

PALMER LAKE, COLORADO

ORDINANCE NO. 3 - 2023

**AN ORDINANCE AMENDING CHAPTER 2.20 OF TITLE 2 OF THE PALMER LAKE
MUNICIPAL CODE RELATING TO THE TOWN PARKS AND TRAILS
COMMISSION**

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, the Town previously adopted regulations related to the Town Parks Commission, with such regulations being contained in Chapter 2.20; and,

WHEREAS, based upon the responsibilities being assigned to the Parks Commission, specifically with the addition of trail maintenance and responsibilities, and the membership of the Commission, the Board of Trustees desires to amend the Town Code to reflect such changes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1.

Chapter 2.20 of Title 2 of the Town of Palmer Lake Municipal Code is hereby amended, by adding the underlined language and deleting the strikethrough language as indicated below, with such Chapter 2.20 to read in its entirety as follows:

CHAPTER 2.20. - PARKS AND TRAILS COMMISSION

2.20.010. - Creation and establishment of advisory parks and trails commission.

There is hereby created and established the parks and trails commission, hereinafter referred to as "commission" in this chapter, for the town, which shall consist of ~~five~~ seven members, with an additional alternate member to fill in for a regular voting member as needed, who shall be town residents for a minimum of one year, and shall be appointed by the mayor with the approval of the town board of trustees.

2.20.020. - Term of office.

The terms of office for the appointed members shall be two-year staggered terms. Recommendation for re-appointment is an option. In the event that a vacancy occurs during the term of any member, his or her successor may be recommended by the commission and shall be appointed by the mayor, with the approval of the town board of trustees, for the unexpired portion of the term.

2.20.030 – Compensation.

Members shall serve without compensation.

2.20.040. - Duties and responsibilities.

It shall be the responsibility of the commission to solicit citizen input and volunteers to assist in the upkeep of town parks, trails, and trail bridges identified as work groups. The commission shall advise on matters pertaining to the implementation and development of the town park areas, and new parks, trails and open spaces subject to approval of the town board. The commission, when requested by the town board of trustees, shall consider, investigate, make findings, report and recommend upon any special matter or question impacting parks and/or trails. It shall also be the responsibility of the commission to study, investigate, counsel, and develop and/or update a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees, shrubs and weeds; and the care, creation, or preservation of trails, trail bridges in parks, and Town property. ~~It shall be the responsibility of the Commission to advise on, establish, or assist in special events in or impacting parks and/or trails.~~ Such plan(s) shall be presented to the town board of trustees and, upon their acceptance and approval, shall constitute the official comprehensive Palmer Lake Parks and Trails Plan for the town.

2.20.050. - Operation.

The commission shall meet monthly and follow Colorado Open Meeting rules and regulations and keep a journal of its proceedings. A quorum for the transaction of business shall consist of a majority of the members of the commission. All members present shall be required to vote in all matters where they do not have a declared conflict of interest.

The Commission may shall make its own internal rules, agreed upon by a majority of the Commission members. The rules can shall not conflict with existing Town Code or resolutions, policy, or laws of any government entity in the United States. It shall be the responsibility of Commission members to participate as a Point of Contact (POC) to assist in specific areas of town parks and trails.

2.20.060. - Interference with commission.

It shall be unlawful for any person to prevent, delay or interfere with the work of the commission, or its work groups, or any of its agents, while engaging in and about the planting, cultivation, mulching, pruning, maintenance, spraying or removing of any park trees, shrubs, plants and property; creation or maintenance of trails, or trail bridges; adding to, or maintaining playgrounds, tennis/pickle ball courts, or other park facilities, as authorized in this chapter.

2.20.070. - Review by town board of trustees.

The town board of trustees shall have the right to review the conduct, acts and decisions of the commission. Any person may appeal acts and decisions of the commission to the town board of trustees, who shall hear the matter and make a final decision.

Section 2.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.


Section 3.

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that 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 hereby repealed prior to the effective date of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 26TH DAY OF JANUARY, 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO



Dawn A. Collins
Town Administrator, Clerk

BY: 

Grant Havenar
Mayor