

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER STITES
Council Bill No. 04-2009
Ordinance No. 1432

Series of 2009

TITLE: AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 25 OF
THE WHEAT RIDGE CODE OF LAWS CONCERNING URBAN
RENEWAL

WHEREAS, the City of Wheat Ridge, acting through its City Council (the "Council"), has authority pursuant to Article XX, Section 6 of the Colorado Constitution and, *inter alia*, C.R.S. § 31-15-103 to protect the health, safety and welfare of the residents of the City; and

WHEREAS, the Council previously created the Wheat Ridge Urban Renewal Authority (the "Authority") pursuant to C.R.S. §§ 31-25-101 *et seq.*, by adopting Article II of Chapter 25 of the Wheat Ridge Code of Laws, to reduce blighted areas within the City for the protection of the health, safety and welfare of the City's residents; and

WHEREAS, Section 25-24 of Article II establishes the membership and qualifications of the governing body of the Authority; and

WHEREAS, Section 25-24 requires that the Authority include one member from each Council District ("District"); and

WHEREAS, the Council recognizes that while it is ideal to have at least one member of the Authority from each District, from time to time it may be the case that there are no qualified applicants from a particular District when there is a vacancy in that District; and

WHEREAS, the Council desires to amend Section 25-24 to allow for the appointment of any otherwise qualified resident of the City when there are no applicants to fill a vacancy in a particular District who are also resident in that District.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Code of Laws Section 25-24 is hereby amended to read:

Section 25-24 Same-Appointment of members; number.

The authority shall consist of seven (7) members, one (1) of such members being from each of the existing, or hereafter altered, city council districts, and three (3) members to serve at large. IF, AFTER REASONABLE ADVERTISEMENT, NO APPLICATIONS ARE RECEIVED FROM RESIDENTS WITHIN THE RELEVANT CITY COUNCIL DISTRICT FOR A VACANCY ON THE AUTHORITY, ANY OTHERWISE QUALIFIED RESIDENT OF THE CITY

MAY BE APPOINTED. The at large members may include one (1) elected city official (excluding the mayor), and/or one (1) non-resident individual who owns an interest in or is a corporate officer of a licensed business in good standing located within the city. Each appointment to the authority shall be made by the mayor subject to approval by majority vote of the entire city council. The term of office of each member shall be five (5) years. Any member (with the exception of a nonresident business owner member) who shall change his personal residence to an address outside the city or outside the district he represents shall cease to be a member of the authority and his seat shall automatically be deemed vacant as of the date on which he ceased to be a resident of the city or of the district. Any nonresident business owner member whose business is no longer in good standing with the city or whose business ceases operations or moves outside the city limits shall cease to be a member of the authority and the member's seat shall be deemed vacant as of the date of that occurrence. A member whose term has expired shall continue to hold office until his successor has been appointed and has qualified. Terms of office shall be staggered so that the term of at least one (1) member shall expire each year. The city council may appoint any number of ex-officio nonvoting members to serve for terms at the pleasure of the city council.

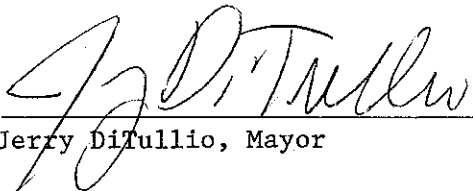
Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation 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 3. Effective Date. This Ordinance shall take effect upon adoption at second reading as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 9th day of February, 2009, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for February 23, 2009, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

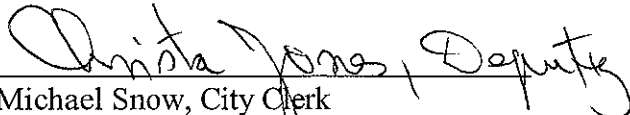
READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 1, this 23rd day of February, 2009.

SIGNED by the Mayor on this 23rd day of February, 2009.

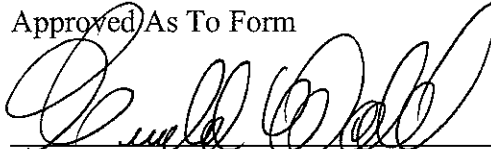


Jerry DiTullio, Mayor

ATTEST:


Michael Snow, City Clerk

Approved As To Form


Gerald E. Dahl, City Attorney

First Publication: February 12, 2009
Second Publication: February 26, 2009
Wheat Ridge Transcript
Effective Date: February 23, 2009