

**CITY OF LEADVILLE, COLORADO
ORDINANCE NO. 12
SERIES OF 2022**

**AN ORDINANCE AMENDING SECTION 2.48.020 OF THE LEADVILLE
MUNICIPAL CODE AND ADDING NEW SECTIONS 2.36.080 AND 2.48.060 TO
PERMIT MEMBERS OF THE PLANNING AND ZONING COMMISSION AND
THE HISTORIC PRESERVATION COMMISSION TO RECEIVE MEETING
STIPENDS APPROVED BY CITY COUNCIL**

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety, and welfare of the citizens of Leadville; and

WHEREAS, the City Council recognizes that members of the Planning and Zoning Commission (“PC”) and Historic Preservation Commission (“HPC”) serve an important role to the City; and

WHEREAS, the City Council desires to approve a meeting stipend to be paid to each member of the PC and HPC for meeting attendance; and

WHEREAS, currently, the Leadville Municipal Code (the “Code”) does not specifically reference stipends for PC members; and

WHEREAS, furthermore, Section 2.48.020 of the Code prohibits members of the HPC from receiving compensation; and

WHEREAS, the City Council desires to amend the Code to allow for members of the PC and HPC to receive meeting stipends approved by City Council and to ensure the Code contains consistent language concerning allowable reimbursement for expenses related to commission members’ functions for both PC and HPC; and

WHEREAS, City Council has determined that adoption of this Ordinance is in the best interests of the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. **Section 2.36.080 Added.** Chapter 2.36 of the Leadville Municipal Code is hereby amended to add a new section 2.36.080 to read in full as follows:

Sec. 2.36.080. – Meeting stipend and expense reimbursement.

Commission members may be entitled to a meeting stipend for meeting attendance in an amount established by resolution of the city council. Commission members may additionally receive reimbursement of reasonable expenses related to the functions of the commission to the extent approved by city council.

Section 3. Chapter 2.48 Amended. Chapter 2.48 of the Leadville Municipal Code is hereby amended as follows with ~~striketrough~~ text showing deletions and **bold, underlined** text showing additions:

Sec. 2.48.020. – Membership and Qualifications.

A. Membership.

1. Regular Members. Five members of the HPC shall be appointed by the mayor, with the consent of the city council, providing a balanced community-wide representation. ~~Members of HPC shall serve without compensation. To the extent authorized by the city council and funds are budgeted and appropriated therefor, members may be reimbursed for actual expenses incurred, such as training, or expenses incidental to the performance of their duties for HPC.~~

Sec. 2.48.060. – Meeting stipend and expense reimbursement.

HPC members may be entitled to a meeting stipend for meeting attendance in an amount established by resolution of the city council. HPC members may additionally receive reimbursement of reasonable expenses related to the functions of the HPC to the extent approved by city council.

Section 4. Remaining Provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code shall continue in full force and effect.

Section 5. Codification Amendments. The codifier of Leadville's Municipal Code is hereby authorized to make such numerical, technical, and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Leadville Municipal Code.

Section 6. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 7. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this Ordinance.

Section 8. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Leadville, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 9. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 20th day December, 2022.

ATTEST:


Deputy City Clerk



CITY OF LEADVILLE, COLORADO:


Greg Labbe, Mayor

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on the 29th day of December, 2022.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED,
with any amendments, this 7th day of February, 2023.

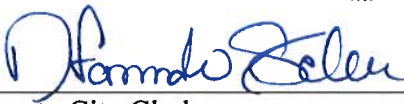


CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Deputy City Clerk

PUBLISHED BY TITLE ONLY, with any amendments, in The Herald Democrat, a newspaper
of general circulation in the City of Leadville, Colorado, following final reading on the 16th
day of February, 2023.