

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.04

ELECTIONS--TERMS OF OFFICERS--VACANCIES*

Sections:

- 2.04.015 Write-in candidates and cancellation of elections.
- 2.04.020 Vacancies.

* For statutory provisions regarding the election and appointment of city officers, see CRS 1973 § 31-3-101.

2.04.015 Write-in candidates and cancellation of elections.

- A. No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the municipal 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.
- B. 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 city clerk, if instructed by resolution of the city council either before or after such date, shall cancel the election, and city council shall, by resolution, declare the candidates elected. Upon such

declaration, the candidates shall be deemed elected. Upon the cancellation of the election, the city clerk shall publish notice of cancellation, if possible, and shall post such notice at each polling place and in not less than one other public place. (Ord. 4091 § 1, 1995; Ord. 3768 § 1, 1991; Ord. 3396 § 1, 1987)

2.04.020 Vacancies.

Where a vacancy or vacancies exist in the office of council member from a ward, and a successor or successors are to be elected at the next regular election to fill the unexpired term or terms, the candidate from that ward receiving the highest number of votes shall be elected to a four year term and the candidate from that ward receiving the next highest number of votes shall be elected to fill the unexpired term. (Ord. 4505 § 2, 2000; Ord. 1212 § 2, 1972; Ord. 931 § 4, 1965; prior code § 3.4)

Chapter 2.08

CITY COUNCIL*

Sections:

- 2.08.010** **Corporate authority.**
- 2.08.020** **Council Salaries.**
- 2.08.030** **Execution of intergovernmental agreements.**

*For statutory provisions describing the general powers of the city council, see CRS 1973 §§ 31-4-201 to 31-4-219.

2.08.010 **Corporate authority.**

The corporate authority of the city shall be vested in the city council, together with such other officers as are provided for in this code. The city council shall possess all the legislative powers of the city and all other corporate powers not conferred by state law or this chapter on some other officer of the city. Its powers shall include the management and control of the finances, and all the property, real and personal, belonging to the city. (Ord. 877 Art. 1 (part), 1964; prior code § 4.1)

2.08.020 **Council salaries.**

That for all new terms of office beginning after the regular Loveland municipal election on November 1, 2005, the salary of the mayor shall be one thousand dollars (\$1,000) per month, the salary of the mayor pro tem shall be eight hundred dollars (\$800) per month and the salary of all other members of the city council shall be six hundred dollars (\$600) per month. (Ord. 4886, 2004)

2.08.030 **Execution of intergovernmental agreements.**

- A. Except as provided in subsection B. below, all intergovernmental agreements or cooperative activities between the city and other governmental entities shall be submitted to the city council for review, and approval thereof shall be by resolution of the city council.
- B. The city manager or his designee is hereby authorized to execute intergovernmental agreements when the proposed agreement:
 - 1. involves the direct, monetary payment of less than \$10,000 by the city and, in the judgment of the city manager, does not entail any significant policy considerations; or
 - 2. is in furtherance of a policy, work plan item, project, or agreement that has been specifically approved by the city council, and:
 - a. the execution of the intergovernmental agreement is required by state or federal law; or
 - b. any direct, monetary payment to be made by the city under the terms of the intergovernmental agreement does not exceed \$100,000.
- C. Notwithstanding anything in this section to the contrary, the city manager shall not be authorized to execute any intergovernmental agreement that is required to be approved by the city council pursuant to any state law other than C.R.S. Section 29-1-203, as amended.
- D. The city manager shall notify the city council of the execution of any intergovernmental agreement executed under the authority granted in subsection B. above that entails a city expenditure of more than \$50,000. (Ord. 5337 § 1, 2008)

Chapter 2.12

COUNCIL MEETINGS--ORDINANCES*

Sections:

- 2.12.010** **Place, time.**
- 2.12.015** **Alternate meeting place.**
- 2.12.020** **Quorum.**

*For statutory provisions relating to ordinances, see CRS 1973 §§ 31-16-101 to 31-16-208.

2.12.010 **Place, time.**

Regular meetings of the city council shall be held at the council chambers in the Municipal Building, 500 E. 3rd Street, Loveland, Colorado on the first and third Tuesdays of each and every month. Whenever any Tuesday is a legal holiday or Christmas Eve or New Year's Eve, the regular meeting of the council shall stand continued to the next succeeding day which is not a holiday, at the same place and time, and in case any hearing or proceeding has been set for any such day, the same shall not abate but shall stand continued to the next succeeding day which is not a holiday, at the same place and time. The mayor and any three members of the council may call special meetings by notice to each of the members personally served or left at his usual place of residence. All meetings shall at all times be open to the public. (Ord. 3603 § 1, 1989; Ord. 1262 § 1, 1973; prior code § 5.1)

2.12.015 **Alternate meeting place.**

Notwithstanding the provisions of Section 2.12.010, meetings of the city council may be held at other places within the city upon a determination by the city council that public participation will be better accommodated thereby. If such meeting is scheduled for another location in advance of the meeting, then notice of such meeting shall be published in a newspaper of general circulation within the city one time, prior to such meeting, and notice shall be posted on the doors of the council chambers. If a meeting of the city council is commenced at the council chambers and is recessed to change the meeting place to another location, notice shall be posted on the doors of the council chambers. Any action taken at any regular or special meeting of the city council held elsewhere than at the council chambers shall be as effective as if held at the council chambers. (Ord. 3165 § 1, 1985)

2.12.020 **Quorum.**

A majority of the whole number of members of the city council shall be necessary to constitute a quorum for the transaction of business; provided however, that a smaller number may adjourn the meeting to another date. (Ord. 4505 § 3, 2000; prior code § 5.2)

Chapter 2.14

PUBLIC OFFICIALS' FINANCIAL DISCLOSURE AND OPEN PUBLIC MEETINGS

Sections:

- 2.14.010 Disclosure of conflicts of interest and finances.**
- 2.14.015 Contracts with the city.**
- 2.14.020 Open public meetings required.**

2.14.010 Disclosure of conflicts of interest and finances.

- A. Except as provided in subsection D of this section, no member of the city council shall participate in the voting upon or discussion of any matter before the council in which the member has a potential conflict of interest and such conflict is known to the member.
- B. Except as provided in subsection D of this section, no member of the planning commission shall participate in the voting upon, discussion of, or recommendation to the city council of any matter before the planning commission in which the member has a potential conflict of interest and such conflict is known by the member.
- C. A "potential conflict of interest" exists in the following circumstances:
 - 1. When the member of the city council or planning commission is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any entity (other than the city and corporate bodies organized by the city) which is involved in or substantially affected by the matter before the commission or council;
 - 2. When the matter before the city council or planning commission may substantially affect a source or potential source or sources of income of the planning member or city council member, or may substantially affect a source or potential source or sources of income of his spouse or minor children residing with him, if such source or potential source or sources of income are known to the member;
 - 3. When the matter before the city council or planning commission may affect by zoning, condemnation, or otherwise, any real property having a market value in excess of five thousand dollars in which the member of the city council or planning commission possesses a direct or indirect interest, including but not limited to an option to buy, or in which the member's spouse or minor children residing with him are known by the member to possess such interest;
 - 4. When the matter before the city council or planning commission may substantially affect the interest of any creditor to whom the council member or commission member owes money in excess of one thousand dollars, or to whom the member's spouse or minor children are known by the member to owe money in excess of one thousand dollars;
 - 5. When the matter before the city council or planning commission may substantially affect the interest of any business with which the council member or commission member is engaging in business transactions at the time the matter is before the council or commission.
- D. Notwithstanding the provisions of subsections A and B of this section:
 - 1. Upon full disclosure by the city council member of any potential conflict of interest, the member may be permitted to participate in the discussion of the matter or voting upon the matter, or both, in the discretion of the city council, upon a vote of two-thirds of the remaining members in favor of the allowance of such participation, provided that such participation or voting is not otherwise prohibited by law.
 - 2. Upon full disclosure by a planning commission member of any potential conflict of interest, the member may be permitted to participate in the discussion of the matter, or voting upon the matter, or the making of recommendations upon the matter, or any or all of these, in the discretion of the planning commission upon a vote of two-thirds of the remaining members in

favor of the allowance of such participation, provided that such participation is not otherwise prohibited by law.

- E. Disclosure of a potential conflict of interest, except as otherwise required by law, may be made by doing the following:
 - 1. Filing a written statement setting forth the areas of potential conflict in sufficient detail to allow the remaining members to exercise an informed vote on the question of participation by the filing member. The filing shall be made with the mayor in the case of a matter before the city council and with the chairman of the planning commission in the case of a matter before the planning commission. The filing of the written statement shall be made at least twenty-four hours prior to the time that the matter is to be brought before the planning commission or city council; or
 - 2. Giving an oral statement of the potential areas of conflict, which shall appear in the minutes of the city council or planning commission, and shall set forth the potential conflict of interest in sufficient detail to allow the remaining members to exercise an informed vote on the question of participation by the member making the statement. The statement shall be made prior to discussion of the matter, creating the potential conflict of interest, or as soon thereafter as the member becomes aware of the potential conflict of interest.
- F. Whenever a matter is before the city council which created a potential conflict of interest of a planning commission member, and in which the member with a conflict participated in the proceedings pursuant to subsections D and E of this section, the city council shall be made aware of the potential conflict and it shall be the duty of the chairman of the planning commission to provide the council with the written statement, or the minutes reflecting the oral statement, made pursuant to subsection E of this section.
- G. The provisions of subsections A through F of this section shall apply to all proceedings of the city council and the planning commission deemed to be open public meetings pursuant to the provisions of Section 2.14.020 of this code; provided that nothing contained in this subsection shall be construed to authorize a council member or planning commission member to participate in any proceedings where such participation is otherwise prohibited by law.
- H. Violation of the provisions of subsections A, B, or F of this section shall constitute malfeasance in office and shall be good cause for removal and such other penalties as may be provided by the statutes of the state. Such violations shall further constitute a violation of this code and shall be punishable by a fine of not more than three hundred dollars, or by imprisonment for not more than ninety days, or by both such fine and imprisonment.
- I. The city manager and each member of the city council shall file with the city clerk a financial disclosure statement within thirty days of election or appointment to or retention in office.
 - 1. The financial disclosure statement shall contain the following information:
 - a. The name and nature of any entity (other than the city and corporate bodies organized by the city) which provides a source of income directly or indirectly to the person making the disclosure and the entity; and
 - b. The name and nature of any entity (other than the city and corporate bodies organized by the city):
 - i) Of which the person making disclosure is an officer, director, trustee, or beneficiary, or
 - ii) In which the person making disclosure has any interest or control, through stock ownership other than listed securities, or otherwise, and from which the person has the potential for receiving pecuniary gain; and
 - c. The legal description of real property located within the planning jurisdiction of the city in which the person making disclosure has any direct or indirect interest, including but not limited to an option to purchase, the market value of which is in excess of five thousand dollars; and

- d. The name of each creditor to whom the person making disclosure owes money in excess of one thousand dollars.
2. The words "indirect" and "indirectly" as used in subsection I(1) of this section shall include, but not be limited to, income and interests of a spouse or minor child residing with the person making disclosure to the extent that:
 - a. The income or interest is known to the person making disclosure; and
 - b. The person making the disclosure receives a pecuniary benefit from or has the potential of receiving a pecuniary benefit from the income or interest.
3. Nothing contained in this section shall authorize or require the disclosure of any communications which are privileged under the rules of evidence for courts of this state, or the disclosure of the names of tenants, customers, patients or clients of the person making disclosure, or the disclosure of the names of tenants, customers, patients or clients of the person's spouse or minor children.
- J. Any person required to file a disclosure statement shall file with the city clerk an amended statement on or before June 1st of each calendar year, reflecting changes in the information previously filed, or a notification that no amendment is needed. An amended statement shall also be filed within thirty days after termination or acquisition of interests as to which disclosure is required.
- K. Each disclosure statement, amended statement, or notification that no amendment is required shall be public information, available to any person upon request to the city clerk during normal working hours.
- L. Any person to be considered by the city council for appointment to the planning commission shall submit to the city council an application which shall include the confidential information required by subsection I of this section and such other information as the city council may determine to be reasonably related to the applicant's ability to serve in an impartial and competent manner.
- M. Any person to be considered by the city council for appointment to the Loveland Utilities Commission shall submit to the city council an application which shall include a disclosure statement. The city council and any selection committee appointed by city council to make a selection recommendation shall be provided with the applicant's disclosure statement for review prior to selection or recommendation. The provisions of subsection J shall apply if the applicant is selected to serve on the Loveland Utilities Commission. The disclosure statement shall provide the following information:
 1. The name and nature of any entity which provides a source of income to the applicant or to a member of the applicant's immediate family which income is the result of activities concerning water rights;
 2. A listing and description of all water rights held by applicant, the applicant's immediate family, an entity in which the applicant has an ownership or control interest, and water rights held for the benefit of the applicant or the applicant's immediate family.For purposes of this subsection, the phrase "immediate family" shall mean the applicant's spouse, children, and any other relatives by blood or marriage if such other relatives are residing with the applicant. For purposes of this subsection, the phrase "water rights" shall mean any direct flow rights, rights in the Loveland Water Bank, rights in any ditch, irrigation or reservoir company, rights to use water under the control of the Northern Colorado Water Conservancy District, or any other property interest that directly or indirectly permits the owner of the property interest to use water.
- N. Any person who knowingly falsifies statements required by subsections I, J, L and M of this section, or who knowingly fails to file a statement required by subsections I, J, L and M of this section, is guilty of a violation of this code and shall be punished by a fine of not more than three

hundred dollars or by imprisonment of not more than ninety days, or by both such fine and imprisonment.

- O. If any subsection, sentence, clause, or phrase used in this section is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this section, provided such other portions can be given effect without the invalid subsection, sentence, clause or phrase. The city council declares that it would have adopted the remainder of this section irrespective of the fact that any particular subsections, sentences, clauses or phrases had been declared invalid or unconstitutional. (Ord. 4411 §§ 1, 2, 1999; Ord. 3979 §§ 1, 2, 1994; Ord. 1602 § 1 (part), 1977)

2.14.015 Contracts with the city.

- A. The provisions of section 2.14.010 of this code notwithstanding, no member of City Council, or the spouse, parent, or minor child of such member, shall have a substantial financial interest in any contract with the City.
- B. For the purpose of this section, the phrase "substantial financial interest" shall mean an ownership interest of 5% or greater in the entity contracting with the City, or a direct financial benefit of \$1,000.00 (or its equivalent value) or more.
- C. For the purpose of this section, the word "contract" shall mean a written or verbal agreement for the provision of a service or the provision of real or personal property to the city. A contract includes an employment relationship or agreement.
- D. City Council may grant an exception to the provisions of this section upon the affirmative vote of three-fourths of all members of council, providing that such exception does not conflict with any other provision of state law or city code. (Ord. 4136 § 1, 1996)

2.14.020 Open public meetings required.

- A. All meetings of a quorum of any board, committee, commission, or other policymaking or rulemaking body of any agency or authority of the city, or city council, at which any public business is discussed is declared to be a public meeting open to the public at all times except as otherwise provided in this section.
- B. The city council, at the first regularly scheduled meeting after the effective date of the ordinance codified in this chapter, and annually thereafter at the last regularly scheduled meeting held in each calendar year, shall establish the regular meeting dates of all boards, committees, commissions, or other policymaking or rulemaking bodies of the city. Such meeting dates, within seven days after the establishment of the same, shall be published once in a newspaper of general circulation in the city and shall, in addition, be posted in a conspicuous place in the city municipal building. In addition to the publication and posting as provided in this subsection, the secretary or clerk of such boards, committees, commissions, or other policymaking or rulemaking bodies shall maintain a list of qualified electors who make written request annually before January 1st of each year of the meetings thereof for the ensuing year, and such persons shall be provided notification of the regularly scheduled date of such meetings and advance notification of any special meetings duly called. Such advance notice of special meetings shall be sufficient if forwarded to the last known address of such person by regular mail three days before such meeting. No action taken by such body shall be held void merely because of failure to provide such notice.
- C. The minutes shall be taken of any meetings as discussed in subsections A and B of this section and shall be promptly recorded, and such records shall be open to the public at the city clerk's office during normal business hours.
- D. Any body or agency as set forth in this section may hold executive sessions for the purpose of considering personnel matters, employment contracts, negotiations or pending litigation within the confines of the attorney-client privileges recognized by state law, which sessions shall not be

subject to the provisions of this section; provided, however, that nothing in this section is intended to authorize executive sessions where the same are otherwise prohibited by the statutes of the state.

- E. The courts of record of this state shall have jurisdiction to issue injunctions to enforce the purpose of this section upon application by any citizen of the city.
- F. Any person who willfully or knowingly violates any of the provisions of this section is guilty of a violation of this section and shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars or by imprisonment not to exceed ninety days, or by both such fine and imprisonment. (Ord. 1485 § 1 (part), 1976)

Chapter 2.16

MAYOR*

Sections:

2.16.010 Duties.

* For statutory provisions regarding the mayor of a manager-form city, see CRS 1973 § 31-3-207

2.16.010 Duties.

The mayor shall preside at meetings of the council and shall exercise such other powers and perform such other duties as are or may be conferred or imposed upon him by the ordinances of the city by state statute. He shall have all the powers, rights and privileges of a council member; he shall be recognized as head of the city government for all ceremonial purposes, by the courts for serving civil process, and by the government for purposes of military law. In the case of a vacancy in the office of mayor, the council shall choose his successor for the unexpired term. (Ord. 931 § 2, 1965; prior code § 3.1-1)

Chapter 2.20

OFFICIALS OF CITY--EMPLOYEES*

Sections:

- 2.20.010** **City attorney, city manager--Appointment.**
- 2.20.020** **City attorney--Duties.**
- 2.20.030** **Municipal judge.**
- 2.20.040** **Council to fill vacancies.**
- 2.20.050** **Bonds.**

*For statutory provisions authorizing a city or town to provide by ordinance for the powers, duties, appointment, term of office, removal and compensation of all officers, not otherwise provided for, and for all employees of the corporation, see CRS § 139-32-1(10)

2.20.010 **City attorney, city manager--Appointment.**

The city council shall elect a city attorney who shall be an attorney-at-law and who shall have practiced in the state for at least five years. The council shall also elect a municipal judge. The council shall appoint a city manager who shall be chosen by the council solely on the basis of his executive and administrative qualifications and need not, when appointed, be a resident of the city or of the state. The city manager shall be appointed for an indefinite term but shall be removable at the pleasure of the council for cause. (Ord. 1333 § 1 (part), 1974; Ord. 877 Art. 1 (part), 1964; prior code § 4.4)

2.20.020 **City attorney--Duties.**

The city attorney shall be the general legal adviser of the city council and all officers and boards of the city in all matters arising out of questions concerning the law, ordinances and contracts of the city, and all other matters pertaining to the business of the city. He shall appear for the city in all actions or suits in which the city is a party and he is authorized to make any and all affidavits or instruments in writing for the proper conduct of any suit in which, in his opinion, the city's interests require. He shall attend all meetings of the council and draw all ordinances, contracts and other instruments when requested by the council to do so. The city attorney may appoint such assistants as deemed necessary and as authorized in the budget for the city attorney, who shall serve under the direction and control of the city attorney. (Ord. 3913 § 1, 1993; Ord. 877 Art. 2 (part), 1964; prior code § 4.6)

2.20.030 **Municipal judge.**

The municipal judge, shall have exclusive original jurisdiction to hear, try and determine all causes arising under any of the ordinances of the city for a violation thereof. The proceedings in all actions by the municipal judge, and the exercise of all powers and duties conferred upon and required of him, shall be according to the applicable state statutes. The municipal judge and assistant municipal judge shall be admitted to, and currently licensed in, the practice of law in Colorado. In the event that the municipal judge and assistant municipal judge are unable to serve due to temporary absence, sickness or disqualification, the municipal judge may temporarily appoint a special municipal judge to serve during said temporary period. The special judge shall be admitted to and currently licensed in, the practice of law in Colorado and currently serving as a judge or referee for another court within Colorado. The municipal judge and the assistant municipal judge shall have the authority to solemnize marriages pursuant to the provisions of state law. The fees to be charged for the solemnization ceremony shall be set by resolution of the city council. (Ord. 3867 § 1, 1993; Ord. 3845 § 4, 1992; Ord. 1333 § 1 (part), 1974; Ord. 877 Art. 2 (part), 1964; prior code § 4.7)

2.20.040 Council to fill vacancies.

In case of death, resignation or removal for cause, of any of the appointive officers of the city, the city council, by a majority vote of all of the members thereof, may select and appoint a suitable person to fill the vacancy. (Ord. 877 Art. 2 (part), 1964; prior code § 4.8)

2.20.050 Bonds.

All officers and employees of the city, who in the opinion of the city manager shall be bonded for the protection of the city, shall be bonded in such amounts as the city manager shall recommend to the city council and the costs of any such bonds shall be borne by the city. (Ord. 877 Art. 5 (part), 1964; prior code § 4.31)

Chapter 2.24

CITY MANAGER*

Sections:

2.24.010	Duties.
2.24.020	Administrative control.
2.24.030	Administrative regulations.
2.24.040	Authority.

*For statutory provisions relating to the appointment, qualifications and removal of the city manager, see CRS § 139-5-10; for other statutory provisions on the powers, etc., of the city manager, see CRS § 139-5-11 et seq.

2.24.010 Duties.

It shall be the duty of the city manager to act as chief conservator of the peace within the city; to supervise the administration of the affairs of the city; to see that the ordinances of the city and the applicable laws of the state are enforced; to make such recommendations to the council concerning the affairs of the city as may seem to him desirable; to keep the council advised of the financial condition and future needs of the city; to prepare and submit to the council the annual budget estimate; to prepare and submit to the council such reports as may be required by that body; to prepare and submit each month to the council a detailed report covering all activities of the city, including a summary statement of revenues and expenditures for the preceding month, detailed as to appropriations and funds in such a manner as to show the exact financial condition of the city and of each department and division thereof as of the last day of the previous month; and to perform such other duties as may be prescribed by the statutes of the state or required of him by ordinance or resolution of the city council. The city manager may appoint such assistants as deemed necessary and as authorized in the budget for the city, who shall serve under the direction and control of the city manager and who may be delegated or assigned such duties as the city manager may prescribe. (Ord. 3975 § 1, 1994; Ord. 877 Art. 2 (part), 1964; prior code § 4.5)

2.24.020 Administrative control.

The city manager shall be responsible to the council for the proper administration of all affairs of the city placed in his charge, and to that end, and except as otherwise provided in this code and by law, he shall have the power to appoint and remove all officers and employees in the administrative service of the city except the city attorney and municipal judge. Appointments made by the city manager shall be on the basis of executive and administrative ability and of the training and experience of such appointees in the work which they are to perform. All such appointments shall be without definite terms. (Ord. 1333 § 1 (part), 1974; Ord. 877 Art. 2 (part), 1964; prior code § 4.5-1)

2.24.030 Administrative regulations.

The manager is authorized to issue such administrative regulations and to outline general administrative procedures in the form of rules, not in conflict with the laws of the state or the ordinances of the city, in addition to those embodied in this plan, as are, or may become necessary for the adequate functioning of all departments. (Ord. 877 Art. 2 (part), 1964; prior code § 4.5-2)

2.24.040 Authority.

2.24.040 Authority.

- A. The city manager is authorized and directed to make all proper expenditures necessary for the operation of the city, including, without limitation, advertising for, receiving, and awarding bids and entering into contracts and agreements in accordance with Chapter 3.12.
- B. The city manager is hereby authorized to approve and execute lease agreements in real property owned in the name of the city and located at the Fort Collins-Loveland Municipal Airport, provided that:
 - 1. The use to which the real property is to be put under the lease is an aeronautical or general aviation use or a use which directly augments an aeronautical or general aviation use; and
 - 2. The use to which the real property is to be put is permitted by any land use or zoning codes or regulations applicable to the real property; and
 - 3. The lease and the use to which the real property is to be put is in compliance with all Federal Aviation Administration and state laws, regulations, and agreements applicable to the property to be leased; and
 - 4. The lease provides that the city shall receive a rental amount which is determined by the city manager to approximate the fair market value for the lease of the real property; and
 - 5. The real property to be leased is not a part of the city's water or electric utility systems. (Ord. 5184 § 3, 2007)
- C. The term "lease" when used in this section shall mean a contract by which the city grants to another the right to possess, use, and enjoy any real property owned by the city for ten days or longer in exchange for the payment of rent in a stipulated amount.
- D. The authority granted by this section shall be exercisable by the duly appointed acting city manager in the absence of the city manager, subject to the same conditions and restrictions set forth in this section. In addition, the city manager may authorize subordinate officers and employees to enter into contracts and expend funds on behalf of the city subject to the same conditions and restrictions set forth in this section. (Ord 5198, 2007)

Chapter 2.32

ADMINISTRATIVE PLAN*

Sections:

- 2.32.010 Organization.**
- 2.32.020 Transition and implementation.**

*For statutory provisions authorizing manager form cities to establish administrative organization plans, see CRS § 31-4-211.

2.32.010 Organization.

The administrative service of the city shall be divided into divisions and departments under the control of the city manager. An organizational chart for the city is included in the tables which follow the body of this code. (Ord. 3434 § 1, 1987; Ord. 1337 § 1, 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.9)

2.32.020 Transition and implementation.

Whenever in this code specific powers and duties are assigned to the director of public works and utilities, the director of planning and community development, the director of planning, engineering, and building, or the director of community development services, such powers and duties shall be held and performed by the director of community services. Whenever in this code specific powers and duties are assigned to the water and sewer superintendent, the water and wastewater superintendent, the director of water/wastewater, the electric superintendent, or the director of Loveland Light and Power, such powers and duties shall be held and performed by the director of water and power. (Ord. 3975 § 3, 1994; Ord. 3434 § 2, 1987; Ord. 2072 § 7, 1982)

Chapter 2.36

DEPARTMENTAL ORGANIZATION AND RESPONSIBILITY*

Sections:

- 2.36.010** **Responsibilities of department heads.**
- 2.36.020** **Activity reports.**
- 2.36.030** **Preservation of records.**
- 2.36.040** **Interdepartmental coordination.**

*For statutory provisions authorizing manager form cities to establish administrative departments of city administrations, see CRS § 31-4-211.

2.36.010 **Responsibilities of department heads.**

The department heads shall be immediately responsible to the city manager or the city manager's designee, for the effective administration of the respective departments and the activities assigned thereto. In case of a termination or absence of any department head the city manager may designate an interim acting department head until such time as the position may be filled on a permanent basis. Department heads shall also keep informed of the latest practices in their particular field and shall inaugurate, with the approval of the city manager, such new practices as appear to be of benefit to the service and to the public. Department heads shall also be responsible for the proper maintenance of all city property and equipment used in their departments. (Ord. 3975 § 4, 1994; Ord. 877 Art. 5 (part), 1964; prior code § 4.27)

2.36.020 **Activity reports.**

Reports of the activities of each department shall be made to the city manager at the end of each month. A summary of such reports shall be made by the manager and submitted to the council on a monthly or quarterly basis. Each department head, with the approval of the city manager, shall establish a system of records and reports in sufficient detail to furnish all information necessary for the proper control of departmental activities and to form a basis for the monthly reports to the city manager. (Ord. 877 Art. 5 (part), 1964; prior code § 4.28)

2.36.030 **Preservation of records.**

Each department head shall be responsible for the preservation of all public records under his jurisdiction and shall provide a system for filing and indexing the same. No public records, reports or other data relative to the use of any department shall be destroyed or removed permanently from the files without the approval of the city manager. (Ord. 877 Art. 5 (part), 1964; prior code § 4.29)

2.36.040 **Interdepartmental coordination.**

It shall be the duty of every department subject to such rules as the city manager may prescribe to furnish to any other department such services, labor and materials as may be needed by the head of such department. Any labor or material which may be furnished by any department for another department shall be charged to the using department according to accounting procedures established by the city manager. (Ord. 877 Art. 5 (part), 1964; prior code § 4.30)

Chapter 2.40

DEPARTMENT OF ADMINISTRATIVE SERVICES

Sections:

- 2.40.010 Designated.**
- 2.40.020 City clerk division.**

2.40.010 Designated.

There is created a department of administrative services, which shall be under the direction of a director of administrative services. It shall be the director's duty to organize, plan and direct the financial, accounting, purchasing, vehicle maintenance, risk management, facilities management and data processing activities and procedures of the city, to serve as director of finance and perform such other functions as may be prescribed by the city manager. (Ord. 4039 § 1, 1994; Ord. 3975 § 5, 1994; Ord. 2072 § 5, 1982; Ord. 1337 (part), 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.12)

2.40.020 City clerk division.

Within the department of administrative services shall be a city clerk division. The city clerk shall be charged with the responsibility for the operation of this division. The city clerk shall serve as ex officio city treasurer and clerk of the council. The city clerk shall keep and supervise all accounts and have custody of all public moneys of the city; apportion and collect special assessments; issue licenses; collect license fees; make and keep a journal of proceedings of the council; have custody of all public records of the city not specifically entrusted to any other office; and perform such other duties pertaining to such offices as may be by ordinance or state law required or assigned by the director of administrative services. (Ord. 2072 § 6, 1982; Ord. 1337 § 1 (part), 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.12-1)

Chapter 2.44

DIVISION OF PUBLIC SAFETY*

Sections:

- 2.44.010** **Designated.**
- 2.44.020** **Police department.**
- 2.44.040** **Fire and rescue department.**
- 2.44.050** **Cooperative agreements.**
- 2.44.060** **Removal of apparatus from city.**
- 2.44.070** **Fire alarms.**
- 2.44.120** **Fee for police services at noise disturbances requiring a second response.**

*For statutory provisions regarding the chief of police, see CRS § 139-4-6; policemen's pension fund, see CRS § 139-49-1. For statutory provisions authorizing cities and towns to provide fire fighting equipment to be used by fire companies, see CRS § 139-32-1(28).

2.44.010 **Designated.**

There is created a division of public safety which shall be directed by the city manager and shall consist of a police department and a fire and rescue department. (Ord. 4079 § 1, 1995; Ord. 3975 § 7; Ord. 1337 § 1 (part), 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.14)

2.44.020 **Police department.**

There is established a police department. The director of the police department shall be the chief of police. He shall direct the police work of the city and shall be responsible for the maintenance of law and order. His work shall include control of investigation, records, traffic, crime prevention and all subjects allied to police work. He shall also furnish information to the public relative to traffic regulations, city ordinances and state laws and perform such other duties as may be assigned by the city manager in the exercise of police powers. (Ord. 1337 § 1 (part), 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.14-1)

2.44.040 **Fire and rescue department.**

There is established a fire and rescue department which shall be under the supervision of the fire chief. The fire chief shall be responsible for the extinguishment and the prevention of fires, the protection of life and property against fires, the response to emergency medical incidents and other rescues, the control and containment of hazardous material releases, the removal of fire hazards, the maintenance and care of all property owned by the department, the training of all firefighters, and the performance of other duties assigned by the city manager. The fire chief shall also furnish information to the public relative to fire hazards, illegal practices and dangerous fire hazards and situations. (Ord. 4079 § 2, 1995; Ord. 1337 § 1 (part), 1974; Ord. 877 Art. 3 (part), 1964; prior code § 4.14-2)

2.44.050 **Cooperative agreements.**

The city council may enter into a cooperative agreement with the Loveland rural fire protection district for the joint use of equipment, officers and facilities, and it may pay all or a proportionate share of the necessary expenses which are occasioned by or incidental to fire protection. (Prior code § 10.2)

2.44.060 **Removal of apparatus from city.**

No fire equipment or emergency first aid equipment shall be taken from the city except to a fire in the Loveland rural fire protection district, and in case of an emergency, to other areas authorized by the chief of the fire department or the city manager. (Ord. 931 § 7, 1965; prior code § 10.4)

2.44.070 Fire alarms.

The fire chief shall adopt rules and regulations for giving signals and sounding alarms for fire and he shall have the power to alter and change the same from time to time. (Prior code § 10.5)

2.44.120 Fee for police services at noise disturbances requiring a second response.

- A. Purpose. The purpose of this section is to maintain the quality of life in neighborhoods and to recover the city's costs for return responses to the scene of noise disturbances within the city. The return response to a noise disturbance to maintain the peace, health, safety or general welfare of the public is a drain on personnel and resources, often leaving other areas of the city without adequate levels of police protection, which creates a hazard to the public and requires resources over and above the level of police services normally provided. Additionally, noise disturbances which are not abated after a first police response significantly degrade the quality of life of the residents of the city. The return response to a noise disturbance constitutes a public nuisance, the cost for which should be paid by the responsible persons.
- B. Definitions.
1. "Noise disturbance" means a disturbance of the peace as defined by municipal or state law by one or more persons at any location within the city of Loveland.
 2. "Costs of a return response" means the salaries of the police department employees for the amount of time actually spent in responding to or remaining at the noise disturbance, plus the actual costs of any medical treatment to injured city employees and the costs of repairing any damaged city equipment or property.
 3. "Responsible person" means any of the following:
 - a. The person or persons who organize the activity causing the noise disturbance;
 - b. The person or persons who have the legal right to possession of the premises where the noise disturbance takes place;
 - c. If the responsible person is a minor, then the minor's parents or guardians; and
 - d. The person or persons who own the property where the noise disturbance takes place.
 4. "Return response" means a response by one or more police department employees within twenty-four hours of a prior response to a noise disturbance, when such response is determined by a police department employee to be necessary in order to investigate an alleged noise disturbance, and where such employee determines that such violation has occurred.
- C. Notice of Response Fee. During a response to a noise disturbance, the responding police department employee may deliver to the responsible person a "Notice of Response Fee" which shall contain a message substantially as follows:

This notice of response fee is given to you as a result of a response by the City of Loveland Police Department to a noise disturbance as defined at Section 2.44.120 of the Loveland Municipal Code. You or any other responsible person, including the owner of the property, will be charged all city personnel and equipment costs incurred as a result of any return response made within 24 hours by the police to this location for a noise disturbance.

Tender of this notice to any responsible person while upon the property where the noise disturbance is taking place shall serve as effective delivery upon the person or persons who own the property.

D. Return Responses.

1. If the city makes a return response to a noise disturbance and a "notice of response fee" has previously been delivered to a responsible person, then the city shall compute the costs of such response.

2. A bill for the costs incurred by the city for its return responses shall be prepared and mailed, first class, to each known responsible person as defined in subparagraphs (a) through (c) of subsection (B)(3) of this section with a copy mailed to the owner of the property where the noise disturbance takes place. If payment is not made by said responsible persons within thirty days of mailing of the bill, then a bill for the costs shall be mailed, first class, to the owner of said property. All responsible persons as defined by subsection (B)(3) of this section shall be liable jointly and severally for payment. To the extent that a responsible person's liability for payment of the return response costs is based solely upon that person's ownership of the property, the costs collected from such owner pursuant to this section through civil action, shall not exceed one hundred dollars per response.
 3. No responsible person shall fail to pay the bill within thirty days of the mailing of the bill. The amount of the bill shall be deemed a debt to the city of the responsible person who shall be liable in an action brought in the name of the city for recovery of such amount.
- E. Appeal of Fee Determination.
1. A hearing officer shall be appointed by the city manager to hear appeals from responsible persons on the issue of whether such person is liable for the return response fees pursuant to the terms of this section.
 2. The responsible person shall have ten days from the date of mailing of the bill to make a written request for a hearing. The appeal shall be filed with the city clerk's office.
 3. At the hearing, the responsible person shall have the right to present evidence.
 - a. The hearing officer shall waive all of the fee if the responsible person proves, by a preponderance of the evidence, any of the following:
 - i. The appellant is not a responsible person as defined in this section;
 - ii. The activity or occasion to which the police department responded was not a noise disturbance as defined by this section;
 - iii. A responsible person did not receive the notice called for at the time of a response;
 - iv. A return response, as defined by this section, did not occur;
 - v. All of the persons engaged in the noise disturbance were trespassers upon the responsible person's property;
 - vi. The appellant owner did not know or have reason to know that a noise disturbance problem existed at the property with the same tenant during the twelve months preceding the event which triggered the second response;
 - vii. The appellant owner or owner's agent has taken reasonable action intended to prevent the reoccurrence of a need for a return response. Reasonable action may include, but is not limited to, any one or more of the following: commencement of an eviction action, written notice to a tenant demanding compliance with the state and municipal laws, meeting with neighbors to attempt resolution of nuisance activity.
 - b. The hearing officer may waive all or any portion of the fee as to an appellant if the appellant proves, by a preponderance of the evidence that the assessed amount is not based upon the cost of a return response as defined by this section.
 - c. No collection activity shall commence during the pendency of this administrative appeal for those fees which are the subject of the appeal. (Ord. 3839 § 1, 1992)

Chapter 2.48

DEPARTMENT OF COMMUNITY SERVICES

Sections:

2.48.010 Designated.

2.48.010 Designated.

There is created a department of community services which shall be under the direction of a director of community services. It shall be the director's duty to organize, direct and manage the provision of transportation and building services, including the following service areas: traffic operation, engineering, solid waste, street maintenance, building inspection, code enforcement, development center operation, and current planning. The director shall perform such other functions as may be prescribed by the city manager. (Ord. 3975 § 9, 1994; Ord. 2072 § 1, 1982; Ord. 1707 § 1 (part), 1978)

Chapter 2.49

DEPARTMENT OF WATER AND POWER

Sections:

2.49.010 Designated.

2.49.010 Designated.

There is created a department of water and power which shall be under the direction of a director of water and power. It shall be the director's duty to organize, direct and manage the water, wastewater, stormwater, electric production, and electric distribution systems and plants of the city and the city's warehouse operations. The director shall be responsible for all matters relating to construction, management, maintenance, customer billing and operation of said systems and plants and shall perform such other functions as may be prescribed by the city manager. (Ord. 3975 § 10, 1994; Ord. 2072 § 2, 1982)

Chapter 2.50

DEPARTMENT OF EMPLOYEE RELATIONS

Sections:

2.50.010 Designated.

2.50.010 Designated.

There is created a department of employee relations which shall be under the direction of a director of employee relations. It shall be the director's duty to organize, direct and manage the hiring, discharging, and general supervision of city employees and shall perform such other functions as prescribed by the city manager. (Ord. 3975 § 11, 1994; Ord. 3480 § 7, 1987; Ord. 3434 § 3, 1987; Ord. 2072 § 3, 1982; Ord. 1707 § 1 (part), 1978)

Chapter 2.52

DEPARTMENT OF PARKS AND RECREATION*

Sections:

2.52.010 Designated.

*Prior history: Prior code §§ 14.16 and 14.16-1, Ords. 3823, 1337 and 877.

2.52.010 Designated.

There is created a department of parks and recreation which shall be under the direction of a director of parks and recreation. It shall be the director's duty to organize, direct and manage the city's parks, recreation programs and facilities, cemeteries, golf courses, and recreation trails system. The director shall perform such other functions as may be prescribed by the city manager. (Ord. 3975 § 12, 1994)

Chapter 2.56

LIBRARY DEPARTMENT*

Sections:

2.56.010 Designated.

*Prior history: Prior code § 4.15. Ords. 1337 and 877.

2.56.010 Designated.

There is created a library department which shall be under the direction of a library director. The director shall be responsible for the administration of all affairs necessary for the operation and maintenance of the city library. The director shall perform such other duties as may be assigned by the city manager and shall consult with the library board regarding the establishment of policies for the operation of the library. (Ord. 3975 § 13, 1994)

Chapter 2.58

DEPARTMENT OF CULTURAL SERVICES

Sections:

2.58.010 Designated.

2.58.010 Designated.

There is created a department of cultural services which shall be under the direction of a director of cultural services. The director shall be responsible for the administration of all affairs necessary for the operation and maintenance of the city museum and for the proper keeping of records of all items owned or on loan to the museum. The director shall also be responsible for the care, maintenance and the keeping of records for public art owned or loaned to the city. The director shall perform such other duties as may be assigned by the city manager, and shall consult with the museum board regarding the establishment of policies for the display of exhibits and general operation of the museum and for the benefit of the viewing public. The director shall also consult with the visual arts commission regarding the city's art in public places program. (Ord. 3975 § 15, 1994)

Chapter 2.60

BOARDS AND COMMISSIONS

Sections:

2.60.010	Generally.
2.60.020	Membership.
2.60.030	Council and staff liaisons.
2.60.040	Funding.
2.60.050	Affordable housing commission.
2.60.060	Citizens' finance advisory commission.
2.60.070	Communications technologies commission.
2.60.075	Community marketing commission.
2.60.080	Construction advisory board.
2.60.090	Cultural services board.
2.60.100	Disabilities advisory commission.
2.60.110	Fire and rescue advisory commission.
2.60.120	Golf advisory board.
2.60.130	Historic preservation commission.
2.60.140	Housing Authority.
2.60.150	Human services commission.
2.60.160	Library board.
2.60.180	Loveland utilities commission.
2.60.190	Open lands advisory commission.
2.60.200	Parks and recreation commission.
2.60.210	Planning commission.
2.60.220	Police department citizen advisory board.
2.60.230	Police pension board of trustees.
2.60.240	Senior advisory board.
2.60.250	Transportation advisory board.
2.60.260	Visual arts commission.
2.60.270	Volunteer firefighters' board of trustees.
2.60.280	Youth advisory commission.

2.60.010 Generally.

Except as otherwise provided in state statutes, the boards and commissions established for the city shall perform the activities and functions as set forth in this chapter and shall adhere to and be governed by the procedures and policies as set forth in the Handbook for Boards and Commissions adopted by resolution of the city council.

2.60.020 Membership.

- A. Except as otherwise provided in state statutes or this chapter, members of city boards and commissions shall be residents of the city or have substantial ties within the corporate limits of the city, as determined by the city council. For the purposes of this chapter, "substantial ties" shall include, without limitation, ownership of real property, employment, or conduct of a business or profession within the corporate limits of the city.
- B. A person shall not be eligible for appointment to any city board or commission if that person's spouse, parent, sibling, or child (whether related by blood, marriage, or adoption) is a city employee who in his or her capacity as a city employee regularly

appears before or advises that board or commission. This shall not prohibit such person from being eligible for appointment to any other city board or commission not affected by this eligibility limitation.

- C. A person shall not serve on more than one city board or commission at a time; provided, however, that a board or commission member may apply for and be appointed to another board or commission if: (i) said member is the only qualified applicant for the position; or (ii) said member resigns his or her position on the first board or commission prior to or upon appointment to the second board or commission.
- D. Members of city boards and commissions shall serve for the term provided in the statutes or ordinances establishing the applicable board or commission. Whenever such statute or ordinance provides for terms of office which overlap one another, the city council shall make appointments shorter than the full term in order to space the expiration dates of the terms of the members as evenly as practicable. Whenever a member is appointed for a specific term of years, such member shall serve for the specified term or until a successor is appointed, whichever occurs last.
- E. Members of city boards and commissions shall be eligible for reappointment without regard to the number of terms served. Members shall serve until their replacement has been appointed. Any member appointed to fill a vacancy shall serve the remainder of the unexpired term.
- F. Removal of any city board or commission member shall require the affirmative vote of a majority of the entire city council.
- G. Members of city boards and commissions shall serve without compensation. (Ord. 5324 § 1, 2008)

2.60.030 City council and staff liaisons.

- A. The city council shall have the authority to appoint one or more members of the city council to serve as non-voting council liaisons to any board or commission. The term of office of said liaisons shall coincide with the city's biennial municipal election.
- B. The city manager shall have the authority to appoint one staff member to serve as a non-voting staff liaison to any board or commission. Such staff member shall serve as the staff liaison until termination of employment or until appointment of a new staff liaison, whichever occurs first.
- C. The city manager shall be a non-voting, ex officio member of all boards and commissions. The city manager and the city attorney, upon request and after consultation with each board and commission, shall provide such staff assistance as may be appropriate to carry out the duties and responsibilities of the board or commission.

2.60.040 Funding.

- A. Requests for budget appropriations shall be submitted to the city manager for review and inclusion in the annual budget submitted to the city council by the city manager. Expenditures of appropriations shall be made in accordance with the city's purchasing policies and procedures.
- B. The city shall reimburse members of city boards and commissions for the reasonable and necessary costs and expenses incurred by such members in attending conferences and training programs relevant to their service and which have been authorized in advance by the city manager.

2.60.050 Affordable housing commission.

- A. There is established an affordable housing commission consisting of nine members appointed by the city council. The term of office of each member shall be three years.

- B. The purpose of the affordable housing commission shall be to serve as an advisory body to the city council and staff on all matters pertaining to affordable housing in Loveland. In addition to any other duties as may be delegated to it by the city council, the commission shall:
1. study the dimension and scope of the need for affordable housing and make recommendations to the city council regarding specific market targets;
 2. review existing affordable housing incentives and policies and make recommendations to the city council regarding policy changes;
 3. develop specific incentives and regulatory-based strategies to increase, preserve, and rehabilitate affordable housing in Loveland; and
 4. review all “bricks and mortar” grant applications made to the city for community development block grant funds related to housing, hear presentations from applicant agencies, and make a recommendation to the city council regarding such grant funding applications.

2.60.060 Citizens’ finance advisory commission.

- A. There is established a citizens’ finance advisory commission consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the citizens’ finance advisory commission shall be to review the city’s budget in detail and to report to the city council on its findings, to evaluate and recommend auditors for use by the city, to review city financial reports, and to review the city’s financial policies and recommend changes to the city council.

2.60.070 Communications technologies commission.

- A. There is established a communications technologies commission consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the communications technologies commission shall be to serve as an advisory body to the city council on all matters pertaining to communications technologies. In addition to any other duties as may be delegated to it by the city council, the commission shall:
1. identify community communications technology needs, analyze available communication technologies, and recommend implementation of those communications technologies which best promote community interconnectivity and economic growth;
 2. evaluate and make recommendations regarding communications franchise applications, monitor all existing communications franchises granted by the city for compliance with applicable franchise agreements, receive and review citizen complaints regarding existing communications franchises, and serve as a hearing body for disputes arising therefrom; and
 3. make recommendations regarding use and development of the city’s public access channel.
 4. evaluate requests to install wireless technologies on city facilities and make recommendations regarding contracts for said installation. (Ord. 5324 § 2, 2008)

2.60.075 Community marketing commission.

- A. There is established a community marketing commission consisting of seven members appointed by the city council. Members on the commission shall have backgrounds in the fields and businesses of lodging, tourism, the arts, marketing, economic development and community development. The term for two of the initial members appointed shall be for one year, two other initial members shall be appointed for a term of two years, and the remaining initial three members shall be appointed for three-year terms. After these initial terms expire, members shall be appointed for a three year term.

- B. The purpose of the community marketing commission shall be to serve as an advisory body to the city council concerning the city's use of the revenues received from the lodging tax levied under Code Chapter 3.24. The commission shall make recommendations to the city council as to how the funds should be specifically spent consistent with the purpose authorized in Code Section 3.24.005 and Section 3.24.105. (Ord. 5445 § 2, 2009)

2.60.080 Construction advisory board.

- A. There is established a construction advisory board consisting of eleven members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the construction advisory board shall be to serve as an advisory body to the city council on all matters pertaining to the regulation of construction activities within the jurisdiction of the city. In addition to any other duties as may be delegated to it by the city council, the board shall:
1. review uniform codes and recommend updates, as needed; and
 2. review subdivision improvement requirements and development standards and recommend updates, as needed.
- C. The construction advisory board shall be the board of appeals in connection with all codes adopted by reference in Title 15 and shall exercise the powers delegated to it by the city council in Chapter 15.04.

2.60.090 Cultural services board.

- A. There is established a cultural services board consisting of seven members appointed by the city council. The term of office of each member shall be four years.
- B. The purpose of the cultural services board shall be to serve as an advisory body to the city council on such policies, procedures, rules, and regulations and other matters as the board believes necessary and proper for the administration, management, and development of the cultural services department and its facilities. In addition to any other duties as may be delegated to it by the city council, the board shall:
1. review and make recommendations regarding the establishment of policies and fees affecting the cultural services department;
 2. support communication and cooperation between the cultural services department and other cultural service organizations in the community;
 3. represent the cultural services department at special events, activities, and functions in the cultural services department;
 4. review exhibit and programming ideas and offer conceptual ideas to staff for future exhibits and programs;
 5. assist with fundraising for special cultural services department projects when appropriate;
 6. advise city staff on the development of the annual budget for the cultural services department and serve as advocates for the cultural services department; and
 7. make final decisions on deaccessioning and disposition of collection items in accordance with the policies established by the city council.

2.60.100 Disabilities advisory commission.

- A. There is established a disabilities advisory commission consisting of twelve members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the disabilities advisory commission shall be to study problems relating to disabled persons and their interaction with the community and to serve as an advisory body to the city council on such matters.

2.60.110 Fire and rescue advisory commission.

- A. There is established a fire and rescue advisory commission consisting of nine members, eight of whom shall be appointed by the city council to serve a term of three years, and one of whom shall be appointed by the rural fire protection district board of directors from among the district's board members to serve a term to be determined by the district. Members appointed by the city council shall not be employees or volunteers of the Loveland fire and rescue department.
- B. The purpose of the fire and rescue advisory commission shall be to serve as an advisory body to the city council in the implementation of the fire protection master plan and future strategic planning for the fire and rescue department. In addition, the commission shall serve as an advisory body to the fire chief concerning fire protection, rescue, and emergency management issues. (Ord. 5323 § 1, 2008)

2.60.120 Golf advisory board.

- A. There is established a golf advisory board consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the golf advisory board shall be to serve as an advisory body to the city council and to assist the department of parks and recreation in matters pertaining to golf and the municipal golf courses for the common benefit of the city, its golf courses, and the golfing public.

2.60.130 Historic preservation commission.

- A. There is established a historic preservation commission consisting of seven members appointed by the city council. Members shall have demonstrated interest, competence, or knowledge in historic preservation. The commission shall be comprised of both professionals and lay members and shall be selected, as much as possible, from the fields of history, architecture, landscape architecture, architectural history, prehistoric or historic archaeology, planning, or related disciplines such as the building trades, cultural geography, cultural anthropology, real estate, or law. Three members of the commission shall be professionals or shall have extensive expertise in a preservation-related discipline including, but not limited to, history, architecture, planning, or archaeology. Recognizing that professionals may not be available, this requirement may be waived by the city council following a good faith effort to recruit such professionals. The term of office of each member shall be three years.
- B. The purpose of the historic preservation commission shall be to serve as an advisory body to the city council on matters related to preserving the historic character of the city. In addition to any other duties as may be delegated to it by the city council, the commission shall:
 - 1. review resources nominated for designation as either an historic landmark or district based upon the criteria outlined in Section 15.56.090, and recommend that the city council designate by ordinance those resources qualifying for such designation;
 - 2. review and make decisions on any application for alterations to a designated historic landmark or district based upon the criteria outlined in Section 15.56.100;
 - 3. review and make decisions on any application for moving an historic landmark or structure within an historic district based upon the criteria outlined in Section 15.56.110;
 - 4. review and make decisions on any application for demolishing an historic landmark or structure within an historic district based upon the criteria outlined in Section 15.56.120;

5. advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, including nomination to the local, state, or National Register of Historic Places;
6. develop and assist in public education programs including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures, exhibits, and conferences;
7. conduct surveys of historic sites, properties, and areas for the purpose of defining those of historic significance, and prioritizing their importance;
8. actively pursue financial assistance and incentive programs for preservation-related programs;
9. review all applications made to the city for the rehabilitation loan program created in Section 15.56.170 and make a recommendation to staff regarding allocation of loan funds; and
10. review and make recommendations to the city council regarding amendments to the Loveland Historic Preservation Plan. The Loveland Historic Preservation Plan, and any amendments thereto, shall be adopted by resolution of the city council.

2.60.140 Housing authority.

The public housing authority of the city, as heretofore established by resolution of the city council, shall have all the powers necessary or convenient to carry out the purposes of such authorities as set forth in Article 4, Part 2 of Title 29, Colorado Revised Statutes, including solving the problem of unsafe and unsanitary dwelling accommodations in the city.

2.60.150 Human services commission.

- A. There is established a human services commission consisting of eleven members appointed by the city council. Two of the eleven members shall be high school students enrolled in secondary schools located within the city who shall be under the age of twenty-one at time of appointment. The term of office of each member shall be three years.
- B. The purpose of the human services commission shall be to serve as an advisory body to the city council on all matters pertaining to human services offered by the city. In addition to any other duties as may be delegated to it by the city council, the commission shall:
 1. review all grant applications made to the city for human services commission grant funds and for community development block grant funds except for “bricks and mortar” applications that are housing related, hear presentations from applicant agencies, and make a recommendation to the city council regarding grant funding allocation;
 2. perform site visits at the offices of grant recipients;
 3. provide citizen input on consolidated planning documents and reports as required by the United States Department of Housing and Urban Development;
 4. review and amend grant program guidelines and goals as needed; and
 5. act as a sounding board for social concerns of Loveland citizens.

2.60.160 Library board.

- A. There is established a library board consisting of seven members appointed by the city council. The term of office of each member shall be five years.
- B. The purpose of the library board shall be to serve as an advisory body to the city council on all issues pertaining to the operation of the library. In addition to any other duties as may be delegated to it by the city council, the board shall:

1. advise the city council on such policies, procedures, rules, regulations, and other matters as the board believes necessary and proper for the administration, management, and development of the library and its facilities, collection, and equipment;
2. take such actions as the board believes necessary and proper to encourage the making of grants and gifts in support of the library;
3. accept on behalf of the city such gifts of money or property for use for library purposes in accordance with city policies;
4. make an employment recommendation to the city manager on hiring and retaining the library director;
5. recommend an annual operations and capital budget and report on the expenditure of library funds and operations after the close of the fiscal year; and
6. to the extent authorized by any policy adopted by the city council by resolution, hear and decide appeals taken by users of the library concerning the application of library policies, rules, regulations, or procedures.

2.60.075 Community marketing commission

- A. There is established a community marketing commission consisting of seven members appointed by the city council. Members on the commission shall have backgrounds in the fields and businesses of lodging, tourism, the arts, marketing, economic development or community development. The term for two of the initial members appointed shall be for one year, two other initial members shall be appointed for a term of two years, and the remaining initial three members shall be appointed for three-year terms. After these initial terms expire, members shall be appointed for a three-year term.
- B. The purpose of the community marketing commission shall be to serve as an advisory body to the city council concerning the city's use of the revenues received from the lodging tax levied under Code Chapter 3.24. The commission shall make recommendations to the city council as to how the funds should be specifically spent consistent with the purpose authorized in Code Section 3.24.005 and Section 3.24.105. (Ord. 5445 § 2, 2009)

2.60.180 Loveland utilities commission.

- A. There is established a Loveland utilities commission consisting of nine members appointed by the city council. Any person who is a customer of the city's water, waste water, or electric utility, or who is an authorized representative of such a customer, shall be eligible for appointment to the commission. The term of office of each member shall be three years.
- B. The purpose of the Loveland utilities commission shall be to serve as an advisory body to the city council on all matters pertaining to the water, waste water, and electric utility operations and services provided by the city. In addition to any other duties as may be delegated to it by the city council, the commission shall:
 1. advise the city council on matters pertaining to rates, charges, and fees for water, waste water, and electric services provided by the city;
 2. award and approve any and all construction contracts over the limits of the city manager's authority as established in Chapter 3.12 and for which sufficient funds have previously been budgeted and appropriated by the city council in the water and power department budget;
 3. develop, approve, and adopt policies, practices, and guidelines to assist the water and power department in the efficient operation of the city's water, waste water, and electric utilities, and in the event a change to the municipal code is required in order

to effectuate policies to be adopted by the commission, to recommend such changes to the city council;

4. review the proposed annual budget for the water and power department;
5. conduct public hearings on issues of policy concerning all water, waste water, and electric utility matters within the jurisdiction of the commission; and
6. provide policy recommendations to the city manager and the director of the water and power department, consistent with any previously adopted city council policies, concerning all water, waste water, and electric utility matters within the jurisdiction of the commission. (Ord. 5401 § 1, 2009)

2.60.190 Open lands advisory commission.

- A. There is established an open lands advisory commission consisting of nine members appointed by the city council. The term of office of each member shall be four years. One person appointed by the Larimer County open lands advisory board shall serve as a non-voting liaison to the commission for a term to be determined by the county.
- B. The purpose of the open lands advisory commission shall be to make recommendations to the city council regarding the attributable revenue share to the city of the Larimer County open space sales and use tax. Further, the commission shall make recommendations concerning the acquisition, disposal, jurisdictional transfers, planning, preservation, development, use, and management of open space, natural areas, wildlife habitat, and other associated open lands issues.

2.60.200 Parks and recreation commission.

- A. There is established a parks and recreation commission consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the parks and recreation commission shall be to serve as an advisory body to the city council with regard to the maintenance, administration, expansion, and development of the city's parks and the city's parks and recreation programs.

2.60.210 Planning commission.

- A. There is established a planning commission consisting of nine members appointed by the city council. All nine members shall be bona fide residents of the city of Loveland. The term of office of each member shall be three years.
- B. The purpose of the planning commission shall be to consider and pass upon all plats and make recommendations as to approval, modification, and disapproval thereof to the city council. The commission also shall consider and advise the city council on all proposed changes to the zoning and subdivision ordinances and recommend adoption of comprehensive plans for the physical development of the city, which plans may be adopted by resolution of the city council, and perform such other duties as required by state statutes and as the city council may by ordinance or resolution prescribe.

2.60.220 Police citizen advisory board.

- A. There is established a police citizen advisory board consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the police citizen advisory board shall be to support communication and education between the community and the Loveland police department. Additionally, the board shall serve as an advisory body to the Loveland police department and the city council concerning police policy, planning, and program issues.

2.60.230 Police pension board of trustees.

The police pension board of trustees shall be vested with the general administration, management, and responsibility for the proper operation of the police pension system. The board of trustees shall have such powers and duties as are prescribed by state statutes.

2.60.240 Senior advisory board.

- A. There is established a senior advisory board consisting of fifteen members. Nine members shall be appointed by the city council to serve terms of three years. Six members shall be nominated by the senior advisory board, and approved by the city council, to serve terms of two years. These six members shall consist of one at large member, and one member from each of the following organizations: Chilson Senior Advisory Committee, Volunteers of America, McKee Senior Services, the Poudre Valley Hospital Aspen Club, and the McKee Medical Center Seasons Club. (Ord. 5449 § 1, 2009; Ord. 5481 § 1, 2010)
- B. The purpose of the senior advisory board shall be to assist senior citizens in the Loveland area to live full and interesting lives, so that they might continue to contribute, participate, and share in the life of the community. Additionally, the board shall:
 - 1. serve as a coordinating agency for senior services and activities;
 - 2. assess, publicize, and support present senior services and activities in the community;
 - 3. investigate and evaluate requests for new senior citizen services and activities;
 - 4. plan, initiate, develop, and encourage new senior citizen programs as need is indicated; and
 - 5. establish and maintain communications with local, state, and federal government agencies concerning senior citizens.

2.60.250 Transportation advisory board.

- A. There is established a transportation advisory board consisting of seven members appointed by the city council. The term of office of each member shall be three years.
- B. The purpose of the transportation advisory board shall be to serve as an advisory body to the city council and staff to assist in the planning and development of multi-modal transportation systems, other than those considered solely recreational. In addition to any other duties as may be delegated to it by the city council, the board shall provide the city council with advice and recommendations relating to the following:
 - 1. local and regional transportation and transit matters, including, without limitation, those matters related to local and regional transportation projects and organizations;
 - 2. policies, standards, and code amendments concerning transportation and transit;
 - 3. the city's annual budget for the transit, project engineering, traffic, and streets divisions of the city's public works department;
 - 4. the city's ten-year capital improvements plan as it relates to transportation and transit revenues and expenditures;
 - 5. proposed amendments to the city's transportation master plan; and
 - 6. transportation and transit fees, rates, and other charges to be approved by the city council.

2.60.260 Visual arts commission.

- A. There is established a visual arts commission consisting of nine members appointed by the city council. The term of office of each member shall be three years.
- B. The function of such commission shall be to perform the duties set forth in Chapter 12.60 pertaining to the city's art in public places program.

2.60.270 Volunteer firefighters' pension board of trustees.

The volunteer firefighters' pension board of trustees shall be vested with the general administration, management, and responsibility for the proper operation of the volunteer firefighters' pension system. The board of trustees shall have such powers and duties as are prescribed by state statutes.

2.60.280 Youth advisory commission.

- A. There is established a youth advisory commission consisting of twelve members appointed by the city council. Members shall be high school or middle school students enrolled in the Thompson School District or shall be residents of the city who are under the age of twenty-one at the time of appointment. The term of office of each member shall be one year and shall run from June 1st of any year through May 31st of the subsequent year. In addition to the twelve members, up to four alternates may be appointed by the city council to serve on the commission in the event of a vacancy. Said alternates shall be ranked at the time of appointment and shall automatically fill successive vacancies provided they meet all membership criteria at the time the vacancy is filled.
- B. The purpose of the youth advisory commission shall be to identify issues in the community that concern and relate to the youth in the community. The commission may provide such advice to the city council as it deems appropriate, but at a minimum shall prepare an annual statement setting forth the issues concerning and relating to youth and suggesting actions to be taken by the city council and others.

Chapter 2.68

SALARIES--PAY GRADES*

Sections:

I. SALARIES--GRADES--RANGE

- 2.68.010** **Generally.**
- 2.68.020** **Employee pay plan.**
- 2.68.035** **Benefits.**
- 2.68.040** **Employee benefit fund established.**

*For statutory provisions relating to the salaries of city and town officials, see CRSA § 31-4-109.

2.68.010 **Generally.**

The city council shall at least as early as its last monthly meeting before each regular municipal election, by ordinance, fix the salaries and fees of the mayor and council members, for the period for which they will be elected or appointed, if any change in salaries or fees is desirable. The city council shall neither increase nor diminish the salary of any council member or mayor during the member's or the mayor's term of office. (Ord. 4385 § 1, 1998; Ord. 877 Art. 1 (part), 1964; prior code § 4.3)

2.68.020 **Employee pay plan.**

The city council shall, from time to time, adopt, by ordinance, an employee pay plan setting forth pay grades and compensation ranges for all employees of the city. (Ord. 4385 § 2, 1998; Ord. 877 Art. 1 (part), 1964; prior code § 4.2)

2.68.035 **Benefits.**

The city council may, by resolution, establish employment benefits for all or any job classifications, skill levels or occupational groups; provided, that such benefits are uniform for like service. The compensation and benefits for the city manager shall be as established by resolution of the city council. (Ord. 1741 § 2, 1978)

2.68.040 **Employee benefit fund established.**

There is established an employee benefit fund. There shall be deposited into such fund all amounts appropriated for, and all amounts collected by the city for, employee benefit programs providing medical and dental disability and other benefits. There shall be paid out of such fund such amounts as are necessary to provide the benefits defined in the city's benefit programs, including the payment of insurance premiums, if appropriate. (Ord. 3267 § 1, 1986)

Chapter 2.70

PENSION PLAN

Sections:

- 2.70.010 Establishment.**
- 2.70.020 Employees not covered.**
- 2.70.030 Funds for plan.**
- 2.70.040 Prior service benefits.**
- 2.70.050 Insurer authorized to do business in state.**
- 2.70.060 Employee's pension association.**
- 2.70.070 Board of retirement.**
- 2.70.080 Treasurer of plan.**
- 2.70.090 Municipal officials and employees' retirement fund.**
- 2.70.091 Pension plan forfeiture proceeds.**
- 2.70.092 Longevity incentives.**
- 2.70.100 Alternative policemen's program.**

2.70.010 Establishment.

Pursuant to CRS Sections 111-9-1 through 111-9-11 there is established a pension plan for the employees of the city. The plan will be known as the "City of Loveland Employees' Retirement Plan." (Ord. 1320 § 1 (part), 1973; prior code § 4.33)

2.70.020 Employees not covered.

The retirement plan shall not apply to or include: firemen or policemen employed by the city; or other employees of the city who are eligible for exemption from the plan and who are exempted from the plan by resolution of the city council. (Ord. 1735 § 1, 1978; Ord. 1320 § 1 (part), 1973; prior code § 4.33-1)

2.70.030 Funds for plan.

The retirement plan shall be funded by contributions from the city and from the employees covered by the plan. Each employee will contribute to the plan an amount equal to three percent of his basic salary. The city shall contribute to the plan an amount equal to five percent of the basic salary of each employee covered by the plan. (Ord. 3781 § 1, 1991; Ord. 1554 § 1, 1977; Ord. 1320 § 1 (part), 1973; prior code § 4.33-2)

2.70.040 Prior service benefits.

Pursuant to CRS Section 111-9-3 in addition to the contributions of the city to the plan, set forth in Section 2.70.030, the city shall contribute an amount to the plan sufficient to fund five years prior service benefits, the contributions to be made in twenty annual installments. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-3)

2.70.050 Insurer authorized to do business in state.

Any group annuity contract purchased under the provisions of this chapter shall be obtained from a life insurance company duly authorized to do an insurance and annuity business in this state. Said life insurance company shall be responsible and financially sound considering the extent and duration of coverage required. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-4)

2.70.060 Employee's pension association.

The Loveland employees' pension committee, hereinafter to be known as the Loveland employees' pension association, is delegated the duty of purchasing, establishing or procuring a group annuity retirement plan or a noninsured trust retirement plan to provide for the system of retirement benefits for employees of the city. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-5)

2.70.070 Board of retirement.

The management of the city employees' retirement plan shall be vested in a municipal board of retirement, which board is hereby established. The municipal board of retirement shall consist of five members, one of whom shall be the treasurer of the city, two of whom shall be nonelected employees of the city chosen by the employees of the city within thirty days after the retirement system becomes operative, and two of whom shall be qualified electors of the city chosen by the city council and not connected with the government of the city. The board of retirement shall by its own rules establish staggered four year terms for its members other than the city treasurer, and successors shall be selected as provided herein. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-6)

2.70.080 Treasurer of plan.

The treasurer of the city shall serve as treasurer of the retirement plan. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-7)

2.70.090 Municipal officials and employees' retirement fund.

As required by CRS Section 111-9-10(2), there is established a "municipal officials' and employees' retirement fund." Contributions from the city and from city employees to the retirement plan shall be paid into the fund. Management of this fund is vested in the municipal board of retirement. (Ord. 1320 § 1 (part), 1973; prior code § 4.33-8)

2.70.091 Pension plan forfeiture proceeds.

All moneys forfeited by participants in the city employees retirement plan due to termination of or change of status in employment prior to full vesting in the employee shall be applied toward the city's pension funding obligations as set forth in this chapter. (Ord. 3854 § 1, 1992; Ord. 2083 § 1 (part), 1983)

2.70.092 Longevity incentives.

- A. Upon retirement after completion of not less than twenty-five years of employment with the city, there shall be paid to each such employee a one-time payment of one hundred dollars times the number of complete years of employment with the city. For the purposes of this subsection, employment with the city means permanent, full-time employment, and any interruptions in employment other than for vacation and sick leave shall not count in computing the number of years.
- B. There shall be paid to the fund established in Section 2.70.090, or such other plan or fund to which the city makes contributions on behalf of an employee in lieu of participation in the city employees retirement plan, an additional sum equal to the percentage of base salary set forth in the following table according to the number of years of employment with the city completed:

No. of Years Completed	Up Through Year	Percentage of Base Salary
7	10	1%
10	15	2%
15	20	3%
20 or more	Retirement	4%

The benefits set forth in this section shall not apply to or include firemen or policemen employed by the city. (Ord. 3854 § 2, 1992; Ord. 3268 § 2, 1986; Ord. 2083 § 1 (part), 1983)

2.70.100 Alternative policemen's program.

The city council may, pursuant to and in conformity with the provisions of Section 325 of Article 30 of Title 31, Colorado Revised Statutes, 1973, establish by resolution an alternative policemen's pension benefit program or combination policemen's pension and insurance benefit program. (Ord. 1729 § 1, 1978)

Chapter 2.72

COMPREHENSIVE DISASTER PLAN

Sections:

2.72.010 Adoption of Comprehensive Disaster Plan.

2.72.010 Adoption of Comprehensive Disaster Plan.

The City of Loveland Emergency Operations Plan dated August 2007, is adopted as the comprehensive disaster plan for the City of Loveland. (Ord. 5271 § 2, 2007; Ord. 4058 § 2, 1995; Ord. 2090 § 1, 1983)

Chapter 2.73

PROHIBITED GIFTS TO CITY OFFICIALS

Sections:

2.73.010 – Definitions.

2.73.020 – Prohibited Gifts.

2.73.030 – Permitted Gifts.

2.73.040 – Violations.

2.73.010 Definitions.

As used in this Chapter, the following words, terms and phrases shall have the following meanings, except where the context clearly indicates otherwise:

- A. “Board and commission member” shall mean any person duly appointed by the council to any board or commission of the city as authorized in City Charter Article 10 and as established in City Code Chapter 2.60, but shall not include any person who is a duly appointed commissioner of the Loveland Housing Authority established in City Code Section 2.60.140. (Ord. 5275 § 1, 2008)
- B. “City official” shall mean a councilmember, an employee or a board and commission member.
- C. “Councilmember” shall mean a member of the council.
- D. “Employee” shall mean each compensated person in the service of the city who is designated as an employee in the city’s personnel rules and regulations, but shall not include any person providing services for the city who is considered for federal income tax purposes to be an independent contractor.
- E. “Gift” shall mean the transfer of a thing of value by one person to another person without the person transferring the thing of value receiving in return lawful compensation or consideration of equal or greater value from the person receiving the thing of value. However, a “gift” shall not mean any thing of value given to a person by a local, state or the federal government as authorized by law.
- F. “Person” shall mean any individual, corporation, business trust, estate, trust, limited liability company, partnership, labor organization, association, political party, committee or other legal entity.
- G. “Thing of value” shall mean any tangible or intangible thing having a market value, including, without limitation, money, real property, personal property, services, loans of money or property, favors, gratuities, rewards, awards, grants, scholarships, discounts, promises of future employment, honoraria, event tickets, travel, lodging, meals, and the forbearance and forgiveness of debt.

2.73.020 Prohibited Gifts.

Unless permitted under City Code Section 2.73.030, a city official shall not solicit or accept any gift from any person either directly or indirectly through the city official’s spouse or dependent child which gift the city official knows or which a reasonable person in the city official’s position should know under the circumstances, is either:

- A. a gift that would tend to improperly influence that city official to depart from the faithful and impartial discharge of his or her public duties; or
- B. is a gift being solicited or given for the primary purpose of rewarding the city official for an official action he or she has taken.

2.73.030 Permitted Gifts.

The gift prohibitions of City Code Section 2.73.020 shall not apply to city officials with respect to the following permitted gifts:

- A. campaign contributions as authorized by law;
- B. a non-monetary award, publicly presented, in recognition of public service;
- C. gifts similarly available to the general public;
- D. educational scholarships and grants available to members of the general public similarly situated;
- E. grants and services provided for medical, respite or hospice care or other social welfare needs available to members of the general public similarly situated;
- F. an occasional, unsolicited gift having a fair market value of fifty dollars (\$50) or less;
- G. unsolicited informational material, publications, or subscriptions related to the city official's performance of his or her official duties;
- H. an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item;
- I. payment of or reimbursement for actual and necessary expenditures for registration, travel, lodging and meals for attendance at a convention, training seminar, or other meeting at which the city official is scheduled to participate as a representative of the city or to attend as part of his or her official duties;
- J. an occasional, unsolicited opportunity to participate in a business meeting or social function where a meal is served and/or entertainment is provided if the city official's attendance would not be considered extraordinary when viewed in light of the position held by the city official;
- K. payment received by a councilmember for a speech, appearance or publication required to be reported by the councilmember pursuant to C.R.S. Section 24-6-203;
- L. gifts received by a councilmember or a board and commission member arising from his or her employment and that is unrelated to his or her official city duties; and
- M. gifts received by an employee from the city as authorized in the city's personnel rules and regulations, and any gifts received by an employee arising from his or her non-city employment and that is unrelated to his or her official city duties.

2.73.040 Violations.

- A. It shall be unlawful for any city official to violate any provision of this Chapter. Proof of a violation shall be established by a preponderance of the evidence presented at trial.
- B. Any city official determined by the municipal court to have violated any provision of this Chapter shall be deemed to have committed a civil infraction and shall be punished by a civil fine not to exceed one thousand dollars (\$1,000). In addition to any civil fine imposed, a judgment in the amount of twice the fair market value of the prohibited gift received shall also be entered by the municipal court against the city official. If the city official fails to pay the total judgment amount entered for the civil fine and for twice the fair market value of the prohibited gift within thirty (30) days of the entry of the final judgment, the city may pursue any legal means available to it for the collection of the judgment. (Ord. 5162, 2007)

Ord. 5401, 2009; Ord. 5376 § 1, 2008; Ord. 5337, 2008; Ord. 5324, 2007; Ord. 5323, 2007; Ord. 5275, 2008; Ord. 5272 § 1, 2007; Ord. 5271, 2007; Ord. 5198, 2007; Ord. 5184, 2007; Ord. 5175 § 1, 2007; Ord. 5053 § 1, 2006; Ord. 5032 §1, 2005; Ord. 2013 § part 2005; Ord. 4779 § 4, 2003; Ord. 4767 § 2, 2003; Ord. 4762 § 1, 2003; Ord. 4741 § 9, 2002; Ord. 4724 § 2, 2002; Ord. 4723 § 7, 2002; Ord. 4711 § 1, 2002; Ord. 4708 § 1, 2002; Ord. 4700 § 1, 2002; Ord. 4624 § 1, 2001; Ord. 4615, 2001; Ord. 4598, 2001; Ord. 4574 § 2,

2000; Ord. 4539 § 1-2, 2000; Ord. 4534 § 1, 2000; Ord. 4506 § 1, 2000; Ord. 4429 § 1, 1999; Ord. 4428 § 2, 1999; Ord. 4416 § 1, 1999; Ord. 4409 § 2, 1999; Ord. 4381 § 1, 1998; Ord. 4211 § 1, 1996; Ord. 4209 § 1, 1996; Ord. 4197 § 1, 1996; Ord. 4187 § 1, 1996; Ord. 4168 § 1-4, 1996; Ord. 4080 § 1, 1995; Ord. 4078 § 1, 1995; Ord. 4018 § 1, 1994; Ord. 3982 § 1,2, 1994; Ord. 3972 § 1,3,5, 1994; Ord. 3966 § 1, 1994; Ord. 3965 § 1,4 1994 Ord. 3950 § 1, 1993; Ord. 3890 § 1, 1993; Ord. 3851 § 1, 1992; Ord. 3841 § 1, 1992; Ord. 3787 § 2, 1992; Ord. 3738 § 1, 1991; Ord. 3725 § 2, 1991; Ord. 3492 § 1, 1988; Ord. 3482 § 1, 1988; Ord. 3385 § 1, 1987; Ord. 3384 § 1, 1987; Ord. 2042 § 1, 1982; Ord. 3227 § 1, 1985; Ord. 3170 § 1 (part), 1985; Ord. 2057 § 1, 1982; Ord. 2037 § 1, 1982; Ord. 2024 § 1, 1982; Ord. 2022 § 2 (part), 1981; Ord. 1982 § 1, 1981; Ord. 1956 § 1 (part), 1981; Ord. 1937 § 1 (part), 1980; Ord. 1697 § 1, 1978; Ord. 1337 § 2, 1974; Ord. 951 § 1 (part), 1966; prior code § 24.2 (part); Ord. 877 Art. 4 (part), 1964; prior code § 4.17; Ord. 877 Art. 4 (part), 1964; prior code § 4.22; Ord. 877 Art. 4 (part), 1964; prior code § 4.24; Ord. 877 Art. 4 (part), 1964; prior code § 4.25; Ord. 877, 1964; prior code § 4.34;