

ORDINANCE 96-2
TOWN OF OPHIR, COLORADO

AN ORDINANCE CREATING THE POSITION OF MAYOR AND REFERRING THE ELCTION OF A MAYOR TO A SPECIAL ELECTION

WHEREAS, the General Assembly form of government currently does not have or recognize the office of Mayor;

WHEREAS, the General Assembly finds that the establishment of an office of Mayor will relieve the Town Manager of political responsibilities; will positively promote the ability of the government of the Town of Ophir to communicate with individuals in Town and to communicate with other entities and individuals outside the Town's jurisdiction; and, will provide greater opportunities for people to participate in the governmental affairs of the Town of Ophir;

WHEREAS, the General Assembly finds that the establishment of an office of Mayor will promote the health, safety, morals, and welfare of the Ophir community; and,

WHEREAS, the Town of Ophir is a home rule community and the establishment of an office of Mayor and not in violation of the provisions of the Town of Ophir Home Rule Charter:

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, STATE OF COLORADO, the following:

SECTION 1: OFFICE OF MAYOR ESTABLISHED

The office of Mayor of the Town of Ophir is hereby established. The Mayor shall not have any legislative powers other than those of a member of the General Assembly. The Mayor shall not have the authority or power to veto any initiative, referendum, ordinance, or expenditure approved by the General Assembly. A minimum of 12 months residency in the Town of Ophir is required to qualify for the office of Mayor. The term of office shall be one year and after the initial election, the Mayor's office shall be appointed by election each year on the same annual date as the appointment of other Town Officials and Town Staff. The Mayor shall not receive any compensation other than reimbursement for expenses related to the

duties and responsibilities of the office. The Mayor shall have the following duties and responsibilities:

- A. Prepare meeting agenda with direction by previous General Assembly meeting and consultation with Town staff.
- B. Act as the chairperson of General Assembly meetings and sign Ordinances, Resolutions, and other official documents and letters to verify their passage and approve by the General Assembly.
- C. Write letters, make telephone calls, or attend meetings with County, State, Federal officials, and private citizens and entities to relate a policy position, statement, request or inquiry as directed by the General Assembly.
- D. Act as a general contact person for the Town of Ophir to field general questions regarding the Town government, meetings, agendas, ordinances, land use code, town staff, fees, and other general information concerning the Town of Ophir.
- E. Mayor may incur up to \$50 in expenses for phone charges, postage, copies, and other expenses related to the office of Mayor, in between meetings of the General Assembly. Greater expenses shall be approved by the Town Manager to the extent of his authority, or by the General Assembly.
- F. The Mayor shall have such additional authority on specific issues as is expressly conferred to the Mayor by the General Assembly.

SECTION 2. ELECTION

Upon adoption of this Ordinance by the General Assembly of the Town, the Town shall conduct a special election by the registered electors of the Town of Ophir on the _____ day of _____, 1996, for the purpose of electing a Mayor. Such election shall be conducted in accordance with the practice established for the election of other Town Officers and Staff. Specifically, such election shall be noticed by publication and by mailing to each registered voter household; the notice shall state that any registered voter who has resided in the Town of Ophir for at least twelve months may run for Mayor; and the election shall be conducted during a public meeting of the General Assembly by casting ballots for Mayor into a hat or box.

SECTION 3. SAFETY CLAUSE

for Mayor into a hat or box.

SECTION 3. SAFETY CLAUSE

The adoption of this ordinance will promote the health, safety, and general welfare of the Ophir community.

SECTION 4. SEVERABILITY

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

SECTION 5. EFFECTIVE DATE

This ordinance shall be in full force and effect upon publication of notice of final adoption.

ORDINANCE 96-2 INTRODUCED, READ, AND APPROVED by the General Assembly of the Town of Ophir this 21st day of May, 1996.

SECOND READING HEARD, APPROVED AND ADOPTED, by the General Assembly of the Town of Ophir this 18th day of June, 1996.

By: Meeting Moderator

Attest: Lawrence Van Hoey, Town Clerk

(Town Seal)

**Approved as to Form: Eric James Heil
Town Attorney**