

**TOWN OF SILT  
ORDINANCE NO. 8  
SERIES OF 2024**

**AN ORDINANCE OF THE TOWN OF SILT, COLORADO, AMENDING CHAPTER 2.16 OF THE SILT MUNICIPAL CODE PERTAINING TO COMPENSATION OF THE PLANNING AND ZONING COMMISSION**

**WHEREAS**, the Town of Silt (the “Town”) is a Colorado home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Silt Home Rule Charter; and

**WHEREAS**, the Board of Trustees for the Town (the “Board”) desires to amend the current code provisions pertaining to compensation of the Planning and Zoning Commission (“P&Z”); and

**WHEREAS**, the Board has determined that pursuant to C.R.S. 31-23-202(3) and Section 11-3 of the Home Rule Charter, the Town has the power to modify the compensation of members of the P&Z; and

**WHEREAS**, the P&Z commissioners shall be paid according to the manner provided below, which fee schedule is necessary and proper to compensate the members for their service to the Town through their review of the planning and zoning of land use in the Town of Silt; and

**WHEREAS**, subject to the Home Rule Charter of the Town, effective January 1, 2025, the Town wishes to address said compensation to reflect the rate of two hundred dollars per month for the chairperson and one-hundred fifty dollars per month for the remaining commissioners regardless of the number of meetings attended; and

**WHEREAS**, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which Board considered this ordinance; and

**WHEREAS**, the Board has determined that the adoption of this ordinance and the amendments set forth herein are necessary and proper to provide for the safety, health, prosperity and order of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT THAT:**

**SECTION 1**

The following sections of Title 2 of the Silt Municipal Code are hereby amended and restated as follows:

**2.16.010 – Established – Common membership.**

Pursuant to the authority conferred by section 31-23-202, C.R.S. 1973, there is created a planning commission and a zoning commission for the town. The members of the planning commission shall also serve and are appointed as the zoning commission.

**2.16.020 – Composition – Appointment – Holding other office.**

- A. Composition. The planning commission shall consist of seven members (five permanent members and two alternate members).
- B. Appointment. The five permanent members and the two alternate members shall be appointed by the board of trustees. None of the appointed members shall hold any other municipal office, except that one such appointed member may be a member of the zoning board of adjustments and appeals. All newly appointed members will be sworn in by the town clerk.

**2.16.030 – Residency – Compensation.**

- A. All members of the planning and zoning commission shall be bona fide residents of the town, and if any member ceases to reside in the town his membership shall immediately terminate.
- B. All members of the commission, permanent and alternates, shall be compensated in the amount of two hundred dollars per month flat rate for the chairperson and one-hundred fifty dollars per month flat rate for the remaining commissioners, regardless of the number of meetings or work sessions that are held. Commissioners will also be compensated should packet materials be distributed for a scheduled meeting that gets canceled.
- C. Land use applicants requesting a special meeting shall pay two hundred dollars for the chairperson and one-hundred fifty dollars for each commissioner for each special meeting that is called. The land use applicant requesting the special meeting shall pay this fee at least five days prior to the meeting. For purposes of this section, a special meeting is not a regularly scheduled meeting or a meeting that is called by staff or any other governmental or non-profit agency.

**2.16.040 – Term.**

- A. The terms of membership shall be four years except that the respective terms of the first five members appointed shall be as follows: three for a term of four years and two for a term of two years.
- B. Alternates shall be appointed for a four-year term. An alternate may become a permanent member upon the resignation of a permanent member and upon appointment by the board of trustees.
- C. Reappointment for all terms shall take place in July.

#### **2.16.045 – Vacancies**

Commissioners who miss more than three consecutive regular meetings, may be removed from their position by a recommendation of a majority of the commission to the Board after notice has been made to that commissioner. The Board shall determine at a regularly scheduled meeting if the commissioner shall be removed from office. If the commissioner has a reasonable basis for missing meetings acceptable to other commissioners, particularly if given in advance, the absence shall be deemed to be excused and shall not be a basis for a removal vote.

#### **2.16.050 – Removal from office.**

Members may be removed from office as provided by statute.

#### **2.16.060 – Vacancies.**

Vacancies occurring otherwise than through the expiration of a term shall be filled for the remainder of the unexpired term as provided by statute.

#### **2.16.070 – Quorum – Voting.**

Three members of the planning and zoning commission shall constitute a quorum for the transaction of business. All permanent members of the commission shall be entitled to vote on matters coming before the commission. In the absence of a permanent member, alternate members shall be substituted and shall count towards a quorum. In the case of a substitution, the alternate member(s) shall be accorded the same rights as a permanent member. Alternates will be allowed to vote as long as the number of commissioners voting does not exceed five.

In the case of the absence or disability of the chairman or vice-chair, the staff member present shall call the meeting to order and call the roll of members. If a quorum is found to be present, the commission shall proceed to elect, by a majority vote of those present, a temporary chair to serve as presiding officer of the meeting.

In the absence of a quorum, no meeting shall be deemed to have occurred.

#### **2.16.080 – Chairman – Other officers.**

The commission shall elect its chairman and vice-chair from among the non-ex officio members, and shall create and fill such other of its offices as it may determine. The terms of the chairman and vice-chair shall be one year, with eligibility for reelection. Selection of officers shall take place in July of each year or the next scheduled meeting or if a resignation warrants the position to be filled.

#### **2.16.090 – Monthly meetings.**

The commission shall hold at least one regular meeting in each month unless staff determines that a scheduled meeting is not necessary.

**2.16.100 – Rules – Recordkeeping.**

The commission shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record and open to inspection upon such reasonable conditions as the commission determines.

**2.16.110 – Powers and duties.**

The planning commission and the zoning commission shall have all of the powers and perform each and all of the duties specified by articles 59 and 60 of Chapter 139, C.R.S. 1963, together with any other duties or authority which may, after the effective date of the ordinance codified at this chapter, which ordinance was adopted March 19, 1974, be conferred upon them by the laws of the state of Colorado. The performance of such duties and exercise of such authority is to be subject to each and all of the limitations expressed in such legislative enactment or enactments.

**SECTION 2**

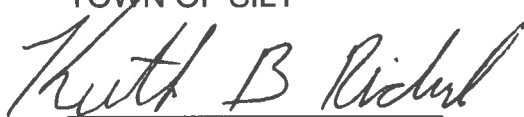
If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**APPROVED ON FIRST READING** this 8<sup>th</sup> day of July, 2024, in the Municipal Building of the Town of Silt, Colorado.

**PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED** this 22<sup>nd</sup> day of July, 2024.

ATTEST:

  
Town Clerk Sheila M. McIntyre, CMC

TOWN OF SILT  
  
Mayor Keith B. Richel

