

**ORDINANCE NO. 10**  
**Series 2008**

June 3, 2008: Introduced as Council Bill 8, Series 2008 by Councilmember Russell Stewart, seconded by Councilmember Harriet LaMair, and considered by the title only on first reading. Passed by a vote of 5 yes and 0 no.

June 17, 2008: Considered in full text on second reading. Passed by a vote of 6 yes and 0 no.

**A BILL FOR AN ORDINANCE**  
**OF THE CITY OF CHERRY HILLS VILLAGE**  
**AMENDING CHAPTER 2 OF THE CHERRY HILLS VILLAGE**  
**MUNICIPAL CODE, CONCERNING ADMINISTRATION AND PERSONNEL,**  
**BY AMENDING SECTION 2-8-20, CONCERNING MEMBERS; APPOINTMENT, AND**  
**SECTION 2-8-30, CONCERNING TERMS OF OFFICE; ORGANIZATION**  
**OF THE PARKS, TRAILS AND RECREATION COMMISSION**

WHEREAS, the City of Cherry Hills Village (the "City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, Article XIII, Chapter 2 of the City of Cherry Hills Village Municipal Code establishes the Parks, Trails and Recreation Commission, and

WHEREAS, Section 2-8-20 of the Cherry Hills Village Municipal Code establishes the membership of the Parks, Trails and Recreation Commission, which consists of seven (7) members: one (1) from each Council district; and one (1) member of the City Council appointed by the City Council, and

WHEREAS, the City Council desires to modify the membership of the Parks, Trails and Recreation Commission to add one (1) member appointed by the City Council on an at-large basis from any of the Council districts and remove the member of the City Council from the Commission.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:**

Section 1. That Section 2-8-20 of the City of Cherry Hills Village Municipal Code, concerning members; appointment for the Parks, Trails and Recreation Commission, is hereby amended as follows:

**Sec. 2-8-20. Members; appointment.**

The Parks, Trails and Recreation Commission shall consist of seven (7) members: one (1) from each Council district (~~"district members"~~); and one (1) member ~~of the City Council~~ appointed by the City Council on an at-large basis (~~"City Council appointee"~~); provided, however, that if the City Council is not reasonably able to appoint one (1) member from each Council district, the City Council may appoint one (1) or more members of the Commission on an at-large basis. Each member shall have one (1) vote.

Section 2. That Section 2-8-30 of the City of Cherry Hills Village Municipal Code, concerning terms of office; organization of the Parks, Trails and Recreation Commission, is hereby amended as follows:

**Sec. 2-8-30. Terms of office; organization.**

(a) District Members: On the date of appointment, each ~~district~~ member shall be a registered elector of the City for at least three (3) years immediately preceding the date of appointment. Each ~~district~~ member shall be a resident of the district on the date of appointment and throughout his or her term of office. Each ~~district~~ member shall be appointed by the City Council. The term

of each district member shall be three (3) years, and the terms shall be staggered. Initial appointments shall be as follows:

- (1) Districts 1 and 2 shall be appointed for one-year terms.
- (2) Districts 3 and 4 shall be appointed for two-year terms.
- (3) Districts 5 and 6 shall be appointed for three-year terms.

~~(b) City Council Appointee: The City Council appointee shall be appointed by the City Council for a term of two (2) years.~~

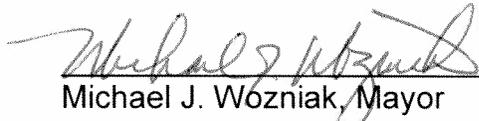
(eb) Terms: Terms of office shall expire on the third Tuesday of May in each respective year.

(dc) Rules of Procedure: The Commission shall operate in accordance with Rules of Procedure adopted by the City Council.

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

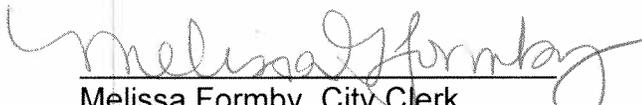
Section 4. Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 10 Series 2008, by the City Council of the City of Cherry Hills Village, Colorado this 17<sup>th</sup> day of June, 2008.

  
Michael J. Wozniak, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Melissa Formby, City Clerk

  
Kenneth S. Fellman, City Attorney

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