



March 23, 2022

To All Boards and Commissions Members

On February 1, 2022; Town Council approved Ordinance 2022-003 (effective March 3, 2022) that amended various sections of the Castle Rock Municipal Code regarding Boards and Commission Membership, Term Limits, Bylaws and adding a new Chapter concerning the Oath of Office. (***Attached Ordinance***)

Summary of re-organization of the code

- 1) Centralize general provisions for all boards and commissions under Section 2.14.
- 2) Remove repetitive general provisions from the individual board or commission codes and leave only provisions specific to that board or commission.
- 3) Insert Editor's Notes to cross-reference to the main boards and commissions code and to specific boards or commissions codes.
- 4) Codify Downtown Development Authority provisions outlined in the creating Ordinance.

Summary of changes made to the code

- 5) Require that all boards and commission members take an Oath of Office (***Attached Oaths***)
- 6) In appointing members of a Town board or commission, preference shall be given first to residents and second to residents within Douglas County.
- 7) Any non-resident currently serving on a Town board of commission as of the effective date of this ordinance will be allowed to serve out their current term.
- 8) Non-resident positions are approved by Town Council.
- 9) Modify unexcused absences - boards or commissions scheduled for twice monthly meetings (Planning Commission and Design Review Board) cannot exceed four (4) unexcused absences, boards and commissions meeting monthly cannot exceed three (3) unexcused absences, and boards meeting quarterly or as needed cannot exceed one (1) unexcused absence. The Town Manager or designee will determine if an absence is excused.
- 10) Codify terms and term limits.

- 11) Revise the waiting period to be proportional to the term: boards or commissions with two-year terms wait two terms (four years), and boards or commissions with three and four-year terms wait one term (three or four years).
- 12) Define a partial term.
- 13) Create Model bylaws and post them on the website (*Attached Bylaws * Note: All provisions in the Code were removed from the bylaws.*)

Actions required of your board or commission

- 1) Review the Ordinance to familiarize yourself with the changes.
- 2) Review the Section of the Code that applies to your board or commission to ensure you understand your duties, noting the changes that were made with this Ordinance.
- 3) Read and Sign the Attached Oath and return to your Staff Liaison to retain for the record.
- 4) Review the Attached Bylaws and vote to approve any amendments. Once approved by your board or commission, have the Chair sign and provide to the Staff Liaison to post on the website per Code.

Thank you for your service and dedication to our Town!


Lisa Anderson
Town Clerk

Attachments

Ordinance 2022-003 – Amending Sections of the Boards and Commissions Code

Oaths

Proposed 2022 Bylaws

Previously approved Bylaws for reference

Code or Resolution that established the board or commission for reference

ORDINANCE NO. 2022-003

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CASTLE
ROCK MUNICIPAL CODE REGARDING BOARD AND COMMISSION
MEMBERSHIP, TERM LIMITS AND BYLAWS AND ADDING
CHAPTER 2.18 CONCERNING THE OATH OF OFFICE**

WHEREAS, Town Council desires to provide clarity and updates to the Castle Rock Municipal Code (the "Code") regarding Board and Commission membership, absences, term limits, bylaws, and to require all Boards and Commissions members to take an oath of office; and

WHEREAS, Town Council wishes to codify a standard oath of office for Board and Commission Members already taken by Council Members, Town officers and department heads; and

WHEREAS, the Town Council has determined that amendments to the Code are necessary to provide said clarity, updates, and a codified oath of office.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 2.14.010 of the Castle Rock Municipal Code is amended to read as follows:

2.14.010- ~~General~~ MEMBERSHIP.

ALL TOWN BOARDS AND COMMISSIONS AND THE DOWNTOWN DEVELOPMENT AUTHORITY, EXCEPT INsofar AS EXPRESSLY MODIFIED ELSEWHERE IN THIS CODE, THE CHARTER, OR STATE STATUTE, SHALL SERVE IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER 2.14 AS FOLLOWS:

- A. THE MEMBERS OF ~~A-all TOWN boards and commissions of the Town of Castle Rock (including, but not limited to,~~ Board of Adjustment, Board of Building Appeals, Castle Rock Water Commission, Design Review Board, Election Commission, Historic Preservation Board, ~~Liquor Licensing Authority,~~ Parks and Recreation Commission, Planning Commission, Public Art Commission, Public Safety Commission, and Public Works Commission) AND THE MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD SHALL BE APPOINTED BY A MAJORITY VOTE OF THE MEMBERS OF TOWN COUNCIL PRESENT AT THE MEETING.
- B. TOWN COUNCIL WILL APPOINT MEMBERS TO FILL THE REMAINDER OF UNEXPIRED TERMS OF ALL TOWN BOARDS AND COMMISSIONS AND THE DOWNTOWN DEVELOPMENT AUTHORITY IN ORDER TO RETAIN STAGGERED TERMS.
- C. THE MEMBERS OF ALL TOWN BOARDS AND COMMISSIONS AND THE TOWN

COUNCIL MEMBER OF THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD shall serve at the pleasure of Town Council.

D. ALL MEMBERS OF TOWN BOARDS AND COMMISSIONS AND THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD SHALL TAKE AN OATH OF OFFICE PER CHAPTER 2.18 OF THIS CODE.

~~B-E.~~ Any member of a TOWN board or commission may be removed with or without cause by AN AFFIRMATIVE VOTE OF a majority vote ~~(four (4) or more)~~ of the ENTIRE MEMBERSHIP OF Town Council. REMOVAL OF THE MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY SHALL BE GOVERNED BY SECTIONS 31-25-805(2)(A) AND 31-25-806(4), C.R.S., AS AMENDED.

~~C-F.~~ ~~ALL IN~~ APPOINTING members of a TOWN board or commission, PREFERENCE shall be ~~bona fide residents of~~ GIVEN, FIRST, TO PERSONS WHO RESIDE IN the Town of Castle Rock at the time of appointment and, SECOND, TO PERSONS WHO RESIDE OUTSIDE OF THE TOWN, BUT WITHIN DOUGLAS COUNTY. ~~4-Discontinuance of residency shall terminate membership, unless otherwise specified in such board or commission's by-laws.~~ The residency requirement shall not apply to:

1. ~~m-Members of the Downtown Development Authority who are business or property owners~~ OTHERWISE ELIGIBLE TO SERVE PURSUANT TO SECTION 31-25-806(1), C.R.S.; ~~members of the Historic Preservation Board who are residents of Douglas County and/or are subject matter experts specifically recruited to fill vacancies; or to members of the Public Art Commission.~~
2. ANY POSITION ON A TOWN BOARD OR COMMISSION THAT TOWN COUNCIL HAS EXPRESSLY AUTHORIZED BY ORDINANCE TO BE FILLED BY A NON-RESIDENT.
3. ~~Other~~ ANY NON-RESIDENT TOWN boards or commissions ~~who wish to allow nonresidents to serve shall require approval of this exception from Town Council~~ MEMBER SERVING AS OF JANUARY 18, 2022, WILL BE ALLOWED TO SERVE OUT THEIR CURRENT TERM.

~~D-G.~~ All Board and Commission members shall serve without compensation.

~~E.~~ ~~Except for emergency absences, medical condition absences and absences resulting from military leave of less than two (2) continuous months, no Commissioner shall miss more than six (6) meetings in any twelve month period. Upon any seventh absence within twelve (12) months, other than for an emergency, medical condition or military leave of less than two (2) months, as determined by the Chair, the Commissioner shall be deemed to have resigned from the board or commission, and the Council shall appoint a replacement.~~

Section 2. Amendment. The Castle Rock Municipal Code is amended by the addition of a new Section 2.14.015, which Section reads as follows:

2.14.015 - Absences.

- A. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two (2) continuous months, between June 1 to May 31 of the following year, a board or commission member shall not exceed the following unexcused absences:
1. A board or commission that schedules meetings twice monthly cannot exceed four (4) unexcused absences;
 2. A board or commission that schedules meetings monthly cannot exceed three (3) unexcused absences; and
 3. A board or commission that schedules quarterly meetings or as needed cannot exceed one (1) unexcused absence.
- B. The Town Manager or designee shall determine whether an absence is excused or unexcused.
- C. If a Town board or commission member exceeds the number of unexcused absences, the member shall be deemed to have resigned from the board or commission and the Town Council shall appoint a replacement.
- D. If a member of the Downtown Development Authority exceeds the number of unexcused absences permitted by subsection A of this section, such fact shall be considered cause for removal under Section 31-25-806(4), C.R.S.

Section 3. Amendment. Section 2.14.020 of the Castle Rock Municipal Code is amended to read as follows:

2.14.020 - Term limits.

- A. ~~Effective June 1, 2015, the termS for all TOWN board or commission members (with the exception of Downtown Development Authority and Election Commission) shall be two (2) years. Each board and commission shall establish a schedule within their by-laws to effect staggered terms.~~ WITH THE FOLLOWING EXCEPTIONS:
1. DOWNTOWN DEVELOPMENT AUTHORITY: FOUR (4)-YEAR TERMS;
 2. ELECTION COMMISSION: THREE (3)-YEAR TERMS;
 3. BOARD OF BUILDING APPEALS: THREE (3)-YEAR TERMS; AND
 4. DESIGN REVIEW BOARD:
 - a. MEMBERS APPOINTED AS REPRESENTATIVES FROM OTHER BOARDS AND COMMISSIONS: ONE (1)-YEAR TERMS.

- b. MEMBERS APPOINTED AS PROPERTY OWNERS WITHIN THE DOWNTOWN DEVELOPMENT AUTHORITY BOUNDARY: TWO (2)-YEAR TERMS.
- B. No TOWN board or commission member, ~~with the exception of members of the Historic Preservation Board;~~ shall serve more than three (3) consecutive two (2)-year terms ("Term Limit"). ~~A partial term shall be counted as a full term served. A partial term is defined as any period of time less than two (2) years. Members of the Historic Preservation Board may serve four consecutive two-year terms.~~ WITH THE FOLLOWING EXCEPTIONS:
 1. MEMBERS OF THE HISTORIC PRESERVATION BOARD MAY SERVE FOUR (4) CONSECUTIVE TWO (2)-YEAR TERMS;
 2. MEMBERS OF THE ELECTION COMMISSION MAY SERVE TWO (2) CONSECUTIVE THREE (3)-YEAR TERMS;
 3. MEMBERS OF THE BOARD OF BUILDING APPEALS MAY SERVE TWO (2) CONSECUTIVE THREE (3)-YEAR TERMS; AND
 4. MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD ARE NOT SUBJECT TO THE TERM LIMITATION REQUIREMENTS OF THIS SECTION.
- C. TOWN ~~B~~-board and commission term limits shall be retroactive. Any member who has served ~~six (6) consecutive years~~ THE MAXIMUM NUMBER OF CONSECUTIVE TERMS PURSUANT TO THIS SECTION by the end of the member's current term will not be eligible for reappointment to a new term.
- D. A ~~citizen~~-TOWN BOARD OR COMMISSION MEMBER must wait ~~four (4) years (two (2) full terms)~~ FOR BOARDS AND COMMISSIONS WITH TWO (2)-YEAR TERMS, AND ONE (1) FULL TERM FOR BOARDS AND COMMISSIONS WITH THREE (3) AND FOUR (4)-YEAR TERMS prior to reapplying to serve on the same TOWN board or commission for which the member was ~~disqualified to serve due to Term Limits~~ TERM LIMITED.
- E. A PARTIAL TERM SHALL NOT BE COUNTED FOR PURPOSES OF DETERMINING TERM LIMITS. FOR THE PURPOSES OF THIS SECTION, A PARTIAL TERM IS DEFINED AS SERVING LESS THAN ONE HALF (1/2) OF THE TERM.

Section 4. Amendment. Section 2.14.030 of the Castle Rock Municipal Code is repealed and reenacted in its entirety to read as follows:

2.14.030 – Town board and commission meeting conduct.

- A. For each Town board or commission:

1. A chair and vice-chair will be elected from the members at the first meeting at the beginning of the term year to serve a one-year term. The chair shall be the executive officer and shall preside over all meetings, sign documents on behalf of the board or commission, call special meetings as needed and see that all actions of the board or commission are properly taken. The vice-chair will assume the duties of the chair in the chair's absence. Both the chair and vice chair will retain their voting rights at all meetings. In the absence of the chair and vice-chair, the members in attendance at such meeting may designate a chair pro-tem to preside over the meeting. Regular meetings may be cancelled by the chair or the Town Manager or designee.
2. A majority of the membership shall constitute a quorum. A quorum is required in order for the board or commission to conduct a meeting.
3. If a quorum is present, an affirmative vote of a majority of the members in attendance is required for any formal action to be taken. In the event that a quorum is not present, a meeting may nevertheless be continued by an affirmative vote of a majority of the members in attendance.
4. A tie vote shall be deemed a denial of the motion or recommended action.
5. Strict adherence to the Town Charter and Code, the rules, regulations, and policies adopted pursuant thereto, and any applicable federal or state laws, rules, regulations, or policies shall be required.
6. All meetings at which public business is discussed or formal action is taken shall be open to the public and noticed in compliance with the Colorado Open Meetings Law, Section 24-6-402, C.R.S.
7. Special meetings may be called by the chair, any two members of the board or commission, or the Town Manager or designee and must adhere to the same noticing requirements as a regular meeting.
8. Executive sessions may be conducted for any reason permitted by the Colorado Open Meetings Law, Section 24-6-402, C.R.S.
9. Robert's Rules of Order shall govern any procedural matter not addressed in the bylaws; provided, however, that the failure of a board or commission to follow Robert's Rules of Order shall not invalidate an otherwise lawful action.
10. A recording of minutes and votes are required for each meeting and shall be archived, along with any agenda packets and executed documents, using the Town archival software.
11. Town staff is available to serve as a liaison and to offer assistance.

12. Each member must adhere to the Town Code of Conduct as set forth in Chapter 2.05 of the Code.
- B. Notwithstanding any provision of this section to the contrary, the Town Council shall have the sole authority to adopt, and amend from time to time, by resolution, rules and procedures governing the remote attendance and participation of board and commission members and the general public by telephone or other electronic means, subject to reasonable qualifications and limitations.

Section 5. Amendment. Section 2.14.040 of the Castle Rock Municipal Code is amended to read as follows:

2.14.040 - Bylaws.

- A. Each board and commission shall be responsible for adopting ~~its own~~ bylaws ~~promulgating the rules and regulations on~~ GOVERNING the conduct of their meetings THAT GENERALLY ADHERE TO THE MODEL BOARD AND COMMISSION BYLAWS MAINTAINED AND ADMINISTRATIVELY AMENDED BY THE TOWN MANAGER OR DESIGNEE; provided, however, that SUCH BYLAWS DO NOT CONFLICT WITH THE CODE OR OTHER CONTROLLING DOCUMENTS ~~the Town Council shall have the sole authority to adopt, and amend from time to time, by resolution, rules and procedures governing the remote attendance and participation of board and commission members and the general public by telephone or other electronic means, subject to reasonable qualifications and limitations.~~
- B. ALL BOARD AND COMMISSION BYLAWS WILL BE PUBLISHED ON THE TOWN WEBSITE.

Section 6. Amendment. Section 2.16.050 of the Castle Rock Municipal Code is amended to read as follows:

2.16.050 - Membership.

- A. The Planning Commission shall consist of seven members ~~to be selected and appointed by the Town Council.~~
- B. ~~The term for Planning Commission membership shall be in accordance with Chapter 2.14.~~
- C. — Geographic representations shall be a factor considered in appointments, along with interest in planning and related support fields.

Section 7. Amendment. Section 2.16.060 of the Castle Rock Municipal Code is amended to read as follows:

2.16.060 – ~~Selection~~ VACANCIES.

All vacancies occurring otherwise than through the expiration of terms shall be filled ~~for~~

~~the remainder of the unexpired term by appointment by the Town Council, with appointment to be completed within ninety (90) days of the vacancy. Vacancies created by term expiration shall be filled by appointment prior to May 31. For the purpose of this Section, the expiration of a term shall be considered as creating a vacancy, irrespective of the interest of the incumbent to reappointment.~~

Section 8. Amendment. Section 2.16.070 of the Castle Rock Municipal Code is amended to read as follows:

2.16.070 - Chairman.

~~The Planning Commission shall elect from its appointed regular members a chairman for a one year term of office. The chairman shall be eligible for reelection AS CHAIR FOR not to exceed three (3) successive terms of office YEARS. The chairman shall retain his or her voting rights.~~

Section 9. Amendment. Section 2.16.080 of the Castle Rock Municipal Code is amended to read as follows:

2.16.080 - Meetings.

~~The Planning Commission shall hold regular public meetings, not less than once per calendar month, at which time the Town Clerk or some party designated by the Clerk shall maintain public minutes and records of the proceedings before the Planning Commission. No official meeting shall take place unless a majority of the membership is present. A majority vote of the membership present shall be required on all approvals or official actions of the commission. The commission may adopt rules of procedure for its meetings which shall constitute official protocol.~~

Section 10. Amendment. Section 2.16.090 of the Castle Rock Municipal Code is repealed in its entirety. Sections 2.16.100, 2.16.110, and 2.16.120 of the Castle Rock Municipal Code are renumbered 2.16.090, 2.16.100, and 2.16.110, respectively.

Section 11. Amendment. The Castle Rock Municipal Code is amended by the addition of a new Chapter 2.18, which Chapter reads as follows:

Chapter 2.18 - Oath of Office.

2.18.010 - When Required.

Before assuming their respective offices or positions, the following individuals shall take and file with the Town Clerk or other designated person an oath or affirmation:

- A Mayor and members of Town Council
- B. Town Manager

- C. Deputy Town Manager
- D. Assistant Town Manager
- E. Town Attorney
- F. Town Clerk
- G. Police Chief
- H. Fire Chief
- I. Department heads
- J. Members of Town boards and commissions
- K. Liquor Licensing Authority hearing officer
- L. Director of the Downtown Development Authority and members of the Downtown Development Authority board.

2.18.020 - Form of Oath.

The oath or affirmation to be taken by the individuals designated in Section 2.18.010 shall read as follows:

I, [name], do solemnly [swear, affirm, or swear by the everliving God] that I will support the constitution and laws of the United States and the state of Colorado and the Charter, ordinances, and laws of the Town of Castle Rock, and will faithfully perform the duties of [name of office or position] for the Town of Castle Rock upon which I am about to enter to the best of my ability.

Section 12. Amendment. Section 15.30.090 of the Castle Rock Municipal Code is hereby amended to read as follows:

15.30.090 - Board of Building Appeals.

- A. Authority. In order to hear and decide appeals of orders, decisions or determinations made by the Chief Building Official relative to the application and interpretation of the Town-adopted building codes and regulations, as well as the Town's contractor registration ordinances, there shall be and is hereby created a Board of Building Appeals (Board), also referred to as the Advisory Board in Paragraph 15.03.070.B.5. The Chief Building Official shall be an ex officio member of and shall act as secretary to said Board but shall have no vote on any matter before the Board. ~~The Board shall be appointed by the Town Council and shall hold office at its pleasure.~~ The Board shall adopt rules of procedure for conducting ~~its business and shall~~ render all decisions and findings in writing to the applicant with a duplicate copy to the Chief Building Official.

- B. Membership. The Board shall consist of five (5) qualified electors of the Town, ~~who shall be appointed by the Town Council.~~ To the extent practicable, four members shall be persons qualified by experience and training to pass on matters pertaining to building construction.
- C. ~~Appointments and terms of office. Of those initially appointed, two shall be for a term of three years, two shall be for a term of two years, and one shall be for a term of one year. Thereafter, appointments shall be for a three-year term. Any member of the Board may be removed with or without cause by a majority vote of the Town Council. Any vacancy occurring on the Board shall be filled for the unexpired term by the Town Council.~~
- D. ~~Attendance. To ensure the orderly conduct of business, member attendance is vital. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two continuous months, no Board member shall miss more than three meetings in any twelve month period. Upon any fourth absence within 12 months, other than for an emergency, medical condition or military leave of less than two months, as determined by the chair, the Board member shall be deemed to have resigned from the Board, and the Town Council shall appoint a replacement. Nothing herein prohibits the Town Council from reappointing the resigning member under this Paragraph.~~
- E. ~~Quorum and Voting. Quorum shall consist of three members, and a decision of a majority of the members of the Board shall control. Any absent member may join in a decision of the Board after he or she has considered the evidence presented in any hearings conducted during his or her absence. All decisions are final, subject only to appeal to a court of competent jurisdiction.~~
- F. ~~Officers. The Board shall annually elect a chair from its number who shall preside over all hearings and proceedings of the Board. A vice-chair elected annually by the Board shall assume the chair's duties in the chair's absence.~~
- G-D. Meetings. The Board shall hold meetings at regularly scheduled intervals, but shall meet at a minimum four times a year. ~~Minutes shall be kept of all Board proceedings.~~
- H-E. Limitations of authority. The Board shall have no authority relative to interpretation of the administrative provisions of the Code, as adopted by the Town, nor shall the Board be empowered to waive requirements of the Code as adopted by the Town.

Section 13. Amendment. Section 15.64.030 of the Castle Rock Municipal Code is hereby amended to read as follows:

15.64.030 - Historic Preservation Board established.

There is hereby created a Historic Preservation Board, referred to in this Chapter as the "Board," which shall have principal responsibility for matters of historic preservation.

- A. Membership. The Board shall consist of seven (7) voting members providing a balanced,

community-wide representation and one (1) non-voting liaison.

1. The Castle Rock Historical Society and Museum Board may provide Town Council with a recommendation for the liaison. The liaison shall be affiliated with the Castle Rock Historical Society and Museum Board. ~~All members shall be residents of Douglas County, with preference given to Town of Castle Rock residents.~~
 2. The Board shall be composed of both professional and lay members, all of whom have demonstrated interest, knowledge or training in fields closely related to historic preservation.
 - a. At least three (3) members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to history, architecture, planning or archaeology. If the required number of professional members cannot be found to serve on the Board, this requirement may be waived until the next vacancy occurs, at which time the Town shall again diligently seek professional representation. In the case of a lack of professional appointees, the Board may, with Council approval, be allowed to retain professional consultants to advise the Board as necessary to fulfill its duties.
 - b. At least three (3) members shall be residents or property owners from the Craig and Gould neighborhood. If the required number of residents or property owners from the Craig and Gould neighborhood cannot be found to serve on the Board, this requirement may be waived until the next vacancy occurs, at which time the Town shall diligently seek Craig and Gould representation. The Castle Rock Historical Society and the Castle Rock Chamber of Commerce are encouraged to submit nominees for Council consideration.
 3. The Director of Development Services or a designated department representative shall serve as staff to the Board.
- B. ~~Appointments and terms of office. The appointment and terms of the members shall be in accordance with Chapter 2.17 of this CRMC.~~
- C. ~~Attendance. To ensure the orderly conduct of business, member attendance is vital. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two continuous months, no Board member shall miss more than three meetings in any twelve month period. Upon any fourth absence within 12 months, other than for an emergency, medical condition or military leave of less than two months, as determined by the Chairperson, the Board member shall be deemed to have resigned from the Board, and the Council shall appoint a replacement. Nothing herein prohibits the Council from reappointing the resigning member under this Subsection.~~
- D. ~~Quorum and voting. A quorum for the Board shall consist of a majority of the regular~~

~~membership. A quorum is necessary for the Board to hold a public hearing or to take official actions, except that a public hearing may be continued by a majority vote of the members present when a quorum is not present. A tie vote shall be deemed a denial of the motion or recommended action.~~

~~E. Officers. The Board shall, by majority vote, elect one of its members to serve as chairperson to preside over the Board's meetings and one member to serve as vice-chairperson. The members so designated shall serve in these capacities for terms of one year and may serve successive terms.~~

F. Meetings. The Board shall hold meetings at regularly scheduled intervals, but shall meet at minimum four times a year. ~~Minutes shall be kept of all Board proceedings.~~

G-C. Powers and duties. The Board shall:

1. Adopt criteria for review of Historic Properties and for review of proposals to alter, demolish or relocate designated Landmarks.
2. Review properties nominated for designation as a Historic Landmark or Historic District in the Craig and Gould neighborhood and recommend that the Town Council designate by ordinance those properties qualifying for such designation.
3. Review and rule on any application for Alterations to a Historic District in the Craig and Gould neighborhood.
4. Review and rule on any application for the Alteration, relocation or Demolition of a Historic Landmark.
5. Review and approve new construction and Alterations to non-Landmarked properties within the Craig and Gould neighborhood.
6. Maintain a system for survey and inventory.
7. Advise and assist owners of Historic Properties regarding physical and financial aspects of preservation, renovation, Rehabilitation and reuse, including nomination to the National Register of Historic Places.
8. In conjunction with the Castle Rock Historical Society, develop and assist with public education programs, including but not limited to walking tours, brochures, a marker program for historic properties, lectures and conferences.
9. Conduct surveys of historic areas for the purpose of defining those of historic Significance and prioritizing the importance of identified historic areas and structures.
10. Advise the Planning Commission and Town Council on matters related to preserving the historic character of the Town.

11. In conjunction with other entities and private individuals, actively pursue financial assistance for preservation-related programs through grants and other means.
12. Administer the local economic incentive programs set forth in Section 15.64.050.
13. Review and make recommendations to the Town Council regarding amendments to the Historic Preservation Plan. The Plan, and any amendments thereto, shall be adopted by resolution of the Town Council.

~~H. Rules and procedures. The Board shall adopt rules of procedure or bylaws which shall be made available to the public. All meetings of the Board shall be open to the public.~~

Section 14. Amendment. Section 17.06.010 of the Castle Rock Municipal Code is hereby amended to read as follows:

17.06.010 – ~~Organization~~ BOARD OF ADJUSTMENT.

- A. The Board of Adjustment ("Board") shall consist of five (5) members appointed by the Town Council. All members shall be residents of the Town. If at any time a Board member is no longer a resident, such seat shall be considered vacant and subject to appointment by the Town Council.
- B. ~~The terms of the members of the Board shall be in accordance with Chapter 2.14 of this CRMC.~~
- C. ~~Members of the Board shall serve at the pleasure of the Town Council, and may be removed by a majority vote of the Town Council for any good cause, as determined in its absolute discretion.~~
- D. ~~The members of the Board shall select their own Chair. The services of any Town employee shall be available to the Board. The Board shall adopt such rules and regulations necessary to carry into effect the provisions of this Title, specifically including attendance requirements and a method of terminating a member for nonattendance. Meetings OF THE BOARD shall be held at such times as may be necessary and shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question.~~

Section 15. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 16. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

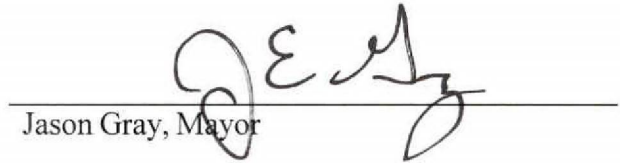
APPROVED ON FIRST READING this 18th day of January, 2022 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED, AND ADOPTED ON SECOND AND FINAL READING this 1st day of February, 2022 by the Town Council of the Town of Castle Rock, Colorado, by a vote of 7 for and 0 against.

ATTEST:

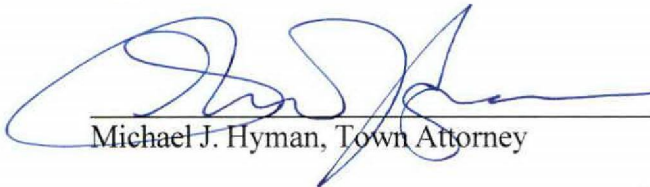
TOWN OF CASTLE ROCK


Lisa Anderson, Town Clerk


Jason Gray, Mayor

Approved as to form:

Approved as to content:


Michael J. Hyman, Town Attorney


David L. Corliss, Town Manager



15.64.030 Historic Preservation Board established.~~All removed items are under Code 2.14~~

There is hereby created a Historic Preservation Board, referred to in this Chapter as the "Board," which shall have principal responsibility for matters of historic preservation.

- A. Membership. The Board shall consist of seven (7) voting members providing a balanced, community-wide representation and one (1) non-voting liaison.
 - a. The Castle Rock Historical Society and Museum Board may provide Town Council with a recommendation for the liaison. The liaison shall be affiliated with the Castle Rock Historical Society and Museum Board. ~~All members shall be residents of Douglas County, with preference given to Town of Castle Rock residents.~~
 - b. The Board shall be composed of both professional and lay members, all of whom have demonstrated interest, knowledge or training in fields closely related to historic preservation.
 - i. At least three (3) members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to history, architecture, planning or archaeology. If the required number of professional members cannot be found to serve on the Board, this requirement may be waived until the next vacancy occurs, at which time the Town shall again diligently seek professional representation. In the case of a lack of professional appointees, the Board may, with Council approval, be allowed to retain professional consultants to advise the Board as necessary to fulfill its duties.
 - ii. At least three (3) members shall be residents or property owners from the Craig and Gould neighborhood. If the required number of residents or property owners from the Craig and Gould neighborhood cannot be found to serve on the Board, this requirement may be waived until the next vacancy occurs, at which time the Town shall diligently seek Craig and Gould representation. The Castle Rock Historical Society and the Castle Rock Chamber of Commerce are encouraged to submit nominees for Council consideration.
 - c. The Director of Development Services or a designated department representative shall serve as staff to the Board.
- B. ~~Appointments and terms of office. The appointment and terms of the members shall be in accordance with Chapter 2.17 of this CRMC.~~
- C. ~~Attendance. To ensure the orderly conduct of business, member attendance is vital. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two continuous months, no Board member shall miss more than three meetings in any twelve month period. Upon any fourth absence within 12 months, other than for an emergency, medical condition or military leave of less than two months, as determined by the Chairperson, the Board member shall be deemed to have resigned from the Board, and the Council shall appoint a replacement. Nothing herein prohibits the Council from reappointing the resigning member under this Subsection.~~
- D. ~~Quorum and voting. A quorum for the Board shall consist of a majority of the regular membership. A quorum is necessary for the Board to hold a public hearing or to take official actions, except that a public hearing may be continued by a majority vote of the members present when a quorum is not present. A tie vote shall be deemed a denial of the motion or recommended action.~~
- E. ~~Officers. The Board shall, by majority vote, elect one of its members to serve as chairperson to preside over the Board's meetings and one member to serve as vice chairperson. The members so designated shall serve in these capacities for terms of one year and may serve successive terms.~~

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- F. Meetings. The Board shall hold meetings at regularly scheduled intervals, but shall meet at minimum four times a year. ~~Minutes shall be kept of all Board proceedings.~~
- G. Powers and duties. The Board shall:
1. Adopt criteria for review of Historic Properties and for review of proposals to alter, demolish or relocate designated Landmarks.
 2. Review properties nominated for designation as a Historic Landmark or Historic District in the Craig and Gould neighborhood and recommend that the Town Council designate by ordinance those properties qualifying for such designation.
 3. Review and rule on any application for Alterations to a Historic District in the Craig and Gould neighborhood.
 4. Review and rule on any application for the Alteration, relocation or Demolition of a Historic Landmark.
 5. Review and approve new construction and Alterations to non-Landmarked properties within the Craig and Gould neighborhood.
 6. Maintain a system for survey and inventory.
 7. Advise and assist owners of Historic Properties regarding physical and financial aspects of preservation, renovation, Rehabilitation and reuse, including nomination to the National Register of Historic Places.
 8. In conjunction with the Castle Rock Historical Society, develop and assist with public education programs, including but not limited to walking tours, brochures, a marker program for historic properties, lectures and conferences.
 9. Conduct surveys of historic areas for the purpose of defining those of historic Significance and prioritizing the importance of identified historic areas and structures.
 10. Advise the Planning Commission and Town Council on matters related to preserving the historic character of the Town.
 11. In conjunction with other entities and private individuals, actively pursue financial assistance for preservation-related programs through grants and other means.
 12. Administer the local economic incentive programs set forth in Section 15.64.050.
 13. Review and make recommendations to the Town Council regarding amendments to the Historic Preservation Plan. The Plan, and any amendments thereto, shall be adopted by resolution of the Town Council.
- H. ~~Rules and procedures. The Board shall adopt rules of procedure or bylaws which shall be made available to the public. All meetings of the Board shall be open to the public.~~

(Ord. No. 2021-011 , § 1, 6-1-2021; Ord. No. 2015-04, § 5, 2-17-2015 ; Ord. 2012-16 §1, 2012)



Town of Castle Rock
HISTORIC PRESERVATION BOARD
BYLAWS
(March 2022)

The Historic Preservation Board of the Town of Castle Rock has been established by the Town Council set forth in Chapter 15.64 of the Town of Castle Rock Municipal Code and Local Government Obligations

Main provisions for all Town of Castle Rock Boards and Commissions are outlined in the Town of Castle Rock Municipal Code Section 2.14.

Pursuant to the authority granted to the Historic Preservation Board, the Board hereby adopts the following bylaws to govern its conduct and procedures that do not conflict with the main provisions outlined in the Town of Castle Rock Municipal Code Section 2.14.

Article 1 – Purpose, Duties, and Authority

The Historic Preservation Board will carry into effect the provisions in Section 15.64 of the Town of Castle Rock Municipal Code.

Article 2 – Organization and Staff

Membership shall consist of seven (7) members.

The Development Services Department, under the direction of the Director, shall provide necessary technical and advisory support to the Board.

Article 3 – Regular Meetings or Hearings

Regular meetings shall be held a minimum of four times a year then as necessary. Meetings are held on the first Wednesday of each month at 6pm at Townhall, 100 North Wilcox and are open to the public.

Article 4 - Minutes and Records

The Development Services Department shall maintain all of the records of the Board, ensure they are retained in the Town electronic records archive, and shall transmit them timely to the Board for their review and approval.

Article 5 - Hearing Procedures

The Historic Preservation Board shall incorporate the following procedures for all public hearings:

1. Call to Order and Roll Call.
2. State brief purpose of the hearing.

If applicable:

3. Identify the applicant.
4. Ask for proof of public notice and read it into the minutes.
5. Staff report.
6. Applicant's comments and presentation.
7. Open the Public Hearing and announce the following procedures for taking public comment:

- a. Speakers sign up to speak and are taken in the order they signed up unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Speakers state their name, if they are a resident, their association with the item, and any financial or personal interest they may have.
 - c. Any documents presented are given to the Chair and are made part of the record.
8. Applicant's rebuttal or evidence in response.
9. Commission's questions for the applicants, staff, or any public presenting testimony.
10. Close the public hearing.
11. Commission discusses the item and make a motion.
12. Commission may motion for approval, approval with conditions, denial, or continuation of the item.
13. Other Business
14. Adjourn

Article 6 - Amendments

These Bylaws may be amended per Chapter 2.14 by an affirmative vote of majority vote of the members of the Historic Preservation Board during a regular or special meeting.

Article 7 - Approvals

The above Bylaws for the Town of Castle Rock Historic Preservation Board have been duly considered and reviewed and are hereby adopted by the Board this _____ day of _____, 2022 and will be posted on the Town website.

ATTEST:

HISTORIC PRESERVATION BOARD

Secretary/Vice-Chair

Chair

HISTORIC PRESERVATION BOARD

BY-LAWS

Adopted August 4, 1994

Amended October 6, 2010 and August 3, 2016

ARTICLE I in code 15.64

Name of the organization shall be the Castle Rock Historic Preservation Board.

ARTICLE II in code 15.64

Authority:

The Board shall derive its authority from Ordinance 2010-19 as amended by the Town Council. In the case of any conflict between these by-laws and Ordinance 2010-19, Ordinance shall prevail.

ARTICLE III in code 15.64

Objectives:

- A. To protect and preserve the town's historic and cultural heritage, as embodied in designated historic, prehistoric, and geological landmarks and districts.
- B. To enhance property values and to stabilize historic neighborhoods and commercial areas.

ARTICLE III in code 15.64

Objectives: (Continued)

- C. To increase the economic and financial benefits to the town and its residents, businesses and visitors through preservation.
- D. To provide educational opportunities and to increase public appreciation of the Town of Castle Rock's unique heritage.
- E. To address historic preservation issues at the local level and integrate them into local, state and federal planning and decision-making processes.

ARTICLE IV in code 15.64

Duties and Responsibilities:

- A. The Board shall set standards and criteria for the inclusion of historic properties, prehistoric sites and geologic landmarks.
- B. The Board shall set standards and procedures for obtaining a landmark alteration certificate prior to any alteration, demolition or moving historic properties as described by Article IV-A
- C. Actions recommended by the Board shall be transmitted to the Town Council or other applicable board, council or person(s) and to town staff.
- D. The Board shall function as a public educational resource.
- E. All of the above duties and responsibilities shall be accomplished within the framework of all applicable town ordinances.

ARTICLE V In Code 2.14

Membership:

- A. Appointment to this Board is by the Town Council
- B. The term of office shall be two (2) years. Terms shall be renewable, but no member shall serve more than four consecutive 2-year terms or eight (8) consecutive years. Partial terms shall count as full terms. A citizen must wait four (4) years to re-apply to serve on the Board. Original members were selected for a one (1) year, two (2) year or three (3) year term.
- C. Vacancies in the Board shall be filled by the Town Council in a timely manner.

- D. Membership shall consist of seven members. The makeup of the membership shall be defined by Ordinance 2010-19 Chapter 15.64 as amended. retain in bylaws

ARTICLE V

Membership: (Continued)

- E. Attendance at meetings shall be the responsibility of the member. Four consecutive unexcused absences shall constitute resignation. Code 2.14

ARTICLE VI

Officers: Code 2.14

- A. The officers shall consist of a Chair and Vice-Chair. The position of Secretary shall be on a rotating basis of all members so that each member will then be able to fully participate in the majority of meetings. The job of Secretary shall not be recognized if the Town of Castle Rock can provide such a service.
- B. The selection of Chair and Vice-Chair shall be executed by secret ballot whenever a vacancy shall occur. Term of office shall be for one (1) year and may be renewable.
- C. The Chair shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage, call special meetings, and generally perform other duties as may be prescribed in these by-laws or by ordinance.
- D. The Vice-Chair presides in the absence of the Chair.

ARTICLE VII Meeting dates and times retained in bylaws

Meetings: remaining items in Code 2.14

- A. Dates and Times: The Board shall meet a minimum of four times a year. Additional meetings shall be held as necessary. All meeting times shall be posted at the town offices. Meetings are open to the public.
- B. Quorum: A quorum consists of four (4) members, a majority.
- C. Conflict of Interest: Any member who has a conflict of interest, as defined by Town policy shall immediately disclose this fact and shall not participate as a Board Member on this item. This fact shall be noted in the meeting minutes.
- D. Record of Proceedings: Minutes of each meeting shall be recorded and filed with the Town Development Services Department after they have been approved by the membership of the Board. They shall reflect pertinent information such as members present, motions, and actions and will be available for public inspection during regular business hours.

ARTICLE VIII

Committees:

The Chair may appoint committees as necessary.

ARTICLE IX

Parliamentary Authority:

The Board shall use Robert's Rules of Order, as revised, in conducting business affairs.

ARTICLE X

Amendments:

These by-laws may be amended at any regular meeting of the Board on second reading by an affirmative vote of four members of the Board. The Town Council will have the authority to amend these by-laws.