

TITLE 2

Administration and Personnel

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Chapter 2.04

Board of Trustees

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- 2.04.350 Adoption of Ordinance at Meetings and Publication.
- 2.04.360 Appointment to Boards and/or Commissions.

2.04.010 Regular Meetings.

The regular meetings of the Town Board shall be held on the first and third Thursday of each month at 8:00 p.m.

A. When the fixed day for any regular meeting of the Town Board falls on a day designated by law as a legal holiday, the meeting shall be held at a date designated by the Board at a previous meeting, unless otherwise provided by a motion which is adopted by majority consent.

B. If the day and/or hour of a regular meeting is changed by the Town Board, all members not in attendance when the motion was adopted shall be notified by written and/or verbal notice no later than twenty-four (24) hours preceding the meeting. (Ord. 304, 1982).

2.04.020 Special Meetings.

The Mayor or any three (3) Town Board Trustees may call a special meeting of the Town Board to consider business that must be transacted before the next regular meeting.

A. Written and/or verbal notice of a special meeting shall be given by the Town Clerk to each member of the Town Board. Said notice shall be left at the member's usual place of residence not less than twenty-four (24) hours preceding the special meeting.

B. Business considered or transacted at a special meeting of the Town Board shall be limited to those items specified in the notice. (Ord. 304, 1982).

2.04.030 Adjourned Meetings.

A. Any regular or special meeting of the Town Board may be continued or adjourned from day to day, or for more than one day provided that the day to which the regular or special meeting is adjourned falls before the next regular meeting.

B. Business at an adjourned meeting of the Town Board shall continue from the point where it was interrupted in the preceding regular or special meeting. (Ord. 304, 1982).

2.04.040 Executive Sessions.

By the affirmative vote of two thirds of the quorum present, the Town Board may go into Executive Session during a regular or special meeting. The Executive Session may only be called for the consideration of the following items:

1. Purchase, acquisition, lease, transfer or sale of any real, personal or other property interest;
2. Conferences with an attorney for the local public body for the purpose of receiving legal advice on specific legal questions;
3. Matters required to be kept confidential by Federal or State laws or rules and regulations;
4. Specialized details of security arrangements or investigations;
5. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators;
6. Personnel Matters, except if an open meeting has been requested by the employee or employees who are the subject of the session;
7. Consideration of any documents protected by the Mandatory Non-Disclosure Provisions of Part 2 of Article 72 of Title 24, C.R.S., commonly known as the "Open Records Act". (Ord. 381, 1991).

2.04.050 Study Sessions.

By majority consent of those present, the Town Board may hold or schedule a study session.

A. No formal or official action may be taken by the Town Board at a study session. (Ord. 381, 1991).

2.04.060 Special Hearings.

In addition to those public hearings which are required by state and/or local law, the Town Board may, by majority consent, hold a special hearing. (Ord. 304, 1982).

2.04.070 Open to the Public.

Except as otherwise provided in Section 2.04.040, all meetings of the Town Board shall be open to the public at all times. (Ord. 304, 1982).

2.04.080 Location.

All meetings of the Town Board shall be located in the Hayden Town Hall, 178 West Jefferson or an alternate site to be determined as needed, provided advance notice is given to the public no less than 24 hours prior to the holding of the meeting. (Ord. 422, 1995).

2.04.090 Meeting Announcements.

The manager or clerk shall issue advance notice of all meetings of the Town Board to the general public by the news media and posting notice at such locations as designated by the Hayden Town Board at the first regular meeting of each calendar year, no less than 24 hours prior to the holding of the meeting. (Ord. 381, 1991).

2.04.100 Agenda Preparation.

All items of business that are to come before the Town Board must be submitted to the manager or clerk by 9:00 a.m. on Tuesday preceding each regular meeting. The manager or clerk shall arrange an agenda of such matters according to the Order of Business prescribed in Section 2.04.120.

A. Any item of business which is not submitted to the manager or clerk in accordance with the procedure prescribed in Section 2.04.100 shall be held over and included in the agenda for the next succeeding regular meeting, unless it is considered an emergency by majority consent of the Town Board and is to be considered under Public Comment section of the agenda. (Ord. 304, 1982).

2.04.110 Agenda Distribution.

The manager or person designated by the manager, shall furnish each member of the Town Board and all municipal officials having an item of business coming before the Town Board, with a copy of the agenda and any supporting documents, 48 hours preceding the regular meeting.

A. Copies of the agenda also shall be kept in the Clerk's office and the Public Library and shall be made available to any member of the public who so requests. (Ord. 304, 1982).

2.04.120 Order of Business.

The Town Board shall consider and dispose of items of business in the following order, unless otherwise decided by a motion which is adopted by a two-thirds (2/3) vote.

- A. Call to order;
- B. Roll call;
- C. Public/special hearings;
- D. Approval of the minutes;
- E. Approval of the bills;
- F. Public comments;
- G. Old/Unfinished Business;
- H. New Business
- I. Staff Reports;
- J. Correspondence; and
- K. Adjournment. (Ord. 381, 1991).

2.04.130 The Mayor.

The Mayor shall preside at all meetings of the Town Board and shall take the chair at the appointed hour and, after ascertaining that a quorum is present, shall call the Town Board to order.

A. The Mayor Pro Tem shall be selected from the members of the Town Board at the first meeting following a regular municipal election, or immediately following a resignation to fill a vacancy. (Ord. 304, 1982).

2.04.140 Quorum.

A quorum is a majority of all members elected to the Town Board and is necessary to consider or transact business. Any meeting lacking a quorum dies automatically. (Ord. 304, 1982).

2.04.150 Mayor Pro Tem.

In the absence of the Mayor, the Mayor Pro Tem shall preside at the meeting of the Town Board. (Ord. 304 (part), 1982)

2.04.160 Temporary Chairman.

In the absence of both the Mayor and the Mayor Pro Tem, the Town Board, after ascertaining that a quorum is present, shall elect from their own number a temporary chairman who shall preside until the Mayor or the Mayor Pro Tem arrives. (Ord. 304 (part), 1982)

2.04.170 Privileges of Presiding Officer.

The presiding officer may move, second and debate from the chair subject only to such limitations as imposed by these rules. The Mayor shall also have no vote upon any question except in the case of a tie vote, when he shall be allowed to cast a vote and that he shall be required to vote to complete a quorum when one is lacking. (Ord. 467 § 1 (part), 1998)

2.04.180 Decorum and Order.

The presiding officer shall preserve decorum at all times during meetings and shall decide all questions of order, subject to appeal by the Town Board.

A. Town Board members shall be under the direction and control of the presiding officer and shall not refuse to obey the order of the presiding officer or the rules of the Town Board.

B. Town Board members shall preserve order and decorum at all times and shall refrain from rude and derogatory remarks, or statements as to the personalities or motives of other members.

C. Town Board members shall accord the utmost courtesy to each other, municipal officials and members of the public attending the meetings of the Town Board.

D. Members of the administrative staff and other municipal employees attending Town Board meetings shall be under the direction and control of the presiding officer and shall observe the same rules applicable to members of the Town Board.

E. Members of the public attending Town Board meetings shall be under the direction and control of the presiding officer and shall observe the same rules applicable to members of the Town Board.

F. Any person who makes personal, slanderous or impertinent remarks or repeatedly fails to disobey direction of the presiding officer, may be removed from the Town Board meeting by order of the presiding officer. (Ord. 304 (part), 1982)

2.04.190 Attendance.

All members of the Town Board shall attend all meetings of the Town Board, and shall not be excused from attending without due cause. After three consecutive unexcused absences, a Board member, or a member of any board or commission, will be notified by certified mail that the Town Board will be considering his/her termination at the next regular Board Meeting.

No member of the Town Board shall leave the meeting while the Town Board meeting is in progress unless excused by the presiding officer. (Ord. 304 (part), 1982)

2.04.200 Privileges.

All members of the Town Board may move, second and debate subject only to such limitations as imposed by these rules. (Ord. 304 (part), 1982)

2.04.210 Voting.

Every member of the Town Board who is present shall vote either "aye" or "no" on every question put before the Town Board unless excused for personal reasons. The Mayor Pro Tem shall also vote on every question. The Mayor shall have no vote upon any question except in the case of a tie vote, when he shall be allowed to cast a vote and that he shall be required to vote to complete a quorum when one is lacking. (Ord. 467 § 1 (part), 1998)

2.04.220 Personal Privilege.

The right of any member to address the Town Board on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned. (Ord. 304 (part), 1982)

2.04.230 Appeal the Ruling of the Chair.

Any member may appeal to the Town Board on a ruling made by the presiding officer.

If the appeal is seconded, the member making the motion shall state briefly the reason for the appeal, and the presiding officer shall explain his ruling. There shall be no debate by any other member of the Town Board on the appeal. (Ord. 304 (part), 1982)

2.04.240 Dissent and Protests.

Any member of the Town Board shall have the right to express dissent, or to protest against any action taken by the Town Board, and to have the reasons therefor entered into the record.

All dissent and protests from any member of the Town Board shall be made in writing, couched in respectful language, and submitted to the Town Board no later than the next succeeding regular meeting. (Ord. 304 (part), 1982)

2.04.260 Motion Stated by the Chair.

A motion which has been made and seconded is not before the Town Board for debate until it has been stated by the presiding officer.

A motion may be withdrawn by the maker at any time before the motion is stated by the presiding officer. Once stated, a motion may be withdrawn only by majority consent of the Town Board. (Ord. 304 (part), 1982)

2.04.270 First in Debate.

The maker of a motion is entitled to speak first in debate, if the motion is debatable. (Ord. 304 (part), 1982)

2.04.280 Limitations on Debate.

No member of the Town Board shall speak more than once on a question until every other member who so chooses has spoken. (Ord. 304 (part), 1982)

2.04.290 Matters not Covered by These Rules.

Any matter which is not addressed specifically in these rules shall be governed by Robert's Rules of Order Newly Revised, 1970, wherever applicable and not in conflict with state or local laws. (Ord. 304 (part), 1982)

2.04.300 Amendment to Rules.

Any rules which do not have a basis in state or local law may be amended, or new rules may be adopted, by majority consent of the Town Board. (Ord. 304 (part), 1982)

2.04.310 Suspension of Rules.

Any rule which does not have a basis in state or local law may be suspended for the duration of the meeting by a two-thirds vote of the Town Board. (Ord. 304 (part), 1982)

2.04.320 Attendance of Meetings by Clerk.

The Clerk/Deputy Clerk shall attend meetings of the Town Board and shall keep the proceedings and perform such other duties as set forth by these rules or requested by the Mayor or the Town Board. (Ord. 304 (part), 1982)

2.04.330 Attendance of Meetings by Town Manager.

The Town Manager shall attend all meetings of the Town Board and may enter Board debate. (Ord. 304 (part), 1982)

2.04.340 Attendance of Meetings by Administrative Official and Employees.

When requested by the Town Board, the head of any administrative department or any officer or employee of the Town, shall attend any meeting of the Town Board. (Ord. 304 (part), 1982)

2.04.350 Adoption of Ordinance at Meetings and Publication.

Ordinances may be introduced and read by title only. Ordinances may be approved by voice vote, but the way each Trustee votes must be recorded. A majority of the Board must vote for approval to adopt an ordinance. Emergency ordinances can only be adopted by an affirmative vote of three-fourths of the governing body. All ordinances must be published in a newspaper, either within the municipality, or if none, in a newspaper of general circulation within the municipality. (Ord. 304 (part), 1982)

2.04.360 Appointment to Boards and/or Commissions.

Appointments to Boards and/or Commissions shall be made after advertising a vacancy, in a newspaper, and those interested have been interviewed by the Town Board. (Ord. 304 (part), 1982)

Chapter 2.08

Town Administrator *

2.08.010 Creation of Office.

2.08.020 Responsibilities and Duties.

2.08.010 Creation of Office.

The Board of Trustees creates the office and position of Town Administrator. The administrator shall be the chief administrating officer of the Town, and shall be responsible for the coordination and administration of the Town functions and for recommendations to the Board with regard to the efficient administration of the affairs of the Town. He/she shall be chosen by the Board of Trustees solely on the basis of his/her executive and administrative abilities. The choice need not be limited to the residents of the Town or State. The Town Administrator shall devote his/her entire time and business to the administration of the Town's affairs, and shall not perform any executive duty for any other person, firm, corporation, or institution other than the Town. His/her salary shall be fixed by the Board of Trustees, in such amount as the Board may determine. He/she shall be appointed for an indefinite period, and may be removed by the Board at their discretion.

If removed at any time after six months of service, he/she may demand written charges and a public hearing on the same, before the Board and the same shall be given him/her prior to the date on which his/her final removal shall take effect. Pending such hearing, the Board may suspend him/her from office and during the suspension, or in case of his/her absence or disability for any cause, the Board shall designate some qualified person, other than a member of the Board, to perform the duties of the office. (Ord. 221 § 1, 1976).

2.08.020 Responsibilities and Duties.

The Town Administrator shall perform such duties and be responsible for such functions as may be prescribed by law or required of him/her by the Board of Trustees. (Ord. 221 § 1, 1976).

* For statutory provisions on the office of Town Administrator, see CRS 1973 § 31-4-304 (1975 Supp.).

Chapter 2.12

Board of Health *

Chapter 2.16

Planning Commission †

2.16.010 Creation.

2.16.020 Membership.

2.16.030 Terms of Office.

2.16.040 Organization, Powers and Purposes.

2.16.010 Creation.

Upon the ordinance codified in this chapter becoming effective in accordance with law, there is created and designated the Town Planning Commission (Commission) pursuant to the authority and empowerment granted by Colorado Revised Statutes 1973 Section 32-23-201, et seq. (Ord. 186 § 1, 1972)

2.16.020 Membership.

The Commission shall be appointed by the Board of Trustees and consist of seven (7) members of which:

A. Five (5) shall be regular members who are residents of Hayden, Colorado who shall hold no other municipal office of Hayden, Colorado, except that one (1) such regular member may be a member of the zoning Board of Adjustment.

B. Two (2) alternates shall also be appointed and be residents of Hayden, Colorado who shall hold no other municipal office of Hayden, Colorado. The alternates will be allowed to sit with the Planning Commission and participate in the discussion at all times. If any regular member of the Planning Commission is absent from a meeting, an alternate shall be allowed to vote as a regular member. In this case Alternate 1, if he or she is present, shall vote as a regular member; if Alternate 1 is absent, then Alternate 2 may vote as a regular member, if present. In the case that there are two (2) or more regular members absent or ineligible, then both alternates, if they are present, shall vote as regular members. If a regular member arrives after the meeting commences, he or she joins the discussion and vote starting with the next item on the agenda following his or her arrival. Any sitting alternate must give up their seat immediately following completion of the agenda item in the order of appointment (Alternate 2 first, Alternate 1 second) until five (5) members are again seated. (Ord. 609 § 1, 2008)

* Repealed by Ordinance #520, 2003.

† For statutory provisions on Municipal Planning Commissions, see CRS 1973 § 31-23-201, et seq. (1975 Supp.)

2.16.030 Terms of Office.

A. The terms of each member shall correspond to their respective appointed tenures.

B. The term of each appointed member shall be three (3) consecutive years, with terms expiring in the month of January or until the member is removed by the Board of Trustees or the member chooses to resign.

C. Five of the member terms shall each begin in a different year than any other of the terms of these five member terms. The other two member terms shall begin on any year so determined by the Board of Trustees.

D. Any replacement appointees, of terms not completed by earlier appointees, shall carry out the remaining portion of the term that they are selected to fill. (Ord. 592 §1, 2007; Ord. 454, Amended, January 2, 1997; Ord. 446, Amended, 08/15/96; Ord. 317, 1983)

2.16.040 Organization, Powers and Purposes.

The authority and responsibility of the Commission are set forth in Colorado Revised Statutes 1973 Section 31-23-201 et seq.; which is incorporated herein by reference and made a part hereof as if set forth herein in full. (Ord. 186 § 4, 1972)

Chapter 2.20

Terms of Office *

2.20.010 Four-Year Terms for Trustees.

2.20.020 Two-Year Terms for Mayor.

2.20.030 Vacancies.

2.20.010 Four-Year Terms for Trustees.

At the April 4, 1972 election, six trustees shall be elected. The three candidates for trustees receiving the highest number of votes shall be elected for four-year terms, and the three candidates for trustee receiving the next highest number of votes shall be elected for two-year terms. At the next subsequent regular election and at each regular election thereafter, three trustees shall be elected to serve four-year terms. (Ord. 176 § 1, 1972).

2.20.020 Two-Year Terms for Mayor.

At the April 4, 1972 election, and at the regular election every two years thereafter, a mayor shall be elected to serve a two-year term. (Ord. 176 § 2, 1972).

* For statutory provisions on terms of office for the Mayor and Board of Trustees, see CRS 1973 §31-4-301 (1975 Supp.).

2.20.030 Vacancies.

The Board of Trustees shall have power, by appointment, to fill all vacancies in the board or in any other elected office, and the person so appointed shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term. Where a vacancy or vacancies exist in the office of trustee and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms. (Ord. 176 § 3, 1972).

Chapter 2.24

Old Age and Survivors' Insurance System *

2.24.010 Findings.

2.24.020 Authority of Town to Execute Agreement.

2.24.030 Payroll Deduction.

2.24.040 Appropriations.

2.24.010 Findings.

It is the considered opinion of the Town Council that the extension of the social security system to employees and officers of the Town will be of great benefit, not only to the employees of the Town by providing that the employees and officers may participate in the provisions of the Old Age and Survivors' Insurance System, and will also be of great benefit to the Town by enabling it to attract and retain in employment the best of personnel and thus increase the efficiency of its government. (Ord. 102 (part), 1952).

2.24.020 Authority of Town to Execute Agreement.

The 38th General Assembly of the State of Colorado, in regular session, enacted a statute, known as House Bill No. 2912 (Colorado Revised Statutes 1973, Section 24-51-701 et seq.), which is the enabling Act provided for in Section 218 of Public Law 734, 81st Congress, which designated the Department of Employment Security, State of Colorado, to act as the department to implement the coverage of employees and officers under the Old Age and Survivors' Insurance System. The Town is authorized to execute and deliver to the Department of Employment Security, State of Colorado, a plan, or plans, and agreement, required under Section 5 of the enabling Act and the Social Security Act, to extend coverage to employees and officers of the Town and do all other necessary things to effectuate coverage of employees and officers under the Old-Age and Survivors' Insurance System. (Ord. 102 (part), 1952).

* For statutory provisions on public employees social security, see CRS 1973 §24-51-701 et seq.

2.24.030 Payroll Deduction.

The Clerk is authorized to establish a system of payroll deductions to be matched by payments by the Town to be made into the Contribution Fund of the Social Security Act through the Department of Employment Security, and to make charges of this tax to the fund, or funds, from which wage or salary payments are issued to employees of the Town. Such payments are to be made in accordance with the provisions of Section 1400 of the Federal Insurance Contribution Act on all services which constitute employment within the meaning of that Act. Payments made to the Department of Employment Security, State of Colorado, shall be due on or before the 18th day of the month immediately following the completed calendar quarter, and such payments which are delinquent shall bear interest at the rate of one-half percent per month until such time as payments are made. (Ord. 102 (part), 1952).

2.24.040 Appropriations.

Appropriation is made from the proper fund, or funds, of the Town in the necessary amount to pay into the contribution fund as provided in Section 3 (c) (1) of the enabling Act and in accordance with the plan or plans, and agreement. Authority is given to the Mayor and the clerk of the Town to enter into agreement with the Department of Employment Security, State of Colorado, which agreement shall be in accordance with House Bill No. 2912 and with paragraph 218 of the Social Security Act. Such plan and agreement shall provide that participation of this Town shall be in effect as of January 1, 1952. (Ord. 102 (part), 1952).

Chapter 2.28

Board of Appeals

2.28.010 Members.

2.28.020 Chairman.

2.28.030 Terms of Office.

2.28.040 Vacancies.

2.28.050 Meetings.

2.28.060 Powers of the Board.

2.28.070 Bylaws.

2.28.010 Members.

The Board of Appeals for the Town shall consist of five members appointed by the Board of Trustees. (Ord. 236 § 1, 1978).

2.28.020 Chairman.

The chairman of the Board of Appeals shall be elected by a majority of the entire membership at the first meeting of each calendar year, to serve for a term of one calendar year. A vice-chairman shall be elected in the same manner at the same time for a term of one calendar year. (Ord. 236 § 2, 1978; Ord. 457, 1997)

2.28.030 Terms of Office.

The term of the members of the Board of Appeals shall be for two years, commencing on the first day of May during election years. Interim appointments shall expire on the last day in April during election years. (Ord. 236 § 3, 1978).

2.28.040 Vacancies.

A position may be declared vacant by a majority of the remaining members upon the resignation of any member, or when a member fails to attend two consecutive meetings of the board. The Town Board shall appoint new members for the unexpired term of office. (Ord. 236 § 4, 1978).

2.28.050 Meetings.

A meeting of the Board of Appeals may be requested by any member of the board, the town building inspector, or his designated representative. Such meetings shall be open to the public, but there shall be no specific requirement for notice of such meetings. (Ord. 236 § 5, 1978).

2.28.060 Powers of the Board.

The Board of Appeals shall have all such powers of enforcement and interpretation as provided in the Uniform Building Code. The Board of Appeals shall have power to act on any other issues as delegated by the Board of Trustees, Town of Hayden. (Ord. 236 § 6, 1978).

2.28.070 Bylaws.

The Board of Appeals is hereby authorized to prepare a set of administrative bylaws that are in conformity with all local, state, and federal law. Bylaws and amendments thereto shall then be submitted to the Hayden Board of Trustees for their formal approval, adoption, and official use by the Board of Appeals. (Ord. 457, 1997)

Chapter 2.32

Employee Group Health and Life Insurance

2.32.010 Previous Board Actions Approved.

2.32.020 Employee Defined.

2.32.030 Town Authorized to Contract With Private Corporation.

2.32.040 Board to Authorize Execution and Administration.

2.32.050 Employee Consent Required.

2.32.060 Town Contribution Authorized.

2.32.070 Employee Contributions.

2.32.010 Previous Board Actions Approved.

All actions heretofore taken, not inconsistent with the provisions of this chapter, by the Board of Trustees of the Town with respect to the establishment of a group life and health insurance program as authorized in this chapter, are ratified, confirmed and approved. (Ord. 264 § 1, 1979).

2.32.020 Employee Defined.

The term "employee" as used in this chapter means those persons employed by the Town to whom the following are applicable:

- A. Such person is on the payroll of the Town;
- B. Employment by the Town is the main source of income for such person;
- C. Such person works for the Town at least twenty hours per week. (Ord. 264 § 2, 1979).

2.32.030 Town Authorized to Contract With Private Corporation.

The Town is authorized to enter into a contract for group life and health insurance for the benefit of the employees and any eligible dependent of any employee of the Town with a private corporation. (Ord. 264 § 3, 1979).

2.32.040 Board to Authorize Execution and Administration.

The Board of Trustees may, by resolution, authorize the execution of a specific insurance plan or plans directed to it and direct the proper officers to administer the same on behalf of the Town. (Ord. 264 § 4, 1979).

2.32.050 Employee Consent Required.

The insurance plan shall require that each participating employee give his individual consent for such participation and enter into an agreement or contract with the private corporation underwriting the insurance plan specifically assenting to such participation. (Ord. 264 § 5, 1979).

2.32.060 Town Contribution Authorized.

The Town is authorized to pay a share, as determined by the Board of Trustees, of the cost of the coverage of employees and eligible dependents of those employees under the group life and health insurance plan. (Ord. 264 § 6, 1979).

2.32.070 Employee Contributions.

The Town is authorized to deduct from the payroll of participating employees the amount necessary, when coupled with the Town's contribution, to pay for that employee's and his eligible dependents' coverage under the group life and health insurance plan. (Ord. 264 § 7, 1979).

Chapter 2.36

Police Retirement and Pension Plan

2.36.010 Town Authorization.

2.36.020 Board of Trustees of Policemen's Pension Plan.

2.36.030 Administration – Funding – Investment and Disbursement.

2.36.010 Town Authorization.

The Town is authorized to establish and fund a policemen's pension plan pursuant to Section 31-30-301, C.R.S. 1973, as amended and the sections relating thereto (Ord. 274 § 1, 1979)

2.36.020 Board of Trustees of Policemen's Pension Plan.

There is created a Board of Trustees to administer, pursuant to Section 31-30-303, C.R.S. 1973, as amended, the policemen's pension plan as established hereby. (Ord. 274 § 2, 1979).

2.36.030 Administration – Funding – Investment and Disbursement.

The Board of Trustees of the policemen's pension fund shall have full control of and administer same according to the rules it establishes pursuant to Section 31-30-305(3), C.R.S. 1973, as amended. The Town is authorized to contribute its share of the funding of the policemen's pension fund and to deduct from each participating policeman's payroll his contribution, all as determined by the State Auditor's Office. Such state moneys as to which the Town is eligible and other private contributions for that purpose shall be credited to the policemen's pension fund. The Board of Trustees of the policemen's pension shall invest and disburse same in accordance with its rules and regulations and the state law pertaining thereto. (Ord. 274 § 3, 1979).

Chapter 2.40

Elections

2.40.010 Write-In Votes.

2.40.020 Cancellation of Election.

2.40.010 Write-In Votes.

No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to twenty days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected. (Ord. 488 § 1, 2000)

2.40.020 Cancellation of Election.

If the only matter before the voters is the election of persons to office and if, at the close of business on the nineteenth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the clerk, if instructed by resolution of the governing body either before or after such date, shall cancel the election and by resolution declare the candidates elected. Upon such declaration the candidates shall be deemed elected. Notice of such cancellation shall be published, if possible, in order to inform the electors of the municipality, and notice of such cancellation shall be posted at each polling place and in not less than one other public place. (Ord. 488 § 2, 2000)