

TOWN OF LARKSPUR  
ORDINANCE NO. 1.03

AN ORDINANCE PERTAINING TO  
VACANCIES UPON THE TOWN COUNCIL

WHEREAS, Article 20, Section 6, of the Constitution of Colorado grants Home Rule for cities and towns of this state; and

WHEREAS, Article 20, Section 6, of the Constitution of Colorado grants the power to Home Rule Cities to legislate upon, provide, regulate, conduct, and control the creation and terms of municipal officers, agencies and employments; the definition, regulation, and alteration of the powers, duties, qualifications <sup>and</sup> in terms of tenure of all municipal officers, agents and employees; and

WHEREAS, the Town of Larkspur, Colorado, pursuant to the Municipal Home Rule Act of 1971, C.R.S. 1973, Section 31-2-201 et seq., adopted a Home Rule Charter in accordance with Article 20 of the Colorado Constitution; and

WHEREAS, the Town Council finds that its ability to properly conduct the official business of the Town and to fulfill the duties which have been vested in the Town Council by the Constitution of Colorado as well as the Town Charter have been impaired by the difficulty of mustering a quorum of council members, due to chronic absenteeism of some council members.

BE IT ORDAINED BY THE TOWN COUNCIL, TOWN OF LARKSPUR, COLORADO, AS FOLLOWS:

ARTICLE I

General Provisions

1.01 Purpose. This ordinance is adopted for the purpose of promoting the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of Larkspur, Colorado.

1.02 Authority. This ordinance is adopted pursuant to Article 20, Section 6 of the Colorado Constitution as well as Article 3, Section 3.01 of the Home Rule Charter of the Town of Larkspur, Colorado.

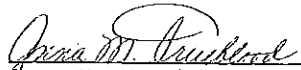
1.03 In the event that any council member or the mayor is absent for three (3) consecutive council meetings, regular or special, without good cause, his or her seat may be declared vacant upon resolution of the council. Such resolution shall include a provision that at least 10 days written notice be given to the affected council member, and that he shall have an opportunity to respond to the council and to give such reason as he may have as to why his seat shall not be declared vacant. His response shall be made at a public meeting at a time and place to be designated by the council in the resolution.

1.04 In the event that the council member does not respond or fails to provide the council with good cause for his absence from three (3) consecutive council meetings, the council may, by resolution of the council, determine his seat to be vacant.


1.05 Within thirty (30) days after the determination of vacancy, the remaining council members may choose by majority vote, a duly qualified person to fill such vacancy. He shall serve the unexpired term so vacated until a successor is duly elected and qualified following the next regular municipal election. If three (3) or more vacancies exist simultaneously, the remaining council members shall, at the next regular meeting of the council, call a special election to fill such vacancies, provided there will not be a regular municipal election with ninety (90) days and provided that the successors to the vacancies have not already been elected and are merely awaiting their official assumption of office.

1.06 Emergency Clause. It is hereby determined by the Town Council of the Town of Larkspur that an emergency exists because of the continued difficulty of mustering a quorum of council members to properly conduct the official business of the town. Therefore this Ordinance shall become effective immediately upon its approval by the Town Council and signature of the mayor.

Introduced at a regular meeting of the Town Council of the  
Town of Larkspur, Colorado on October 26, 1983 and approved by a  
vote of 5 for and 0 against and ordered published.

  
Anna M. Trueblood, Mayor  
Town of Larkspur

ATTEST:

  
Dean Sprigg, Town Clerk  
Town of Larkspur

\_\_\_\_\_  
Publication Date

I hereby certify that the within Ordinance was published  
on the \_\_\_\_\_ day of \_\_\_\_\_, 1983, in the Douglas County  
News Press, the newspaper of general circulation published in the  
County of Douglas, State of Colorado.

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