

**ENGLEWOOD CODE ENFORCEMENT ADVISORY COMMITTEE
BYLAWS**

THE ENGLEWOOD CODE ENFORCEMENT ADVISORY COMMITTEE HAS
ADOPTED THE FOLLOWING
BYLAWS FOR THE TRANSACTION OF BUSINESS.

**ARTICLE I
NAME AND MISSION**

SECTION 1. NAME

The name of this organization is the "Code Enforcement Advisory Committee," hereafter referred to as the "Committee."

SECTION 2. CREATION

The Committee was established in accordance with ordinance 1997-71 adopted by the City Council on September 4, 1997. That enabling ordinance was incorporated into Englewood's Municipal Code ["EMC"] in Title 2, Chapter 10. Title 2, Chapter 10 was amended by Ordinance 2000-09 to reduce the number of members from 11 to 7, and to establish the Committee as a permanent advisory Committee to the City Council. Title 2, Chapter 10 was further amended by Ordinance 2008-05 to amend the language to remove reference to the Neighborhood Services Division or Neighborhood Services section of the Safety Services Department and replacing such references with references to the Code Enforcement section of the Police Department. In October 2019, Council passed Ordinance 2019-43 modifying Title 2 Chapter 10.

SECTION 3. PURPOSE.

The Code Enforcement Advisory Committee is established as an advisory committee to the City Council to regularly review the activities, services, and regulatory processes established within those sections of the Englewood Municipal Code enforced by the Code Enforcement Unit of the Police Department, and to provide recommendations to the City Council for updates and modifications to those services and regulatory processes.

SECTION 4. POWERS AND DUTIES.

- A. Conduct an ongoing and comprehensive review of those sections of EMC regulating domesticated animal welfare and control, non-domesticated animal control, environmental pollution, graffiti, noise, outdoor storage, snow and ice

removal, trash and litter, grass and weeds, trees and shrubs, and wood burning. The City Council may, at their discretion, direct the Committee to review other Chapters of the EMC intended to prevent or abate situations that are deemed detrimental to the health, safety, and welfare of the community as provided primarily in Title 15 of this Code. The Committee shall make recommendations to the City Council for the addition, deletion and revision of these provisions of the EMC.

Though the code provisions relevant to the abatement of situations detrimental to community health, safety, and welfare are primarily found in Title 15 of the EMC, other provisions implicated include, but are not limited to, the following:

1. Animals: Title 7, Chapter 1
 2. Environmental Pollution provisions:
 - a. 6-1-4 (Burning and Fires),
 - b. 11-3-5 (Discharge of Liquids),
 - c. 12-1B-10 (Connections to Fire Hydrants)
 3. Noise: Title 6, Chapter 2
 4. Snow and Ice Removal: 11-3-2
 5. Wood Burning: 6-1-11, 6-1-12
- B. Review the processes, procedures, and administrative functions of the Code Enforcement Unit of the Police Department. The Committee shall make recommendations to the City Manager, or his/her designee, for improvements.
- C. Seek input from members of the community regarding enforcement priorities of the Code Enforcement Unit to utilize the resources provided in a manner that meets the needs of the community. Develop community education efforts to inform the community about code enforcement initiatives and regulations.
- D. The Committee shall act as a conduit of communication between the City Council, Manager, and the community. and gather and assess the information necessary to make sound recommendations to the City Council as needed. Provide written reports and/or recommendations to the City Council regarding the responsibilities set forth in A, B, and C above through the City Council liaison for service delivery. Make annual written recommendations to all stakeholders, as needed, but no less than annually.

SECTION 5. GENERAL.

- A. The Committee shall organize, adopt administrative rules and procedures and elect from its members such officers as it shall deem necessary to accomplish its purposes. Officers of the Committee shall be elected for one-year terms. No officer shall serve in the same capacity for more than two consecutive terms.
- B. The Chairperson may appoint such standing or special subcommittees from the membership of the Committee as the Committee shall determine necessary or useful in carrying out its purposes and powers. The purpose, term, and members of the subcommittee shall be determined by the chairperson.
- C. The responsibilities of the Committee shall not extend to directing or interfering in the work of any officer or employee under the City Manager, either publicly or privately.
- D. When a committee member is present at a City Council meeting and addresses the City Council on a matter, the member should take care to represent the viewpoint of the CEAC as a whole and to avoid expressing his or her personal opinion unless clearly stated as such. When committee members communicate with the public, they must state they are communicating as an individual as opposed to a committee member, unless stating an established consensus of the committee.

ARTICLE II MEMBERSHIP

SECTION 1. MEMBERSHIP.

The membership of the Committee shall be as set forth in EMC Title 2, Chapter 10.

- A. The Committee will be comprised of seven members appointed by the City Council who shall be citizens-at-large.
- B. The City Manager shall appoint one member of city staff to serve as the staff liaison/recording secretary and one member of the police department staff to provide technical information regarding the regulatory processes subject to review by the Committee. At the Manager's discretion a single individual may provide both services to the Committee.
- C. One member of the City Council shall serve as council liaison to the Committee.

SECTION 2. TERM AND VACANCIES.

Members will be appointed to overlapping terms of two years.

The City Council shall make appointments to fill vacancies for unexpired terms. Members appointed to vacancies will serve out the remainder of the vacancy or two (2) years, whichever is shorter.

SECTION 3. COMPENSATION.

The members of the Committee shall serve without compensation. Reasonable expenses directly related to performing the duties of the committee will be allowed.

SECTION 4. ATTENDANCE.

Members of the Committee shall make it a regular practice to attend the full length of the Committee's regular meetings, and any scheduled special meetings or community meetings of the Committee. If, for any reason, a Committee Member cannot attend the scheduled meetings, it is the Committee Member's responsibility to notify the Chair of the absence prior to the meeting.

SECTION 5. REMOVAL.

If a Committee Member is absent from two consecutive meetings without notifying the Chair prior to the meeting, or is absent from 3 total meetings during a calendar year without notification to the Chair, then upon a motion by the Committee, the name of the Committee Member will be forwarded to the Governing Body for removal from the Committee.

SECTION 6. ALTERNATE MEMBERS.

Alternate members are appointed by the City Council to better assure that the business of the body does not stop due to lack of quorum of the membership. Alternates will receive the same meeting packet as regular members and are held to the same attendance standards as regular members. An alternate member is expected to always be present at meetings, knowledgeable about the topics before the body, and ready to decide any matter brought before the body, as they may be called on to serve at any time. When an alternate member serves in place of a regular member they are counted as part of the quorum, and they vote on all matters brought before the body during the meeting where they are serving.

SECTION 7. RESIGNATION.

Any member may resign at any time by giving written notice to the Chair and City Council. Such resignation shall take effect upon acceptance by City Council.

ARTICLE III OFFICERS

SECTION 1. ELECTIONS.

The Committee shall elect annually at its first meeting after March 1, or as soon thereafter as possible, a Chair, and a Vice-Chair. The term of office is from the date of election until the date a successor is elected. An individual may serve no more than two consecutive terms of office. An individual who has served two consecutive terms in the same office may again become eligible to serve in such office two years after concluding two consecutive terms.

SECTION 2. MEETING CHAIR.

The Chair shall preside at all meetings of the Committee. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the recording secretary shall call the meeting to order and shall preside to select a temporary Chair. The recording secretary shall forthwith relinquish the Chair after selection of a temporary Chair.

SECTION 3. RESERVED.

SECTION 4. RIGHT OF CHAIR TO VOTE.

The Chair, or other presiding officer, shall have the right to make motions and to second motions without vacating the Chair. Provided, however, that when the recording secretary is acting as temporary chair in accordance with these rules, they shall have no vote.

SECTION 5. VICE CHAIR.

The Vice Chair shall work in cooperation with the Chair and shall perform such duties as the Committee may assign to him or her. In the event of the death, absence, incapacity, inability, or refusal of the Chair to act as the Chair, the Vice Chair shall be vested with all the powers and perform all of the duties of the office of Chair. In the absence of the Chair, the Vice Chair shall preside at all meetings of the Committee at which he or she may be present. The Vice Chair shall have such other or further duties or authority as may be prescribed elsewhere in these Bylaws or from time to time by the Committee.

SECTION 6. RECORDING SECRETARY.

The recording secretary shall be appointed by the City Manager to serve in that capacity.

SECTION 7. AUTHORITY TO SIGN DOCUMENTS.

The Presiding Officer and the Recording Secretary shall sign all official documents of the Committee. Any documents or communications from the Committee shall be signed "By Order of the City Code Enforcement Advisory Committee."

SECTION 8. RESERVED.

SECTION 9. DUTIES OF THE RECORDING SECRETARY.

The Recording Secretary shall be the administrative staff of the Committee, and subject to these bylaws and the direction of the Committee, conduct all official correspondence; send all notices required by these Rules and orders of the Committee; prepare and post meeting minutes and draft agenda for the upcoming meeting, attend all meetings and hearings; and keep the Minutes of the Committees proceedings. The Recording Secretary shall be and is hereby authorized to designate an Acting or Assistant Secretary, including an ex-officio member, to perform any or all of the above functions in the event of the incapacity or absence of the Secretary.

ARTICLE IV MEETINGS

SECTION 1. RULES OF PROCEDURE.

The Committee shall operate in accordance with Bob's Rules of Order.

SECTION 2. REGULAR MEETINGS.

The regular meetings of the Committee shall be held on an ad hoc basis as may be determined by City Council or the Committee chair. For such meetings, at least three days- notice must be given to each Committee member, including liaisons and Council Members.

SECTION 3. NOTICE PROCEDURES.

All members of the Committee shall be notified, either during a scheduled meeting by electronic mail, of the time and date of a meeting or a rescheduled meeting. Notice of any meeting shall be carried out by the recording secretary to the Committee upon written request by the Chair or written request by a majority of the Committee, and in conformance with the Colorado Open Meetings Act.

SECTION 4. TIME/LENGTH OF MEETINGS.

Meetings shall commence promptly at the time designated by the Committee members. A meeting shall not last longer than two hours from the time it commences, unless a majority of the Committee members present at a duly held meeting vote to allow such meeting to continue for longer than the two hour duration.

SECTION 5. OPEN MEETINGS ACT.

All meetings shall be open to the public and carried out in conformance with the Colorado Open Meetings Act.

SECTION 6. QUORUM.

A simple majority of the voting Committee members shall constitute a quorum for the transaction of business.

SECTION 7. AGENDA.

A draft agenda containing the anticipated business of the Committee shall be forwarded to the Chair by the recording secretary at least ten days prior to the date of the meeting. The Chair shall review the agenda, modify the agenda as desired, and return a final and approved copy of the agenda to the recording secretary for posting in accordance with City notice requirements. Meeting format shall be set forth in a policy adopted by the Committee. The format of meetings may be modified from time to time at the discretion of the Committee.

SECTION 8. VOTING.

All members of the Committee except ex-officio members and Council Liaison members shall have one vote equal in weight. An item shall be passed upon approval by a majority of the members present, unless otherwise required by law. If a roll call vote is taken, all votes shall be recorded so as to attribute each "yea" and "nay" vote, or abstinence if not voting, to the name of the respective Committee member. Every act or decision done or made by a majority of the Committee members present at a duly held meeting at which a quorum is present shall be regarded as the act of the entire Committee.

SECTION 9. TIE VOTES.

Votes resulting in a tie shall fail as a tie does not signify the support of a majority of the membership present and voting.

SECTION 10. CONFLICT OF INTEREST/ABSTENTION.

Members of the Committee have a duty to vote unless they have an actual conflict of interest. A conflict of interest is generally considered to be any matter in which an individual or their spouse has a fiduciary (financial) interest in the outcome of such matter. In case of a conflict of interest between a Committee member and any business under consideration by the Committee, the Committee Member shall notify the Committee as soon as such conflict becomes apparent. A Committee Member shall publicly state for the record any conflict of interest such Committee Member has on any matter brought before the Committee and abstain from voting on such matter. After a member has declared a conflict of interest they shall not be heard on such matter.

The Presiding Officer may question any member off the record regarding possible conflicts of interest prior to discussion of such matter.

Discretionary abstention shall be in accordance with Bob's Rules of Procedure.

**ARTICLE V
FINANCE**

SECTION 1. MANAGEMENT OF FUNDS.

The Committee will have the power to receive and disburse funds within the limitations of appropriations, gifts and grants and in connection with projects or undertakings consistent with Article 1, Section 3. The Committee will provide a finance report to the City Council annually, including a statement of all monies or other donations received. The Report will include as part of its report a statement of its receipts and disbursements for the preceding 12 months. Additionally, the Committee will present its proposed annual budget during each July, including its anticipated revenues and expenditures, and source of its anticipated revenues. The Committee shall keep such records as will enable it to make such reports and accountings and the same will be subject to verification and examination by the City Treasurer and/or auditors of the City.

**ARTICLE VI
RESERVED**

**ARTICLE VII
RECORDS AND REPORTS**

- A. The record of all Committee meetings and hearings shall be kept on file in the office of the City Clerk in such manner as to be available for public inspection during the regular office hours of the City.

**ARTICLE IX
ANNUAL REVIEW OF BYLAWS**

The Chair shall annually place review of these bylaws on the Agenda of the Committee.

**ARTICLE X
AMENDMENTS**

Amendments to these bylaws may be introduced at any meeting of the Committee and voted on at the same or any subsequent meeting, provided that notice of the consideration of any such amendment or passage, either in the form of a letter or

official Agenda of the Committee, is distributed to each member prior to its first introduction at a regular meeting.

CERTIFICATE

The foregoing Bylaws were duly adopted as and for the Bylaws of the Code Enforcement Advisory Committee at its regular meeting held on November 18, 2020, and are hereby signed By Order of the City Code Enforcement Advisory Committee.

Julie Bowden
