.

Section 3:

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado, this 24th day of March 2020.

TOWN OF WELLINGTON, COLORADO

By: 

Troy Hamman, Mayor

I, _____, certify and attest that Ordinance 8 -2020 was introduced and adopted by the Board of Trustees for the Town of Wellington at the regular meeting on the 24th day of March, 2020.

By:

A handwritten signature in black ink, appearing to read 'Ed Cannon', written over a horizontal line.

Ed Cannon Town Administrator/ Clerk

FORT COLLINS COLORADOAN

Invoice Text

TOWN OF WELLINGTON ORDINANCE NO. 8-2020 AN (

STATE OF COLORADO)

) ss: AFFIDAVIT OF PUBLICATION

COUNTY OF LARIMER)

WELLINGTON, TOWN OF/LEGAL
3735 CLEVELAND AVE

WELLINGTON CO 80549

I, being duly sworn, deposes and says that said is the legal clerk of the Fort Collins Coloradoan; that the same is a daily newspaper of general circulation and printed and published in the City of Fort Collins, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper and that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the publication of said notice was contained in the issue of said newspaper on

07/18/20

that said Fort Collins Coloradoan has been published continuously and uninterruptedly during the period of at least six months next prior to the first publication of said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

TOWN OF WELLINGTON

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PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON AND ORDERED TO BECOME PUBLISHED THIS 24TH DAY OF MARCH, 2020 AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF PUBLICATION

TOWN OF WELLINGTON,
COLORADO
/s/Troy Hamman, Mayor

ATTEST:
/s/Ed Cannon, Town Administrator/Clerk

NOTICE: Copies of this Ordinance are available at the Office of the Town Clerk, 3735 Cleveland Avenue, Wellington, CO 80549 or by calling (970) 568-3381.

0004287965
The Coloradoan
July 18, 2020

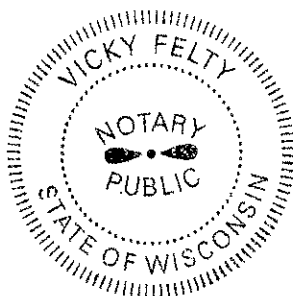
Legal Clerk

Subscribed and sworn to before me, within the County of Brown, State of Wisconsin this 18th of July 2020.

Notary Public

9-19-21

Notary Expires



Legal No. 0004287965

Ad#: 0004287965

P.O.:

This is not an invoice

of Affidavits 1

Affidavit Prepared
Saturday, July 18, 2020 2:51 am