

ORDINANCE NO. 06, Series 2019
INTRODUCED BY:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO,
AMENDING SECTION 6-1, ADMINISTRATIVE DEPARTMENTS AND DUTIES, OF THE
CODE OF ORDINANCES, CITY OF LAFAYETTE, COLORADO, REGARDING THE
COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT AND THE ARTS AND
CULTURAL RESOURCES DEPARTMENT**

WHEREAS, the City desires to amend the title of the community development department and community development director to better reflect their duties and responsibilities; and

WHEREAS, the City Council has determined that it is no longer desirable to designate the community development/planning director as the executive director of the urban renewal authority; and

WHEREAS, the City Council desires to establish an arts and cultural resources department to operate, maintain, and promote art and cultural facilities, activities, and resources in the City of Lafayette.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS¹:

Section 1. Section 6-1. – Administrative departments and duties, of the Code of Ordinances, City of Lafayette, Colorado, is hereby amended to provide as follows:

In accordance with section 4.6 of the City Charter, the city council hereby establishes the following administrative departments of the city and prescribes the following duties to each:

- (a) A ~~community development~~planning department which department shall be under the supervision of the ~~community development~~planning director. ~~The community development director shall also serve as the executive director of the urban renewal authority.~~ The ~~community development~~planning director shall be hired by and report to the city administrator. The department shall implement and enforce the city's development and zoning and building ordinances, coordinate economic development activities, direct urban renewal efforts, implement city affordable housing regulations, provide planning and building services, enforce code compliance, oversee implementation of the city's historic preservation ordinances, and coordinate cultural arts activities and activities or services related to local history. Wherever in this Code reference is made to the "community development department" it shall be interpreted as a reference to the planning department, and wherever in this Code reference is made to the "community development director" it shall be interpreted as a reference to the planning director.
- (b) A library department which department shall provide library services and community information services. This department shall be under the supervision of the library director. The library director shall be hired by and report to the city administrator.
- (c) A department of finance and administrative services which shall be under the supervision of the finance director, who shall also serve as the treasurer and perform such duties as

¹ Additions to the current text of the Code are indicated by underlining, and deletions are indicated by ~~striketrough~~.

required by the City Charter. The finance director shall be hired by and report to the city administrator. In the director's capacity as treasurer, the director shall advise the city administrator and the city council regarding financial matters concerning the city.

- (d) A fire department which shall be under the supervision of the fire chief. The fire chief shall be appointed by and serve under the city administrator, and such appointment shall be ratified by the city council. The department may adopt its own administrative rules and bylaws as long as such shall not conflict with the policies, procedures and ordinances of the city or the laws of the state.
- (e) A municipal court department which shall be under the supervision of the city administrator. The department shall be responsible for the judicial resolution of all cases involving violation of the Code or City Charter.
- (f) A department of parks, open space and golf, which shall be under the supervision of the director of parks, open space and golf. The parks, open space and golf director shall be hired by and report to the city administrator. The department shall be responsible for the planning and maintenance of municipal parks, open space, and the municipal cemeteries. The department shall also operate the municipal golf course.
- (g) A police department as established by section 4.12 of the City Charter, which section sets forth the department's functions and chief's duties.
- (h) A department of public works, which shall be under the supervision of the director of public works. The public works director shall be hired by and report to the city administrator. The department shall review plans for and supervise construction and be responsible for the maintenance of all municipal streets and utilities. The department shall also operate the municipal utility enterprises.
- (i) A department of recreation and facility management, which shall be under the supervision of the director of recreation and facility management. The recreation and facilities management director shall be hired by and report to the city administrator. The department is responsible for recreation facility operations, recreation programs, services for older adults and other specific segments of the city's population, as directed, implementation of city energy sustainability policies, and the maintenance of public access municipal buildings.
- (j) A department of arts and cultural resources, which shall be under the supervision of the director of arts and culture. The arts and cultural resources director shall be hired by and report to the city administrator. The department is responsible for operating the public art program, as well as operating, maintaining, and promoting arts and cultural facilities, activities, and resources in the City of Lafayette.

Section 2. All places in the Code of Ordinances, City of Lafayette, Colorado, where the term "community development department" exists, it shall be replaced with the term "planning department."

Section 3. All places in the Code of Ordinances, City of Lafayette, Colorado, where the term "community development director" exists, it shall be replaced with the term "planning director."

Section 4. Section 28-1. – Purpose of the Code of Ordinances, City of Lafayette, Colorado, is hereby amended to provide as follows:

(a) In addition to those responsibilities set forth in chapter 6 of the City Code of Ordinances, the ~~community development~~ planning department shall administer the affordable housing program of the city, ~~manage and implement the urban renewal plan as may be adopted by the city council, coordinate economic development efforts of the city and,~~ oversee implementation of the city's historic preservation ordinances.

(b) In addition to those responsibilities set forth in chapter 6 of the City Code of Ordinances, the director of the department of arts and cultural resources shall work with the cultural arts commission and public art committee to fulfill their responsibilities as defined by Ordinances XX.XX, Sections XX – XX ; ~~administer the public art program, and coordinate cultural arts activities and activities or services related to local history.~~

Section 5. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 7. The repeal or modification of any provision of the Code of Ordinances, City of Lafayette, Colorado, by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 8. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 9. Violations of this ordinance shall be punishable in accordance with Section 1-10 of the Code of Ordinances, City of Lafayette, Colorado.

Section 10. This ordinance shall become effective upon the latter of the 10th day following enactment, or the day following final publication of the ordinance.

INTRODUCED AND PASSED ON FIRST READING THE _____ DAY OF _____, 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE _____ DAY OF _____ 2019.

CITY OF LAFAYETTE, COLORADO

ATTEST:

Susan Koster, CMC, City Clerk