

## ORDINANCE NO. 1248

### AN ORDINANCE AMENDING SECTION 2-9-10 OF THE FORT MORGAN MUNICIPAL CODE, REGARDING THE HISTORIC PRESERVATION BOARD AND ITS OFFICERS

**WHEREAS**, the City of Fort Morgan, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, the City Council (the "Council") has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

**WHEREAS**, pursuant to that authority, the Council previously adopted and amended certain regulations concerning Boards and Commissions, including the Historic Preservation Board, codified in Chapter 2, Article 9 of the Fort Morgan Municipal Code (the "Code"); and

**WHEREAS**, Council now desires to amend and clarify Section 2-9-10 of the Code, regarding the Historic Preservation Board ("Board"), to address minor changes required to be consistent with recent changes in the Board's bylaws relating to officers and city staff that were inadvertently omitted from the Council's recent Ordinance No. 1246 adopted on September 15, 2020; and

**WHEREAS**, the City of Fort Morgan City Council finds it in the best interest of the general health, safety and welfare of its citizens, customers and business owners to amend section 2-9-10 of the Code, regarding the Historic Preservation Board and its officers.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO**, as follows:

**SECTION 1.** Findings. The above and foregoing findings are hereby incorporated by this reference as specific findings and determinations of the Council.

**SECTION 2.** Section 2-9-10, concerning Historic Preservation Board established, is hereby amended as follows:

**Sec. 2-9-10. - Historic Preservation Board established.**

- ...
- (4) Officers. The Board shall, annually and by majority vote, elect one (1) of its members to serve as Chairperson to preside over the Board's meetings, and one (1) member to serve as Vice Chair, to substitute for the Chair in the Chair's absence and ~~one (1) member to serve as Secretary~~. The members so designated shall serve in those capacities for terms of one (1) year and may serve

successive terms. The City Manager, or Designee, shall serve as Secretary to the Board, as provided for in the Board's bylaws.


**SECTION 3.** If any section, provision, paragraph, clause or phrase of this Ordinance is held, or decided to be unconstitutional, invalid or enforceable for any reason, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this Ordinance.

**SECTION 4.** All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.


**INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED  
PUBLISHED** on the 5th day of January, 2021.



THE CITY COUNCIL OF THE CITY OF FORT  
MORGAN, COLORADO

  
By: Ronald Shaver  
Mayor

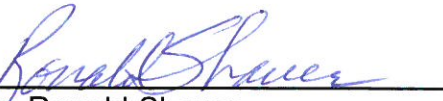
Attest:

  
John Brennan  
City Clerk

**PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED  
PUBLISHED** this 19<sup>th</sup> day of January, 2021.



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

  
By: Ronald Shaver  
Mayor

Attest:



John Brennan  
City Clerk

STATE OF COLORADO	)	
COUNTY OF MORGAN	)ss.	<b>CERTIFICATE</b>
CITY OF FORT MORGAN	)	

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1248** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 5<sup>th</sup> day of January, 2021. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 8<sup>th</sup> day of January, 2021, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 19<sup>th</sup> day of January, 2021. Within five (5) days after its final passage, said **Ordinance No. 1248** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.



John Brennan  
City Clerk