

ORDINANCE NO. 544 SERIES 2020

AN ORDINANCE OF THE TOWN OF DOLORES, COLORADO, PROVIDING FOR VIRTUAL MEETINGS AND PROVIDING FOR ITS ADOPTION AS AN EMERGENCY ORDINANCE.

WHEREAS, the Board of Trustees finds that this ordinance is necessary and proper for the health, safety, and welfare of the Town of Dolores and the inhabitants thereof.

WHEREAS, this ordinance is not inconsistent with the laws of the State of Colorado.

WHEREAS there exists a public health crisis with the spread of the COVID-19 virus in the state of Colorado. The Governor of the State of Colorado has declared an emergency and has issued a series of orders intended to reduce the spread of the virus. The Centers for Disease Control guidelines currently recommend limiting gatherings to ten or fewer people.

WHEREAS, given the current circumstances and pursuant to C.R.S. § 31-16-105, it is hereby declared that an emergency exists and that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare.

WHEREAS, the Board of Trustees finds that conducting meetings in the current format at Town Hall during a public health emergency such as the current outbreak of the COVID-19 virus presents a serious risk to the public that can be reduced by utilizing readily available technology.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Dolores, Colorado, as follows:

Section 1: The following is hereby added to the Municipal Code of the Town of Dolores

Section 2.4.030 (1). Virtual Meetings.

(a) In the event the Board of Trustees is unable to conduct its regular meeting at the day, hour, and place fixed by Section 2.4.030 A. (Regular Meetings) or at a special meeting pursuant to Section 2.04.030 B. & C., because meeting in-person would not be prudent due to a public health emergency or other unforeseen circumstances affecting the Town, meetings may be conducted by video conference, telephone, electronically, or by other means of communication conducted in a manner so as to provide maximum participation as determined by the Mayor or Town Manager.

Meetings of the Board of Trustees by video conference, telephone, electronically, or other means may be held subject to the following conditions:

(1) The Town Manager or the Mayor determines that meeting in person would not be prudent because of a public health emergency or other unforeseen circumstances affecting the Town;

(2) *All members of the Board of Trustees can hear one another or otherwise communicate with one another and can hear or read all discussion, comment, and testimony in a manner designed to provide maximum notice and participation;*

(3) *Members of the public able to hear or read all discussion, testimony and votes, in a manner designed to provide maximum notice and participation;*

(4) *At least one member of the Board of Trustees is present at the regular meeting location, unless not feasible due to the public health emergency or other unforeseen circumstances;*

(5) *All votes are conducted by roll call; and*

(6) *Minutes of the meeting conducted by telephone, electronically, or other means are taken and promptly recorded, and such records are open to public inspection; and*

(b) *In the event the Board of Trustees will conduct a virtual meeting pursuant to this Section 2-95, the Town Clerk shall provide public notice of the following:*

(1) *The declaration of emergency;*

(2) *That a meeting of the Board of Trustees will be conducted by video conference, telephone, electronically, or other means;*

(3) *The right of the public to monitor the meeting by telephone, electronically, or other means; and*

(4) *The means by which the public can monitor the meeting by video conference, telephone, electronically, or other means which notice shall include basic instructions and access codes on how to participate.*

(c) *The Town shall initiate the meeting by telephone, electronically, or other means not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall make no less than three attempts to re-initiate the connection.*

Section 2:

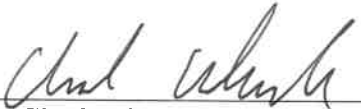
In accordance with C.R.S. § 31-16-105, the Board of Trustees hereby determines that this Ordinance is necessary for the immediate preservation of the public peace, health or safety. As an emergency ordinance, this Ordinance shall take effect upon adoption, shall be authenticated and shall be numbered and recorded in the official records of the Town as required by C.R.S. § 31-16-105.

Section 3:

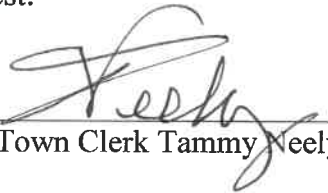
If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Dolores, Colorado, this 23RD day of March, 2020.

DOLORRES BOARD OF TRUSTEES:

By: 
Mayor Chad Wheelus

Attest:

By: 
Town Clerk Tammy Neely

