

ORDINANCE 2005-17

**AN ORDINANCE OF THE CITY OF FRUITA, COLORADO,
ESTABLISHING OR AMENDING REQUIREMENTS FOR ELIGIBILITY
TO SERVE ON CITY BOARDS AND COMMISSIONS**

WHEREAS, the Fruita City Charter was amended in April 2004 by the voters of Fruita to allow eligibility requirements for membership on Boards and Commissions, including residency requirements, to be established by ordinance or resolution, and

WHEREAS, the Fruita City Council has reviewed the eligibility and residency requirements for membership on Boards and Commissions and finds that it is in the best interest of the City to amend or establish residency requirements, and

WHEREAS, the Fruita City Council finds that residency should be required for members of the Planning Commission, Board of Adjustments and Police Commission. Resident status is important for these boards and commissions based on the scope of their duties and powers, and

WHEREAS, the Fruita City Council finds that residency should not be a requirement for eligibility to serve on the Tourism Advisory Council, Tree Board, Historic Preservation Board and Parks and Recreation Commission. Members should be appointed based on their interest, property ownership, skills, and expertise they bring to the Board or Commission.

THE CITY OF FRUITA HEREBY ORDAINS:

Section 1. That Chapter 2.41 of the Fruita Municipal Code is hereby enacted to read as follows:

Chapter 2.41
POLICE COMMISSION

2.41.010 MEMBERSHIP REQUIREMENTS

- A. The Police Commission is established by Article VI of the Fruita City Charter. Members at large are appointed in accordance with the Fruita City Charter. The City Council representative or Mayor shall be appointed by the City Council immediately following the regular municipal election held every two (2) years. Members may continue to serve until their successors have been appointed.
- B. Members of the Commission shall reside within the City.
- C. Members may be appointed to successive terms without any limitation.
- D. Chapter 2.70 of the Fruita Municipal Code, concerning the Code of Ethics for City Officials, and Sections 24-18-101, *et. seq.*, C.R.S. shall apply to all members of the

Parks and Recreation Commission.

2.41.020 MEETINGS OF THE POLICE COMMISSION

- A. The Police Commission shall establish a regular meeting schedule and shall meet as frequently as necessary to perform its duties in conformance with Article 6 of the Fruita City Charter and this Chapter.

2.41.030 QUORUM AND VOTING

- A. A quorum for the Police Commission shall consist of a majority of the Commission membership, excluding vacant positions. A quorum shall be necessary for the Police Commission to take official action.
- B. All actions of the Police Commission shall be taken by a majority vote, a quorum being present. A roll call vote shall be taken upon the request of any member.

2.41.040 POLICE COMMISSION OFFICERS

- A. In its first meeting in April of each year, the Police Commission shall, by majority vote of its membership, excluding vacant positions, elect one (1) of its members to serve as chairman who shall preside over the Commission’s meetings, and one (1) member to serve as vice chairman. The persons so designated shall serve in such capacities for a term of one (1) year. A vacancy in these offices may be filled for the unexpired term by a majority vote of the Commission membership, excluding vacant positions.
- B. The chairman and vice-chairman may take part in all deliberations of the Police Commission and vote on all matters.

2.41.050 POWERS AND DUTIES OF POLICE COMMISSION

- A. The Police Commission shall have the powers and duties as noted in Section 6.03.04 of the Fruita City Charter.
- B. The Police Commission shall perform such additional duties as assigned by the City Council.

Section 2. That Chapter 2.42 of the Fruita Municipal Code is hereby enacted to read as follows:

Chapter 2.42
PARKS AND RECREATION COMMISSION

2.42.010 MEMBERSHIP

- A. The Parks and Recreation Commission is established by Article VI of the Fruita City Charter. Members at large are appointed in accordance with the Fruita City Charter. The City Council representative or Mayor shall be appointed by the City Council immediately following the regular municipal election held every two (2) years. Members may continue to serve until their successors have been appointed.
- B. Members of the Commission may reside inside or outside the city limits of Fruita and shall have an interest in parks and recreation activities in the city of Fruita.
- C. Members may be reappointed by the City Council to successive terms without limitation.
- D. Chapter 2.70 of the Fruita Municipal Code, concerning the Code of Ethics for City Officials, and Sections 24-18-101, *et. seq.*, C.R.S. shall apply to all members of the Parks and Recreation Commission.

2.42.020 MEETINGS OF THE PARKS AND RECREATION COMMISSION

- A. The Parks and Recreation Commission shall establish a regular meeting schedule and shall meet as frequently as necessary to perform its duties in conformance with the requirements of this Chapter and the Fruita City Charter.

2.42.030 QUORUM AND VOTING

- A. A quorum for the Parks and Recreation Commission shall consist of a majority of the Commission membership, excluding vacant positions. A quorum shall be necessary for the Parks and Recreation Commission to take official action.
- B. All actions of the Parks and Recreation Commission shall be taken by a majority vote, a quorum being present. A roll call vote shall be taken upon the request of any member

2.42.040 PARKS AND RECREATION COMMISSION OFFICERS

- A. At its first regular meeting in April, the Parks and Recreation Commission shall, by majority vote of its membership, excluding vacant positions, elect one (1) of its members to serve as chairman who shall preside over meetings, and one (1) member to serve as vice-chairman. The persons so designated shall serve in such capacities for a term of one (1) year. A vacancy in these offices may be filled for the unexpired

term by a majority vote of the Commission membership, excluding vacant positions.

- C. The chairman and vice-chairman may take part in all deliberations of the Parks and Recreation Commission and vote on all matters.

2.42.050 POWERS AND DUTIES OF PARKS AND RECREATION COMMISSION

- A. The Parks and Recreation Commission shall have the powers and duties as noted in Section 6.03.05 of the Fruita City Charter.
- B. The Parks and Recreation Commission shall perform such additional duties as assigned by the City Council.

Section 3: Section 3.18.240, Tourism Advisory Council, of the Fruita Municipal Code and Ordinance 1996-12 are hereby amended to read as follows:

3.18.240 TOURISM ADVISORY COUNCIL. There is hereby created a Tourism Advisory Council which will consist of seven (7) members appointed by the City Council. Composition of the committee will include representatives of the lodging industry, area attractions, retail businesses, the City Council, and other interested parties. **MEMBERS OF THE COMMISSION MAY RESIDE INSIDE OR OUTSIDE THE CITY LIMITS OF FRUITA AND SHALL HAVE AN INTEREST IN MARKETING AND PROMOTING THE CITY OF FRUITA.** The Tourism Advisory Council shall advise the City Manager and City Council concerning the preparation of a budget for the expenditures of funds in the Tourism Promotional Fund. Members appointed to the Advisory Council shall serve terms as outlined in the Fruita City Charter. All members shall serve without compensation.

Section 4: Section 8.06.020, Creation and Establishment of a Tree Board, of the Fruita Municipal Code and Ordinance 1993-19 are hereby amended to read as follows

8.06.020 CREATION AND ESTABLISHMENT OF A TREE BOARD. There is hereby created and established a Tree Board for the City of Fruita which shall consist of five (5) to seven (7) members of ~~citizens and residents of the City of Fruita.~~ **MEMBERS OF THE BOARD MAY INCLUDE BOTH RESIDENTS OF THE CITY OF FRUITA AND NONRESIDENTS** who are interested and enthusiastic about improving and protecting trees, who shall be recommended by the Mayor and approved by a majority vote of the City Council. This Tree Board shall be governed by by-laws recommended by the Tree Board and approved by the City Council.

Section 5: Section 17.37.020 A, Membership (Historic Preservation Board), of the Fruita Municipal Code and Ordinance 2004-19 are hereby amended to read as follows:

17.37.020 A. Membership. The Board shall consist of a minimum of five (5) members and not more than seven (7) members providing a balanced, community-wide representation. **MEMBERS OF THE BOARD MAY INCLUDE BOTH RESIDENTS OF THE CITY OF FRUITA AND NONRESIDENTS.** The Director of the Community Development Department and/or appointed Department representatives shall serve as staff to the Board. There shall be one (1) member representative of the downtown merchants.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS ____ DAY OF _____, 2005**

CITY OF FRUITA, COLORADO

By: _____
E. James Adams, Mayor

ATTEST:

Margaret Steelman, City Clerk