

ORDINANCE NO. 19-33

AN ORDINANCE TEMPORARILY WAIVING CERTAIN  
APPOINTMENT CRITERIA FOR THE FIRE BOARD OF  
APPEALS

WHEREAS, the Fire Board of Appeals was formed through § 8.3.101 of the Code of the City of Colorado Springs 2001, as amended ("City Code"); and

WHEREAS, the Fire Board of Appeals is a board appointed by the City Council and subject to the requirements for appointment as set forth in City Code § 1.2.901, *et seq.*; and

WHEREAS, by Ordinance No. 18-104, the City Council amended the general requirements for appointments to its boards and commissions; and

WHEREAS, pursuant to City Code § 1.2.901 (C), a term limited member of a Council appointed board or commission may serve for up to ninety (90) days beyond the expiration of a term of appointment; and

WHEREAS, pursuant to City Code § 1.2.901 (F), unless permitted by the enabling ordinance of a Council appointed board no person shall be appointed unless a resident of the City of Colorado Springs; and

WHEREAS, the Fire Board of Appeals consists of members with a variety of technical expertise that make replacement appointments of members unusually difficult; and

WHEREAS, Fire Department staff has requested for the Fire Board of Appeals a one (1) year exemption from the term limit and residency requirements due to hardship in filling necessary terms to achieve a quorum; and

WHEREAS, the essential health, safety and welfare services provided by the Fire Board of Appeals necessitates a temporary waiver, as set forth below, of specific requirements contained in City Code § 1.2.901.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council finds that due to the essential role of the Fire Board of Appeals and its difficulty in making appointments that comply with City Code § 1.2.901, that the City and its citizens shall suffer a hardship without relief.

Section 2. The City Council finds that it is necessary and in the best interest of the public health, safety and welfare to grant, and hereby grants, to the Fire Board of Appeals a one (1) year hardship waiver of the term and residency requirements contained in City Code § 1.2.901 (C) and (F).

Section 3. The currently serving members of the Fire Board of Appeals who are term limited, regardless of residency, shall be permitted to serve for one (1) year beyond the effective date of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 14<sup>th</sup> day of May, 2019.

**Finally passed:** May 28<sup>th</sup>, 2019



Council President

**Mayor's Action:**

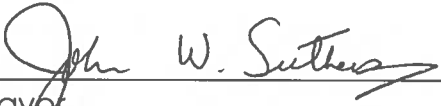
- Approved on May 29, 2019.
- Disapproved on \_\_\_\_\_, based on the following objections:

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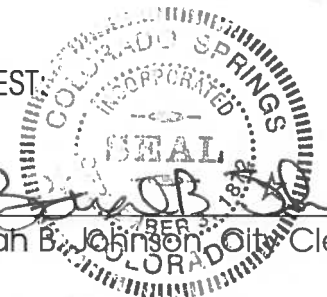
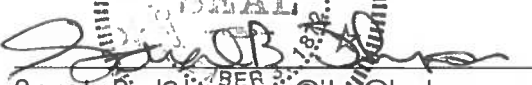
  
\_\_\_\_\_  
Mayor



**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Council President


ATTEST:

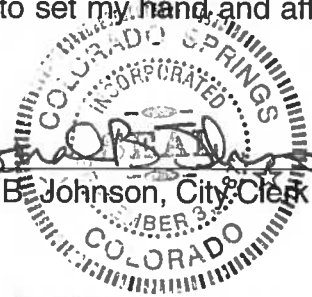
  
  
\_\_\_\_\_  
Sarah B. Johnson, City Clerk

CAO:   
COS: 

I HEREBY CERTIFY, that the foregoing ordinance entitled "AN ORDINANCE TEMPORARILY WAIVING CERTAIN APPOINTMENT CRITERIA FOR THE FIRE BOARD OF APPEALS" was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on May 14<sup>th</sup>, 2019; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 28<sup>th</sup> day of May, 2019, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 30<sup>th</sup> day of May, 2019.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: May 17<sup>th</sup>, 2019

2<sup>nd</sup> Publication Date: June 5<sup>th</sup>, 2019

Effective Date: June 10<sup>th</sup>, 2019

Initial: SBS  
City Clerk