

**Town of Basalt, Colorado
Ordinance No. 02
Series of 2020**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, AMENDING CHAPTER 2, ARTICLE III (OFFICERS AND
EMPLOYEES) OF THE BASALT MUNICIPAL CODE TO ELIMINATE THE
PERSONNEL REVIEW BOARD.**

RECITALS

- A. The Town of Basalt ("Town") is a Colorado home-rule municipality, duly organized and existing under the Town's Home Rule Charter adopted pursuant to Article XX of the Constitution of the State of Colorado.
- B. The Town Council is empowered to amend the Town Municipal Code (the "Code") by ordinance.
- C. Section 2-71 of the Code creates a "Personnel Review Board" comprised of Council, Staff, and citizens to advise on personnel decisions; however, the Board has not been historically seated. Further, the Board's functions conflict with duties and responsibilities of the Town Manager under the Charter/Code.
- D. Because the Personnel Review Board is obsolete, unnecessary, and in conflict with the Code and Charter, the Town Council wishes to amend the Code to eliminate the Board.
- E. The Town Council finds and determines that amending the Code to eliminate the Personnel Review Board is in the best interests of the public health, safety, and welfare of the citizens of Basalt.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF BASALT, COLORADO, THAT:**

- 1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
- 2. Personnel Review Board. The Town Council hereby eliminates the Personnel Review Board, including as follows:
 - a. Section 2-71 (Personnel Review Board) of the Code is hereby deleted in its entirety.
 - b. Section 2-72(a) (Discharge or suspension of Town employees) of the Code is hereby amended to read as follows, with additions shown in **bold, underlined text** and ~~strike-through language~~ deleted:

(a) No employee or officer of the Town shall be deemed to have a vested or property right to continued employment with the Town. Any employee may be discharged, demoted or suspended for not more than thirty (30) working days without pay if the Town Manager determines at any time, ~~with or without the recommendations of the Personnel Review Board after appeal~~, that the employee committed any of the following:

- c. All other references to the Personnel Review Board in the Code are hereby deleted.
3. Severability. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part or portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.
4. Effective Date. This Ordinance shall be effective 14 days after final publication in accordance with the Town of Basalt Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON January 28, 2020, by a vote of 7 to 0 this 14th day of January, 2020.

READ ON SECOND READING AND ADOPTED, by a vote of 7 to 0 this 28th day of January, 2020.

TOWN OF BASALT, COLORADO

By: 
Jacquie R. Whitsitt, Mayor

ATTEST:


Pamela K. Schilling, Town Clerk



Date of first publication: 1/23/20
Date of second publication: 2/6/20
Effective date: 2/20/20