

ORDINANCE NO. 2020-015

AN ORDINANCE AMENDING SECTIONS 2.02.040(B) AND 2.14.040 OF THE CASTLE ROCK MUNICIPAL CODE REGARDING COUNCIL PROCEDURES AND BOARD AND COMMISSION BYLAWS TO ALLOW FOR THE REMOTE ATTENDANCE AND PARTICIPATION OF COUNCIL, BOARD AND COMMISSION MEMBERS AND THE GENERAL PUBLIC AT MEETINGS OF THE TOWN COUNCIL AND TOWN BOARDS AND COMMISSIONS

WHEREAS, with technological advancements in telecommunication, participation in meetings by telephone or other electronic means has become more commonplace in municipal government;

WHEREAS, the Colorado Open Meetings Law, Section 24-6-402(1)(b), C.R.S., acknowledges that the meetings of a local public body, such as the Town Council, may be conducted “by telephone, electronically, or by other means of communication;”

WHEREAS, the Town Council has successfully conducted numerous meetings utilizing both telephonic and virtual meeting programs during the ongoing COVID-19 emergency;

WHEREAS, the Town Council desires the ability to provide telephonic and electronic meeting participation to Council members and the general public after the COVID-19 emergency expires; and

WHEREAS, the Town Council has determined that an amendment to the Castle Rock Municipal Code is necessary to allow the Town Council to adopt rules and procedures governing telephonic and electronic meeting participation.

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

Section 1. Amendment. Section 2.02.020(B) of the Castle Rock Municipal Code is hereby amended to read as follows:

2.02.040 - Council procedures.

B. By resolution, the Town Council may adopt, and amend from time to time, rules and procedures governing its operations and conduct of meetings, provided that such rules and procedures are not in conflict with any provision of this Chapter or the Charter. SUCH RULES AND PROCEDURES MAY ALLOW FOR THE REMOTE ATTENDANCE AND PARTICIPATION OF ONE OR MORE MEMBERS OF THE TOWN COUNCIL AND THE GENERAL PUBLIC BY TELEPHONE OR OTHER ELECTRONIC MEANS, SUBJECT TO REASONABLE QUALIFICATIONS AND LIMITATIONS. Robert's Rules of Order shall govern any procedural matter not addressed in the Charter, this Code, or Council's adopted rules and procedures. Council's failure to follow Robert's Rules, however, shall not invalidate an otherwise lawful legislative or administrative enactment or action. The Mayor shall

decide all procedural questions.

Section 2. Amendment. Section 2.14.040 of the Castle Rock Municipal Code is hereby amended to read as follows:

2.14.040 - By-laws.

Each board and commission shall be responsible for adopting its own by-laws promulgating the rules and regulations on the conduct of their meetings; PROVIDED, HOWEVER, THAT, 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 3. 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 4. 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 August, 2020 by a vote of 5 for and 2 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 1st day of September, 2020, by the Town Council of the Town of Castle Rock by a vote of _____ for and _____ 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